



*A FRAMEWORK  
FOR  
UNDERSTANDING*

the  
nature  
and  
dynamics  
of  
domestic  
violence

*REVISED SEPTEMBER 2006*

the missouri coalition  
**MCADV**  
against  
domestic & sexual  
violence



718 east capitol jefferson city, missouri 65101  
(573) 634-4161 (573) 636-3728 fax  
mocadsv@mocadsv.org  
www.mocadsv.org

Funding for this publication was provided in part by  
a federal Family Violence Prevention and Services Act grant;  
the Missouri Department of Social Services; and  
U.S. Department of Justice Grant No. 2004-DW-AX-0032.

The women and children pictured in this publication are  
models and are used for illustrative purposes only.

---

# CONTENTS



## **A FRAMEWORK FOR UNDERSTANDING THE DYNAMICS OF DOMESTIC VIOLENCE** **1**

- ▶ Four types of abuse
- ▶ The relationship between violence and other tactics of control
- ▶ Domestic violence victims employ a variety of survival strategies
- ▶ Dilemmas in leaving an abusive relationship
- ▶ The relationship between poverty and domestic violence
- ▶ Considerations for working with diverse backgrounds and underserved populations

## **MEN WHO BATTER, THEIR SELECTIVE BEHAVIORS AND SOCIETAL INFLUENCES** **12**

- ▶ Attitudes and behaviors of men who batter
- ▶ Power and control wheel
- ▶ How abusers use power and control
- ▶ Factors for changing batterers' behavior

## **DOMESTIC VIOLENCE AND ITS COMPLEX EFFECTS ON CHILDREN AND MOTHERS** **19**

- ▶ The effects associated with witnessing domestic violence
- ▶ Not all advocates are mandated reporters

## **EMPOWERMENT AND ADVOCACY FOR SURVIVORS** **23**

- ▶ The LIFE process of assisting women victimized by domestic violence
- ▶ Empowerment is the core of advocacy
- ▶ A guide to working with women in crisis
- ▶ Personalized safety plan

<b>FUNDAMENTAL ISSUES RELATED TO JUSTICE SYSTEM REMEDIES</b>	<b>31</b>
▶ Procedure for obtaining an Adult Order of Protection	
▶ Relief available with protection orders	
▶ Missouri Adult Abuse Act at a glance	
▶ Domestic violence assault crimes	
<b>COLLABORATION: EXPANDING SERVICES WITH COMMUNITY PARTNERS</b>	<b>38</b>
<b>RECOMMENDED RESOURCES</b>	<b>40</b>
<b>THE MISSION AND PURPOSE OF MCADSV</b>	<b>43</b>

---

# A FRAMEWORK FOR UNDERSTANDING THE DYNAMICS OF DOMESTIC VIOLENCE

---



**P**eople often think of domestic violence only in terms of the black eyes and bruises that can be seen. In reality, domestic violence is a pattern of assaultive and coercive behaviors that abusive men use to control their intimate partners. As adaptive and resilient as they are, women who have been battered nevertheless face a daunting number of barriers to escaping the violence. In addition to the very real threat of harm or death to themselves or their children, victims must contend with the accompanying financial and emotional hardship. They also often weigh cultural and religious values that emphasize keeping families intact and respond to the violence in spite of justice and social service systems that don't always provide adequate safety and support.

People who have never experienced abuse often find it difficult to imagine why women don't leave and how the abuse can continue for years. Relationships almost never start out abusive. It is important to remember that love and intimacy precede the abuse, which can make it difficult to break away. Abusive relationships are not violent all the time. There are periods when a woman is reminded why she fell in love with her partner. Abusers effectively weave together intimacy and abuse to control their partners.

Women who have been battered sometimes express confusion about the recurring nature of the violence they experience in their relationship. It

## DEFINITION

### KEY POINT

**Domestic violence is a pattern of assaultive and coercive behaviors that adults or adolescents use against their current or former intimate partners.**

.....  
Domestic violence occurs in intimate relationships where the perpetrator and the victim are currently or previously have been dating, living together, married or divorced. They might have children in common or not.



## NOTEWORTHY



### About the use of pronouns in this publication

**The greatest single common denominator about victims of domestic violence is the fact that the overwhelming majority are women.**

According to the most comprehensive national study by the U.S. Department of Justice on family violence, the majority of domestic violence victims are women. Females are 84 percent of spouse abuse victims and 86 percent of victims at the hands of a boyfriend or girlfriend. The study also found that men are responsible for the vast majority of these attacks—about 75 percent.<sup>1</sup>

And, women experience more chronic and injurious physical assaults by intimate partners than do men.<sup>2</sup>

That's why feminine pronouns are used in this publication when referring to adult victims and masculine pronouns are used when referring to perpetrators of domestic violence. This should not detract from the understanding that, in some instances, the perpetrator might be female while the victim is male or of the same gender.

<sup>1</sup> Durose, M., et al. (2005). *Family violence statistics: Including statistics on strangers and acquaintances*. Washington, DC: U.S. Department of Justice.

<sup>2</sup> Tjaden, P., & Thoennes, N. (2000). *Full report of the prevalence, incidence, and consequences of violence against women*. Washington, DC: U.S. Department of Justice.

seems to them to be unpredictable and impulsive. Domestic violence, however, is neither random nor haphazard. It is a complex pattern of increasingly frequent and harmful physical, sexual, psychological and other abusive behaviors used to control the victim. The abuser's tactics are devised and carried out precisely to control her.

### DOMESTIC VIOLENCE IS UNLIKE OTHER CRIME

While domestic violence has certain similarities to other forms of family violence—such as child abuse, child-to-parent violence, sibling violence or elder abuse—it has certain unique characteristics that make it distinct. Domestic violence distorts what is supposed to be a partnership based on mutual respect. Neither partner has a legitimate role in disciplining or controlling the other. When domestic violence permeates a relationship, the abuser and victim no longer share equal rights and responsibilities within the partnership.

### SAFETY SHOULD BE PARAMOUNT

Safety must be the fundamental guiding principle in any and all efforts to assist those escaping the violence and control of their intimate partners. All contact and interventions with a survivor must account for the risks she faces when she seeks help. The reality for women victimized by domestic violence is that the risk of danger is greater when they leave their abusive relationships.

A woman who has been battered further risks the safety of herself and her children through the process of disclosing abuse, separating from a batterer, seeking child support or reporting her batterer's abuse of her children. There will be unintended consequences for a woman if interventions are not based on safety and her assessment of her situation.

### EMPOWERING SUPPORT IS ESSENTIAL

The woman experiencing domestic violence is the expert on the violence in her life. She has the best sense if her batterer will carry through on his threats if she tells her story, goes to work or pursues child support. Anyone seeking to help a victim of domestic violence must encourage and respect the choices she makes. This reinforces her autonomy and can empower her with the knowledge that she can survive outside of her abusive relationship.

In a non-emergency situation, one of the primary reasons a survivor tells you her story is to seek your services, gather information and resources, investigate her options and be encouraged by a non-judgmental, helpful person. The responsibilities of anyone who works with women victimized by domestic violence can be summarized as follows:

- ▶ Help her plan for future safety.
- ▶ Listen to her and acknowledge her experiences.
- ▶ Affirm the injustice of the violence against her.
- ▶ Respect her autonomy.
- ▶ Promote her access to community services.
- ▶ Respect and safeguard her confidentiality.

### THE ROLE OF DOMESTIC VIOLENCE PROGRAMS

There are more than 100 domestic violence shelters and support programs throughout Missouri, however, fewer than half of the state's 114 counties have emergency shelters. Consequently, domestic violence program staff are accustomed to using creative and inventive approaches to providing services in a variety of settings. Most women don't need emergency shelter, but they do need someone to talk to beyond office hours. Almost all can benefit from the common ground found in a support group.

The majority of domestic violence shelters and service providers have toll-free numbers that allow them to serve multiple counties so they can help create safety plans, offer support, and provide court advocacy and other resource information—even from a distance. Some programs have outreach staff who can work with victims to make plans for obtaining services in their communities. When working to meet the needs of women and their children, there is more to be gained by working together than anyone can do by working alone.

### YOUR ROLE IS EQUALLY VITAL

The challenge for all of us is to do what we *can* do. We *can* meet the challenge with hope. For the truth is that *people* commit domestic violence, and *people* can stop it. Your efforts have the potential to save lives, to stop the violence, and to create new opportunities for families living in fear and danger. By its very nature, your work to address domestic violence is an ethical endeavor to further social justice.

**Y**ou cannot emerge a whole human being when you escape someone who constantly beats you and berates you physically, emotionally and spiritually . . . until that searing of the soul has been attended to. . . . There is something that happens to the psyche. The wholeness of the individual must be looked at. . . . They must begin to understand what has happened to them, and why. ¶

— SURVIVOR OF  
DOMESTIC VIOLENCE

## RELEVANT DATA



### The people harmed by domestic violence

▶ About one in four women will experience domestic violence in her lifetime.

—Tjaden, P., & Thoennes, N. (2000). *Extent, nature and consequences of intimate partner violence: Findings from the National Violence Against Women Survey*. Washington, DC: U.S. Department of Justice.

▶ Having a verbally abusive partner was the variable most likely to predict that a woman would be victimized by an intimate partner.

—Ibid.

▶ In 1998, women experienced an estimated 876,340 rape, sexual assault, aggravated assault, simple assault and robbery victimizations at the hands of an intimate or former intimate partner, down from 1.1 million in 1993.

—Rennison, C. M., & Welchans, S. (2000). *Intimate partner violence*. Washington, DC: U.S. Department of Justice.

▶ The percentage of female murder victims killed by intimate or former partners has remained at about 30 percent since 1976.

—Ibid.

▶ In 2001, 20 percent of violent crime against women was intimate partner violence, compared to 3 percent of violent crime against men.

—Rennison, C. M. (2003). *Intimate Partner Violence, 1993-2001*. Washington, DC: U.S. Department of Justice.

## FOUR TYPES OF ABUSE

Abuse can take on many forms. Some types are more subtle than others and might never be seen or felt by anyone other than the woman experiencing the abuse. The abuser uses a combination of tactics that work to control the victim. The abuse also usually increases in frequency and severity over time.

### PHYSICAL ABUSE

Physical abuse is easier to recognize and understand than other types of abuse. It can be indicated when the batterer:

- ▶ Scratches, bites, grabs or spits at a current or former intimate partner.
- ▶ Shakes, shoves, pushes, restrains or throws her.
- ▶ Twists, slaps, punches, strangles or burns the victim.
- ▶ Throws objects at her.
- ▶ Subjects her to reckless driving.
- ▶ Locks her in or out of the house.
- ▶ Refuses to help when she's sick, injured or pregnant, or withholds medication or treatment.
- ▶ Withholds food as punishment.
- ▶ Abuses her at mealtime, which disrupts eating patterns and can result in malnutrition.
- ▶ Abuses her at night, which disrupts sleeping patterns and can result in sleep deprivation.
- ▶ Attacks her with weapons or kills her.

### SEXUAL VIOLENCE AND ABUSE

Sexual violence and abuse can be extraordinarily difficult for victims to talk about because of the ways in which this type of violence often is perpetrated. Sexual violence or abuse can be indicated when the batterer:

- ▶ Is jealously angry and assumes she will have sex with anyone.
- ▶ Withholds sex and affection as punishment.
- ▶ Calls her sexual names.
- ▶ Pressures her to have sex when she doesn't want to.
- ▶ Insists that his partner dress in a more sexual way than she wants.
- ▶ Coerces sex by manipulation or threats.
- ▶ Physically forces sex or is sexually violent.
- ▶ Coerces her into sexual acts that she is uncomfortable with, such as sex with a third party, physically painful sex, sexual activity she finds offensive or verbal degradation during sex.
- ▶ Inflicts injuries that are sex-specific.
- ▶ Denies the victim contraception or protection against sexually transmitted diseases.

## PSYCHOLOGICAL ABUSE

It is the abuser's use of physical and sexual force or threats that gives power to his psychologically abusive acts. Psychological abuse becomes an effective weapon in controlling a victim, because she knows through experience that her abuser will at times back up the threats or taunts with physical assaults. Psychological abuse can be indicated when the batterer:

- ▶ Breaks promises, doesn't follow through on agreements or doesn't take a fair share of responsibility.
- ▶ Verbally attacks and humiliates his partner in private or public.
- ▶ Attacks her vulnerabilities, such as her language abilities, educational level, skills as a parent, religious and cultural beliefs or physical appearance.
- ▶ Plays mind games, such as when he denies requests he has made previously or when he undercuts her sense of reality.
- ▶ Forces her to do degrading things.
- ▶ Ignores her feelings.
- ▶ Withholds approval or affection as punishment.
- ▶ Regularly threatens to leave or tells his partner to leave.
- ▶ Harasses her about affairs he imagines her to be having.
- ▶ Stalks her.
- ▶ Always claims to be right.
- ▶ Is unfaithful after committing to monogamy.

## ECONOMIC ABUSE

Economic abuse can be indicated when the batterer:

- ▶ Controls all the money.
- ▶ Doesn't let her work outside the home or sabotages her attempts to work or go to school.
- ▶ Refuses to work and makes her support the family.
- ▶ Ruins her credit rating.

---

## THE RELATIONSHIP BETWEEN VIOLENCE AND OTHER TACTICS OF CONTROL

.....

Domestic violence is not an isolated, individual event but rather a pattern of repeated behaviors. Assaults are repeated against the same victim by the same perpetrator. These assaults occur in different forms, including physical, sexual, psychological and economic. While physical assaults might occur infrequently, other parts of the pattern can occur daily. The use of these other tactics is effective because one battering episode builds on past

**W**hat really got to me was the way that he abused me. You know, he would not leave me alone until we had sex. He was like that. I would be there, tears rolling out of my eyes from our fighting, and him hitting me, and he would want to have sex. But I had no choice, because if I didn't have sex with him, well, what would happen to me next? Right after the fights is when he wanted it, and I couldn't stand it. ♣

— SURVIVOR OF  
DOMESTIC VIOLENCE

**T**here were signs all along: He was very jealous and very possessive, but he was also very, very, charming. He brought me roses and roses and diamond rings, and all kinds of stuff. He treated me like a queen for years until we bought this house and moved in together.¶

– SURVIVOR OF  
DOMESTIC VIOLENCE

episodes and sets the stage for future episodes. All tactics of the pattern interact and have profound effects on the victims. Examples of commonly used control tactics include:

### **ISOLATING THE VICTIM**

- ▶ Initially, a batterer might cut off the victim from supportive relationships with the claims of “loving you so much” and “wanting to be with you all the time.”
- ▶ The intent is to control her time and isolate her from her support system of family and friends who might question his actions. For example, he might refuse to have telephone service or reliable transportation, monitor her e-mail, or make the family change residences frequently.
- ▶ He might constantly criticize her family and friends or harass her so much that it is easier for her to cut off contact with them. He might make it impossible for her to have contact with others by using coercion, threats or force.
- ▶ Some victims believe what their abusers say because they are so isolated they have no access to information that might contradict him.

### **USING THE CHILDREN**

- ▶ The batterer might punish the children as a way to hurt her.
- ▶ He might sexually abuse the children or force them to watch the abuse of the victim.
- ▶ He might use the children to spy or report on her activities.
- ▶ He might threaten to kidnap or kill the children if his partner leaves him.
- ▶ He could gain legal custody, just take the children, or use custody and visitation arrangements to harass or harm her.

### **DAMAGING RELATIONSHIPS**

- ▶ The abuser might discredit her relationships with others in the community, such as employers, clergy, friends and neighbors, by spreading rumors or distorted information. For example, he might tell others she is crazy or a liar or send messages from her e-mail address to alienate her from friends and family.

### **ATTACKING PROPERTY AND PETS**

- ▶ The abuser might hit the wall next to where the victim is standing or throw objects at her. He might pound the table next to her or break her favorite possessions. He might say: “Look what you made me do” or “You’ll be next.”
- ▶ The abuser might harm pets to hurt and intimidate her.

### **STALKING PARTNER OR EX-PARTNER**

- ▶ The abuser might follow, threaten, harass and terrify his partner or ex-partner, especially after she has left or separated.
- ▶ The abuser might monitor her whereabouts, daily activities, phone conversations or e-mail to prove to her that she cannot conceal anything from him.

## DOMESTIC VIOLENCE VICTIMS EMPLOY A VARIETY OF SURVIVAL STRATEGIES

Women who have been battered are survivors. Asking them why they don't leave an abusive relationship ignores the complex set of factors they must weigh to decide how best to protect themselves and their children. Implying that it is the responsibility of the victim to end the violence blames her for the abuse and does not hold the batterer accountable for his crimes.

### **FOR SOME VICTIMS, STAYING MAY BE SAFER**

Not all women want to leave the relationship. They want the violence to stop. There are times when it may be safer for a woman and her children to stay. Quite simply, a woman who has been battered might be told she will be killed, or her children will be killed, if she leaves or refuses to return. Past violence has taught her that his threats often translate into action. Leaving also might harm her children if he gets custody or visitation. If she is still in the relationship, she can monitor his interactions with the children. Indeed, the decision to leave an abusive relationship is not as straightforward as it might seem. The table on page 8 outlines some of the crucial factors a victim must consider, especially if she has children.

### **WOMEN WHO HAVE BEEN BATTERED LEAVE ALL THE TIME**

It is important to remember that women do escape the violence in their lives. Friends, family and a network of service providers within a supportive community can be instrumental for a survivor who chooses to make the overwhelmingly difficult decision to uproot her life.

What at first might appear to an outsider to be self-defeating behavior on the part of the victim, such as being afraid to seek the services of a program for victims of domestic violence or wanting to return to the abuser in spite of severe violence, in fact might be normal reactions to significantly frightening situations. A victim uses different strategies to cope with and resist abuse. These strategies might appear to be the result of passivity or submission, when in reality she has learned that these are sometimes-successful, temporary means of stopping the violence.

I was threatened by one of Dale's friends. He threatened to burn my house down and kill me and kill my father-in-law and burn down his trailer. I reported this to the police. In two weeks, my home was burned down. When I returned to the police station, they could find nothing about my previous report. Absolutely nothing. And I know I was there. I suppose somehow they got to the police.¶

— SURVIVOR OF  
DOMESTIC VIOLENCE

## DILEMMAS IN LEAVING AN ABUSIVE RELATIONSHIP



Leaving a violent relationship is not a simple matter. There are many factors that must be weighed carefully, because only the abuser truly can stop the violence.

### PHYSICAL

#### POSSIBLE RISKS IF SHE STAYS

- ▶ **Physical injury.** He can continue to hit and injure her.
- ▶ **Death.** He might kill her or the children.
- ▶ **STDs/HIV.** She might have no choice regarding safe-sex practices. He might sexually assault her.

#### POSSIBLE RISKS IF SHE LEAVES

- ▶ **Physical injury.** He might continue to injure her. He also might be inclined to escalate the violence after she leaves.
- ▶ **Death.** Leaving doesn't ensure that he won't find her, and it might increase the chance she or the children will be killed.
- ▶ **STDs/HIV.** Unsafe behavior might continue. He might sexually assault her.

### CHILDREN

#### POSSIBLE RISKS IF SHE STAYS

- ▶ **Physical injury or psychological harm.** Children can witness violence, be targets themselves or be hurt trying to protect others.
- ▶ **Loss of children.** He could make false allegations of child neglect or abuse about her. Failure-to-protect arguments could be used to remove children or terminate parental rights.

#### POSSIBLE RISKS IF SHE LEAVES

- ▶ **Physical injury or psychological harm.** Children can witness violence, be targets themselves or be hurt trying to protect others. They might be at greater risk during visitation.
- ▶ **Loss of children.** He could legally gain custody or just take the children. He could make false allegations of child neglect or abuse.

### FINANCIAL

#### POSSIBLE RISKS IF SHE STAYS

- ▶ **Standard of living.** He might control the money and give her little to live on. He could lose or quit his job. He might make her lose or quit her job.
- ▶ **Loss of income/job.** He could keep her from working or limit how much she works. He might sabotage her efforts to find a job or her success in a job or training program.
- ▶ **Loss of housing.** She could be evicted because of property damage he has done.
- ▶ **Loss of or damage to possessions.** He might destroy things of importance or value to her.

#### POSSIBLE RISKS IF SHE LEAVES

- ▶ **Standard of living.** She might now have to live on less money, relying solely on her own income. She might have to move out of her home and community.
- ▶ **Loss of income/job.** She might have to quit her job and raise her children as a single parent. He might sabotage her efforts to find a job or succeed in a training program.
- ▶ **Loss of housing.** She might have to move out, leave town or go into hiding. She might lose her home in a divorce.
- ▶ **Loss of or damage to possessions.** He might destroy things of importance or value to her. She might have to leave things behind if she flees.

### FAMILY AND FRIENDS

#### POSSIBLE RISKS IF SHE STAYS

- ▶ **Physical injury.** He might threaten or injure family or friends, particularly if they try to offer assistance.
- ▶ **Loss of support.** They might want her to leave and might stop supporting her if she stays. They might be afraid of him or not like him. He might keep her isolated from them.

#### POSSIBLE RISKS IF SHE LEAVES

- ▶ **Physical injury.** He might threaten or injure family or friends, particularly if they try to offer assistance.
- ▶ **Loss of support.** They might not want her to leave and might stop supporting her.

### PSYCHOLOGICAL

#### POSSIBLE RISKS IF SHE STAYS

- ▶ **Psychological harm.** Verbal, emotional and physical attacks will continue to affect her.
- ▶ **Substance abuse.** She might use drugs or alcohol to help her cope with the emotional and physical pain.
- ▶ **Suicide.** He might threaten or commit suicide.

#### POSSIBLE RISKS IF SHE LEAVES

- ▶ **Psychological harm.** He might have continued access to her, particularly if they have children in common.
- ▶ **Substance abuse.** She might use drugs or alcohol to help her cope with her new situation and past abuse.
- ▶ **Suicide.** He might threaten or commit suicide.

## THE RELATIONSHIP BETWEEN POVERTY AND DOMESTIC VIOLENCE

Domestic violence permeates all social groups defined by race, ethnicity and economic circumstances, yet it is clear that the combined experience of poverty and violence raises particularly difficult issues for women and their children. Women living in poverty experience violence by their partners at higher rates partially because they have fewer options. Access to independent economic resources, including public assistance, is vital to an abused woman's decision making and safety planning.

The high rates of domestic violence in the lives of impoverished women, along with higher rates of physical and mental health problems, mean that economically disadvantaged women are likely to have more, and more complex, needs than those who have more resources. It is important to note that women who experience violence and poverty are astoundingly resilient and use the resources they do have strategically. Each woman has her own experience and is affected by the violence in her life in different ways and to different degrees.

Economic independence and employment are central considerations in women's safety. For a woman with limited resources, obtaining safe and affordable housing is often difficult. Each victim faces unique risks and thus has unique needs for safety and self-sufficiency. In many instances, determining what a particular woman needs is as simple as asking her.

### **BARRIERS TO LEAVING PUBLIC ASSISTANCE**

Not all women who have experienced domestic violence have problems that interfere with their taking steps toward self-sufficiency. Other women, however, do have lingering safety concerns or trauma that interferes with job training or employment. For a significant number, domestic violence is a major "welfare-to-work" barrier. Abusers often feel threatened by a partner's efforts to become more financially independent, and they actively interfere with or sabotage job training, education or employment activities.

#### RELEVANT DATA



#### Poverty and intimate partner violence

► Women living in disadvantaged neighborhoods were more than twice as likely to be the victims of intimate violence compared with women in more advantaged neighborhoods.

—Benson, M. L., & Fox, G. L. (2004). *When violence hits home: How economics and neighborhood play a role*. Washington, DC: U.S. Department of Justice.

► Women in disadvantaged neighborhoods were more likely to be victimized repeatedly or to be injured by their domestic partners than were women who lived in more advantaged neighborhoods.

—Ibid.

## RELEVANT DATA

**The extent  
of intimate  
partner violence**

► Women living with female partners experience less intimate partner violence than women living with male intimate partners. Men living with male intimate partners experience more violence than do men who live with female intimate partners.

—Tjaden, P., & Thoennes, N. (2000). *Extent, nature and consequences of intimate partner violence: Findings from the National Violence Against Women Survey*. Washington, DC: U.S. Department of Justice.

► Rates of intimate partner violence vary significantly among women of diverse racial backgrounds. Asian/Pacific Islander women and men tend to report lower rates of intimate partner violence than do people from other minority backgrounds. African American and American Indian/Alaska Native women and men report higher rates.

—*ibid.*

---

## CONSIDERATIONS FOR WORKING WITH DIVERSE BACKGROUNDS AND UNDERSERVED POPULATIONS

---

A woman of color faces particular barriers, because she often has to overcome not only victim-blaming attitudes but also racial stereotypes. She might have encountered racism in the criminal justice and social service systems and might be reluctant to turn to those systems for help. As a result, she might not have been believed or treated fairly in the past. It is never easy for a woman to tell others what is happening to her. For a woman of color, there is often an added pressure to remain silent rather than potentially reinforce negative perceptions of her community by discussing domestic violence. In some communities of color, religion is particularly important to a sense of identity and belonging. Some African American, Latino and Asian American communities, for example, might also have strong religious or cultural traditions that can add to a woman's reluctance to leave her abusive marriage.

Women of all races might have strong religious convictions. Family cohesiveness and spiritual community can be positive and strengthening, but for women experiencing domestic violence, it also can mean that leaving an abusive relationship includes the risk of losing her family or congregation or acting against a deeply held belief.

Immigrant or refugee women face extreme difficulty escaping domestic violence. Cultural isolation and language barriers can be particularly devastating. Because of experiences in her country of origin, she might have little trust in the justice system. She also might believe that her ability to remain in this country depends on her husband's immigration status or might erroneously believe that seeking any help will result in her deportation. It is critical that immigrant and refugee women have access to legal services to help them address their particular concerns and legally complex situations.

Lesbian, gay, bisexual and transgendered individuals who are abused face the same issues that heterosexual women face, plus others unique to their same-sex relationship or sexual orientation. They might have reason to fear mistreatment or alienation if they reveal their sexual orientation to friends,

family or coworkers. Past incidents of discrimination can make them reluctant to approach service providers. Even when they do seek help, they often find that many traditional services for abused heterosexual women do not provide support for them.

Women who have a mental illness or physical or communicative disability face additional barriers obtaining social services and breaking isolation from their abuser. A woman may be waiting for approval of a disability award to move toward financial independence, she may rely on her partner's health insurance to pay for medications, or she might depend on her partner for basic daily mobility or communication needs. When a woman does try to seek help, she may find that materials may not be available in Braille or that American Sign Language interpreters often are not accessible. Women may not be believed because their limited communicative abilities lead people to misinterpret what they say or to think that they are "slow" and cannot accurately describe their situation.

## RELEVANT DATA

**Intimate partner violence and women with disabilities**  
.....

► In a study on women with disabilities, 56 percent reported abuse. Of this group, 74 percent reported abuse that was chronic in nature and 55 percent reported multiple abuse situations in their adult lives. The abuser was their male intimate partner 80 percent of the time.

—Wayne State University (2004).  
*Michigan study on women with physical disabilities*. Washington, DC: U.S. Department of Justice.

## MEN WHO BATTER, THEIR SELECTIVE BEHAVIORS AND SOCIETAL INFLUENCES



**D**omestic violence is not impulsive but purposeful and instrumental. Batterers can be perfectly agreeable with or conciliatory to police officers, employers, neighbors, co-workers and friends. But batterers don't use those skills with their intimate partners because they choose not to. Individual men beat individual women to make those women do what they want.

The violent man is not "out of control." He is at work on his own agenda, which is to condition his victim to be what he wants her to be all the

time. This is impossible because he constantly changes his demands. The batterer chooses tactics that work to achieve compliance or control. His behavior is directed at controlling most aspects of his partner's life.

Men batter because battering works. Domestic violence is a socially supported behavior, learned through observation, experience and reinforcement. It is learned through our culture, families, schools and peer

groups. Domestic violence is not caused by illness, genetics, substance abuse, stress, the behavior of the victim or problems in the relationship.

Domestic violence is a crime, and it should be accorded the same prosecution efforts as any other violent offense. Communities and the justice system have an obligation to reduce the prevalence of domestic violence and hold the perpetrators responsible. Prosecution of offenders can protect the victim from additional acts of violence, reduce children's exposure and possible injury, deter the abuser from committing further acts of violence, and reinforce a community's refusal to tolerate domestic abuse. Unless men who batter are truly held accountable, they have little incentive to stop their abusive behaviors.

### POWER & CONTROL

#### KEY POINT

**Domestic violence is purposeful behavior. The batterer's pattern of abusive acts is directed at achieving compliance from or control over the victim.**

Tactics that work to control the victim are selectively chosen by the batterer. This power affects many aspects of a victim's life.



## ATTITUDES AND BEHAVIORS OF MEN WHO BATTER

There is no way to spot a batterer in a crowd. Domestic violence is not a matter of class, race or socioeconomic status. It is a gender issue. Most batterers are male; however, most men are not batterers.

Batterers often share the following characteristics:

### INTIMIDATION AND VIOLENCE

- ▶ Resolves conflict with intimidation, bullying and violence.
- ▶ Holds her down, restrains her from leaving a room, pushes or shoves.
- ▶ Uses threats and intimidation as instruments of control or abuse. This includes threats to harm physically, to defame, to embarrass, to restrict freedom, to disclose secrets, to cut off support, to abandon, to kidnap children and to commit suicide.

### VERBALLY ABUSIVE

- ▶ Says things that are meant to be cruel and hurtful.
- ▶ Degrades her, curses her and/or minimizes her accomplishments.
- ▶ May wake her up to yell at her or not let her go to sleep by yelling at her.

### MINIMIZES ABUSE

- ▶ Redefines a violent incident, for example, by saying, "It wasn't that bad," or, "I didn't hit her that hard; she bruises easily."
- ▶ Accuses her of exaggerating the abuse or of being crazy.

### SUBSTANCE ABUSE

- ▶ Cites alcohol or drug use as an excuse or explanation for hostile or violent conduct ("That was the booze talking, not me; I got so drunk I was crazy.").
- ▶ Forces her to use drugs or alcohol.

### BREAKS OR STRIKES THINGS IN ANGER

- ▶ Beats on tables with a fist, throws objects around or near her.
- ▶ Uses symbolic violence (tearing a wedding photo, marring a face in a photo, etc.).

### HISTORY OF VIOLENCE

- ▶ Has battered in prior relationships.
- ▶ Has previous police encounters for behavioral offenses (threats, stalking, assault, battery).

#### RELEVANT DATA



#### How batterers choose to carry out their abuse

▶ In three surveys of women experiencing domestic violence, researchers found that between 37 percent and 45 percent of respondents also had been raped by their partners.

—Browne, A. (1987). *When battered women kill*. New York: Free Press.

▶ In 2002, 62.6 percent of spousal murders involved a firearm.

—Durose, M., et al. (2005). *Family violence statistics: Including statistics on strangers and acquaintances*. Washington, DC: U.S. Department of Justice.

▶ The majority of spouse violence (78.1 percent) and boyfriend/girlfriend violence (64 percent) occurred in the victim's home.

—Ibid.

**W**e found our client work, but when her abuser got out of jail, ... he applied to the court for visitation rights for his daughter. It turned out that this visitation was just one way for him to get in closer with her. Even when he had the child, he would come over and throw rocks at the window if she didn't come out, wanting to make sure what she was doing while he had the child. It wasn't just about visiting with his daughter. He wanted to keep tabs on her. . . . Unfortunately, she . . . took him back. The violence is now interfering with her work. We have actually gotten calls from the employer. She is emotional, it is hard to get her to focus on her work, she calls in sick. . . . She tells me that she cannot come to work with her black eyes and bruises.¶

— JOB PLACEMENT COUNSELOR

### PROJECTS BLAME

- ▶ Refuses to take responsibility for his actions.
- ▶ Blames his partner for his problems to justify the violence.
- ▶ Often blames other ethnic groups, coworkers or women in general for his problems.

### CRUELTY TO ANIMALS OR CHILDREN

- ▶ Treats children cruelly or is insensitive to their suffering.
- ▶ Treats animals cruelly or is insensitive to their suffering.
- ▶ Expects children to be capable of doing things far beyond their ability or teases children until they cry.
- ▶ Forces the children to watch the abuse of the victim or engages them in the abuse of the victim.

### EXTREME JEALOUSY

- ▶ Becomes jealous of anyone or anything that takes her time away from the relationship.
- ▶ "If I can't have you, nobody will."
- ▶ Requires her to account for all of her time.
- ▶ Accuses her of flirting or of having affairs.
- ▶ Calls her frequently at work or refuses to let her go to work.

### CONTROLLING BEHAVIOR

- ▶ Makes all the decisions about the house, joint finances, her clothing, or where they go and who they can or cannot visit.
- ▶ Is extremely impatient and might exhibit poor impulse control. Believes his needs and wants should be fulfilled immediately.
- ▶ Uses money to control her activities, purchases and behavior.

### ISOLATION

- ▶ Cuts her off from resources.
- ▶ Accuses people who support her of causing trouble.
- ▶ May not let her use the car, work or go to school.

### DR. JEKYLL AND MR. HYDE

- ▶ Has sudden and extreme changes in mood.
- ▶ Is alternately loving and abusive.
- ▶ Can behave explosively.

### RAPE OR USE OF FORCE IN SEX

- ▶ Has no concern about whether she wants to have sex.
- ▶ Uses sulking, anger, harassment or coercion to manipulate her into compliance with sexual demands.
- ▶ Forces her to have sex while she is sleeping or demands sex when she is ill, injured after a beating or soon after childbirth.

## SPIRITUAL AND RELIGIOUS ABUSE

- ▶ Misuses religious passages or beliefs to reinforce abuse by, for instance, emphasizing her forgiveness and not his repentance and responsibility.
- ▶ Manipulates her religious beliefs or spiritual values by, for example, refusing to allow her to attend church or spiritual gatherings or claiming that she is condemned and unwanted by her God or her congregation.

## USE OF PRIVILEGE

- ▶ Treats her like a servant; makes all of the “big” decisions.
- ▶ Threatens to “out” the victim if it is a same-sex relationship.
- ▶ Mistranslates information if the woman has limited English proficiency.
- ▶ Withholds medical attention or necessary intervention if the woman has a mental illness or physical or communicative disability.
- ▶ Uses social status or job/status in the community to question her credibility.
- ▶ Uses racial or ethnic slurs within an interracial couple.
- ▶ Threatens immigration status.

### RELEVANT DATA



#### How batterers choose to carry out their abuse

- ▶ About three out of four victims of intimate violence defended themselves during the incident.

—Greenfeld, L. A., et al. (1998). *Violence by intimates: Analysis of data of crimes by current or former spouses, boyfriends, and girlfriends*. Washington, DC: U.S. Department of Justice.

- ▶ About half the female victims reported the incident to law enforcement authorities. In about 20 percent of those cases, the victim reported that the offender was immediately arrested.

—*Ibid.*

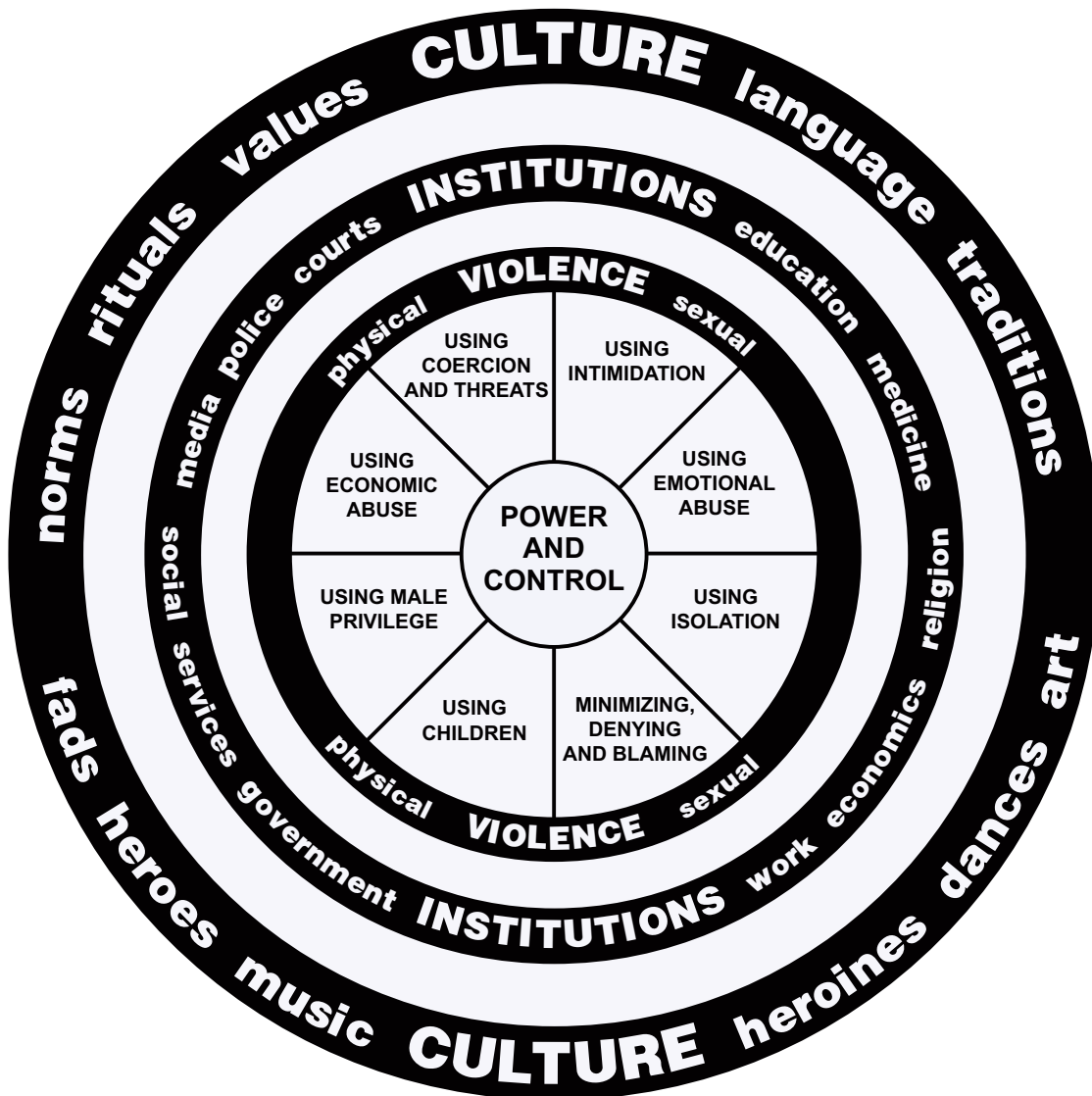
- ▶ Four in 10 jail inmates convicted of a violent crime against an intimate had a criminal justice status at the time of the crime.

—*Ibid.*

**POWER AND CONTROL WHEEL**



Domestic violence is a socially supported behavior, learned through observation, experience and reinforcement. It is learned through our culture, institutions, families, schools and peer groups.

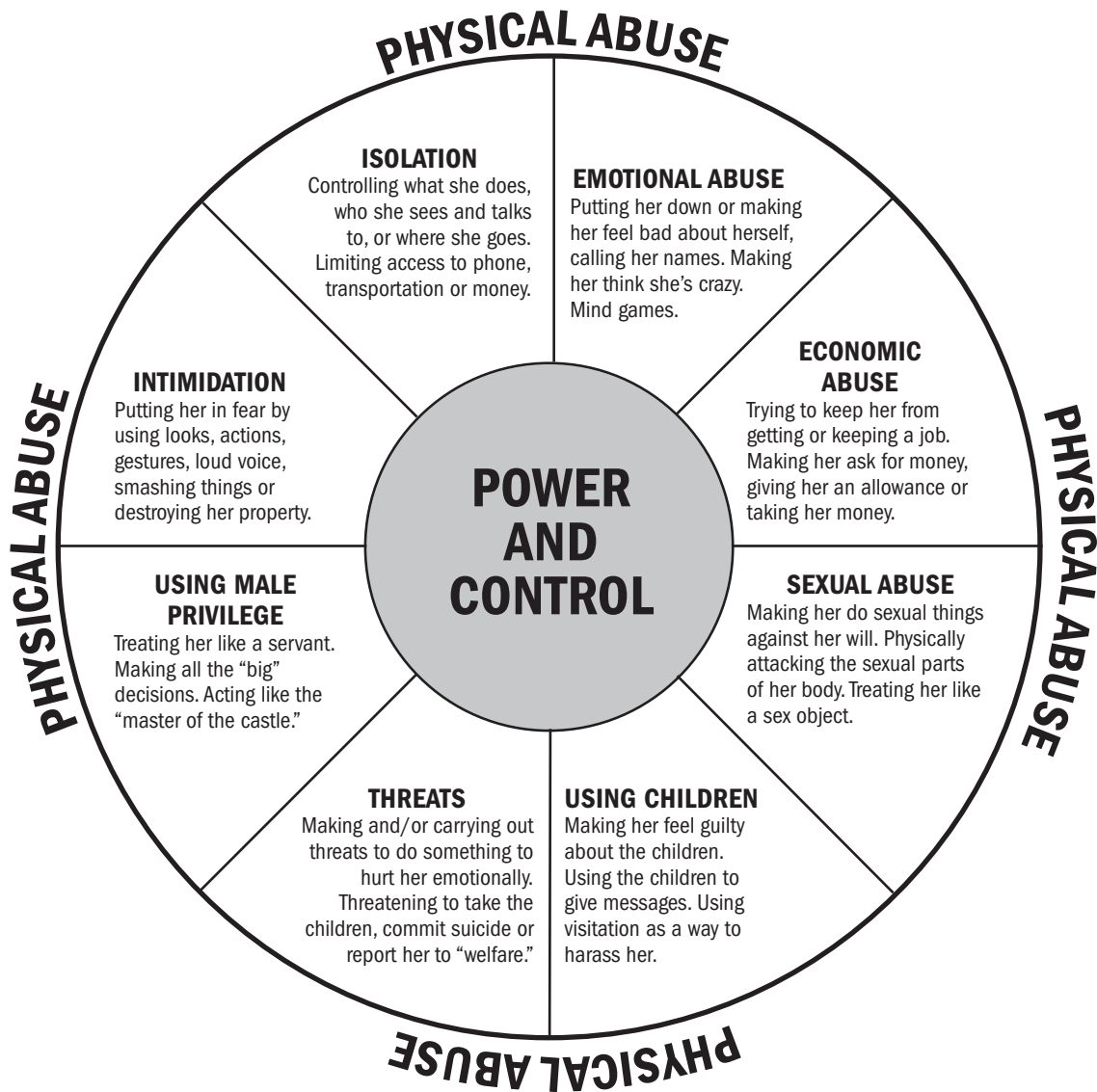


The "Power and Control Wheel" was developed by the Domestic Abuse Intervention Project in Duluth, MN.

### HOW ABUSERS USE POWER AND CONTROL



Domestic violence is not impulsive, but purposeful behavior. The batterer chooses a range of abusive tactics that are reinforced by violence or the constant threat of violence.



The "Power and Control Wheel" was developed by the Domestic Abuse Intervention Project in Duluth, MN.

**B**atterer intervention is a public safety program, not treatment; you must keep the focus on victim safety. Otherwise, the criminal justice system is only offering the batterer a safe haven to escape the consequences of his offense.¶

— CHIEF PROBATION OFFICER  
OF A MODEL COURT  
DOMESTIC ABUSE PROGRAM

## RESOURCES

### Batterer intervention program standards

In 2006, MCADSV published its *Standards and Guidelines for Batterer Intervention Programs*. The document outlines best practices in the field of batterer intervention and was written by professionals from batterer intervention programs and advocates who work with victims of domestic violence. The publication also includes a detailed tool to aid batterer intervention programs in self-evaluation.

To obtain a copy of *MCADSV Standards and Guidelines for Batterer Intervention Programs*, contact MCADSV at (573) 634-4161 or [mocadsv@mocadsv.org](mailto:mocadsv@mocadsv.org).

## FACTORS FOR CHANGING BATTERERS' BEHAVIORS

Criminal justice and mental health systems are increasingly becoming more involved in domestic violence interventions. Frequently, the focus of batterer interventions is to hold batterers accountable, educate them about the effects their actions have on the victim, and underscore that they must learn and decide to act differently. These batterer intervention programs are only one part of a coordinated community response that delivers a consistent and supportive response to survivors and consequences to batterers.

Because batterers usually don't voluntarily attend batterer intervention programs, intervention strategies must emphasize zero tolerance for new incidents of abuse. The message must be constantly reinforced that his abuse will be exposed and that he won't get away with it. Well-established and respected batterer intervention programs recognize and clearly stress that the goals of any program should parallel those of probation: Victim safety must be the first priority, followed by offender accountability and behavior change. Effective batterer intervention programs consult with advocates who work directly with victims of domestic violence to help keep victims safe and to evaluate program practices.

While important, the content of batterer intervention programs seems secondary to the degree to which these programs are integrated into coordinated community responses to domestic violence. A successful batterer intervention program is part of a process that begins with an arrest or the issuance of a protection order and also includes prosecution, sentencing and oversight of the batterer's subsequent behaviors by the justice system. The effectiveness of batterer intervention programs as a whole is inconclusive, and the limitations of all batterer interventions should be explained to victims to reduce the chance they will have a false sense of security that their partners will be "helped" simply by attending an intervention program.

It's important to note that anger management and impulse-control classes, and some marital counseling and mediation, are frequently used misguidedly as intervention strategies with batterers. These approaches don't generally take into account the power imbalances in abusive relationships and don't adequately emphasize to the batterer that he will be held accountable for his actions.

# DOMESTIC VIOLENCE AND ITS COMPLEX EFFECTS ON CHILDREN AND MOTHERS



Like their mothers, children of women who have been battered frequently live in an atmosphere of fear and uncertainty. Quite simply, domestic violence can deprive children of the joys of childhood. It can disrupt their sense of safety and security and can threaten their well-being, development and social adjustment. In spite of these negative effects, it is important to note that each child's response to domestic violence is unique and is affected by the frequency and severity of the abuse, her or his relationships with adult caregivers, and a host of other complex factors.

The safety and security of survivors and their children are closely linked. In the vast majority of families where domestic violence is prevalent, the mother is the primary caregiver, and the father is the perpetrator. Women victimized by domestic violence who have children often make decisions about their relationships with intimate partners based on their beliefs of what truly will be in the best interests of their children. These decisions are not simple. A mother must determine how to protect herself and her children from physical danger. She also must contemplate how much she wants to uproot her children's lives by fleeing to a shelter, changing schools, losing financial security or having them see their father arrested.

Some policymakers, child protection workers and judges mistakenly assume that if a child is exposed to domestic violence, then the child is in immediate danger and must be removed from the home. Mothers victimized

## CHILD SAFETY

KEY  
POINT



**Children's safety and well-being is in fact often dependent upon their mother's safety.**

.....  
Holding the batterer, not the mother, accountable for the violence and protecting the abused parent from further harm is critical in providing a safe environment for both the mother and her children. A child's mother also might be the one constant in a long period of turmoil.



**M**y 3-month-old woke up in the middle of the night with an ear infection and temperature. My husband screamed, ‘Shut the baby up, I’m trying to sleep.’ I was trying to comfort her, but nothing worked. He got up, took her from my arms and whacked her. She had a black-and-blue rear end. Now what should I do? I thought. If I take her to the doctor, they’ll take her away from me because I’m the mother and I allowed this. My husband told me, too, ‘No matter what you say, I’m going to tell them that you did it.’

— DOMESTIC VIOLENCE  
SURVIVOR

by domestic violence are sometimes also criminally prosecuted for “failure to protect” their children, even if those mothers believe that leaving the relationship will put themselves and their children at greater risk of harm. These types of punitive responses to victims do not hold the batterer accountable for his actions and can cause even greater unintended harm to the children and mother. Such actions ignore the reality that a woman is at greater risk for assaults after she leaves her abuser.

There also is growing evidence that in a significant number of homes where either child maltreatment or woman battering is occurring the other form of violence also exists.

---

## THE EFFECTS ASSOCIATED WITH WITNESSING DOMESTIC VIOLENCE

---

Millions of children are exposed to domestic violence each year in the United States. They can be harmed by:

- Intentional injuries inflicted by the perpetrator.
- Unintentional injuries from violence directed at the mother.
- An atmosphere in which they directly witness violence or the aftermath of an attack.
- Emotional abuse when they are used as pawns to coercively control the abused parent.

A batterer’s use of violence against a child’s mother can affect that child in varied and complex ways that can be exhibited in emotional, behavioral, social and physical development. Some children may exhibit aggression, depression, anxiety, lower levels of self-esteem and below-average academic performance, while others may show no response.

Some children might also lose respect for their mother—and women in general—if their mother’s abuser constantly tells her she is worthless and unable to care for her children. These children also must contend with conflicting emotions about a father they both fear and love.

The effects of domestic violence on children also illustrate how their reactions can mimic so-called diagnosable disorders, including attention deficit/hyperactivity disorder. These reactions can be exaggerated in crisis situations, such as when a child is temporarily residing in a domestic violence shelter, and should be considered normal responses to abnormal situations.

## MODERATING FACTORS IN A CHILD'S RESPONSE

The impact of witnessing violence can be magnified or reduced by a number of factors, with some children showing great resilience in the face of adversity:

- ▶ **Age and gender of child.** Younger children in particular have fewer resources to draw upon to make sense of their experience. Gender is an important factor because of the way children are socialized. Girls tend to internalize their responses more than boys. Girls are likely to exhibit more depressive and anxious behaviors, while boys might exhibit more aggressive behaviors.
- ▶ **Other violent experiences.** Whether a child also has been battered or abused will have a significant influence. Consideration also must be given to the level of violence in the child's larger environment.
- ▶ **Severity and frequency of violence.** Varying degrees of violence and the recency of violence will have different effects.
- ▶ **Social supports available and the extent to which the child can accept support.** A child's relationships with adult caregivers, both within the family and community, strongly influence the child's adjustment.

## WHAT CHILDREN NEED

Children whose mothers are battered are not hidden, but the reality of their lives is all too often overlooked or misunderstood. They attend school, child care or church. Many already have contact with healthcare providers and mental-health professionals, government social workers, police, and the justice system. At the very least, every child needs and deserves these basic services:

- ▶ **Education and support.** Children need to learn what domestic violence is and hear that it is not their fault.
- ▶ **Communication with others about what happened to them.** Children need to talk about their experiences and learn that their situation is not unique. Talking with a group of peers can be helpful.
- ▶ **Safety planning.** Children need to develop a safety plan so they can feel and be safe. A safety plan can give them control of situations in which they often have little power, and it will increase their chances of escaping harm.

Anyone who has contact with children should be aware of the possibility that domestic violence can occur in any home. Clearly, greater screening is required, both routinely and particularly when children demonstrate behavioral or emotional problems.

### RELEVANT DATA



#### Children and domestic violence

▶ It is estimated that between 2.3 and 10 million children are exposed to intimate partner violence each year in the United States.

– Straus, M. (1992). *Children as witnesses to marital violence: A risk factor*. Columbus, OH: Ross Laboratories; Calsom, B. E. (1984). Observations of interparental violence. In A. R. Roberts (Ed.), *Battered women and their families*. New York: Springer.

▶ As many as a half million children may be encountered by police during domestic violence arrests each year in the United States.

– Office of Juvenile and Delinquency Prevention. (November 2000). *Safe from the start: Taking action on children exposed to violence*. Washington, DC: U.S. Department of Justice.

▶ High percentages of abused women reported arguments about child support (30 percent), visitation (23 percent) and child custody (15 percent).

– Raphael, J., & Tolman, R. M. (1997). *Trapped by poverty, trapped by abuse: New evidence documenting the relationship between domestic violence and welfare*. Chicago: Taylor Institute.

## RELEVANT DATA



### Children and domestic violence

► Longitudinal studies reveal time and time again that 50 to 75 percent of children growing up in families suffering from domestic violence, as well as exposure to other risks, defeat the odds and turn a life that appears destined for further hardship into one that illustrates resilience and triumph.

—White, Z. R. (2003). Tapping innate resilience in children. *Synergy*, 7(2).

► The majority of studies indicate that in 30 to 60 percent of families where either child maltreatment or adult domestic violence is occurring the other form of violence also is being perpetrated.

—Edleson, J. L. (1999) The overlap between child maltreatment and woman battering. *Violence Against Women*, 5(2).

## NOT ALL ADVOCATES ARE MANDATED REPORTERS

By Missouri law, not all advocates are considered mandated reporters. “Mandated reporter” is a legal term. Legally mandated reporters of child abuse and neglect, as identified in 210.115 RSMo, are:

Any physician, medical examiner, coroner, dentist, chiropractor, optometrist, podiatrist, resident, intern, nurse, hospital or clinic personnel that are engaged in the examination, care, treatment or research of persons, and any other health practitioner, psychologist, mental health professional, social worker, day care center worker, juvenile officer, probation or parole officer, jail or detention center personnel, teacher, principal or other school official, minister as provided by section 352.400 RSMo, peace officer or law enforcement official, or other person with responsibility for the care of children.

Domestic violence programs have policies that address the specific procedures by which staff who are legally mandated to report child abuse and neglect must comply with the mandated reporting provision of Missouri law 210.112 RSMo. These policies take into account the provisions for such reporting in compliance with the strict confidentiality requirements for the shelter service information and records in Missouri law 455.220 RSMo. This Missouri law, as upheld by the Supreme Court of Missouri in *State ex rel. Hope House* (2004), forbids domestic violence shelter staff and volunteers from disclosing records or testifying about those to whom they provide services unless that information is subpoenaed for a court case and the women whose records are sought consent to the release in writing.

For anyone who works with victims of domestic violence and their children, it is important to know the Missouri Department of Social Services Children’s Division’s definition of child abuse and the procedures the Children’s Division will follow after a report of abuse. If a report is necessary, it is vital to keep the mother informed throughout the entire process. In most instances, a more positive outcome for the family can be achieved by providing support and services to a mother before, during and after she makes a child abuse report herself.

# EMPOWERMENT AND ADVOCACY FOR SURVIVORS



**T**hroughout this publication, the word “empowerment” has been used countless times. There is good reason for this. A woman’s abuser takes power and control from her through the use of physical force, threats and coercion. Empowerment restores a woman’s power and control over her own life and affords her the opportunity to see herself as a strong survivor who can participate actively in securing safety for herself and her children.

A woman victimized by domestic violence deserves to tell her story to a non-judgmental, empathetic person. It is critically important to let her know that she is believed and that the violence is not her fault. This might be her first—and perhaps last—opportunity to be fully heard. By listening to a survivor talk about what has happened to her, you will have a greater understanding of her situation and can discuss options that are grounded in her experience, hopes and fears.

When people working with a woman who has been battered inform her of available resources and let her empower herself through education—instead of taking control and making decisions for her—it is more likely that she will be equipped to advocate for herself both immediately and throughout her life. That is not to say that advocates cannot provide additional assistance securing resources when asked by the women with whom they are working. It also is important to remember that victims of domestic violence are, first and foremost, people. All too often women who are beaten by their intimate partners are saddled with labels and diagnoses by well-intentioned, yet misguided, people who simply want to help.

## EMPOWERMENT



**Empowerment affords a woman who has been battered the opportunity to see herself as a strong survivor who can participate actively in securing a life free from violence.**

.....  
What makes it possible for men to entrap women is not their greater physical strength but the social strength they derive when unequal power relationships are reinforced, rather than countered, in helping endeavors.



They tell me I wouldn't make decisions on the job without somebody's OK. I could not make decisions on my own. That's the biggest drawback that I've had, learning how to make decisions and feeling comfortable with what I can do. That I, that I'm allowed to make a decision and I don't have to check with someone to make sure that this is the way it should be. The people in the office say I was afraid to do anything without making sure that somebody said it was OK for me to do so.

— SURVIVOR OF  
DOMESTIC VIOLENCE

Unfortunately, the labels that are applied to women who have been battered in particular moments in their lives do not reflect the total context and complexity of their experiences. People who work with survivors should keep in mind that these individuals can and do harness the enormous power of their own experiences to move beyond the violence that subdues the spirit within.

---

## THE LIFE PROCESS OF ASSISTING WOMEN VICTIMIZED BY DOMESTIC VIOLENCE

---

Listening, informing and educating can lead to empowerment for a victim when the LIFE process of assistance is used. Through this process, victims gain knowledge, and knowledge is power. This process happens in degrees, but it does happen.

### **LISTEN**

- ▶ Provide a safe place for a woman to talk and tell her story.
- ▶ Afford sufficient time for her to become comfortable and able to discuss the details of her abuse.
- ▶ Begin with her story, history, concerns and questions. Affirm her experience and what she is saying. Clarify anything you, or she, do not understand.
- ▶ Identify her hopes and fears and the resources she is currently using or might need.
- ▶ Help her create a personalized safety plan.

### **INFORM**

- ▶ Tell her about available resources.
- ▶ Explore her circumstances and discuss the worst- and best-case scenarios as they relate to each of the remedies available to her.

### **FACILITATE**

- ▶ Help her to critically assess her chosen course of action (including her safety plan) and to understand the likely consequences of each action.
- ▶ Schedule specific times and dates for ongoing contacts or follow-up.
- ▶ Explore all contingency plans.

### **EMPOWER AND ASSIST HER**

- ▶ Educate her so she can advocate for herself, thereby taking control of her life and making it safer for herself and her children.

## EMPOWERMENT IS THE CORE OF ADVOCACY



In the empowerment model, a woman seeking help is assumed to be a basically healthy person who needs understanding, concrete information, support and resources to make changes.

.....  
You should consciously reinforce the expectation that a woman who has been battered can—and will—take charge of her own life.



This is an adaptation of the “Empowerment Wheel” developed by the Domestic Violence Project, Inc., in Kenosha, WI, and is based on the “Power and Control and Equality Wheel” developed by the Domestic Abuse Intervention Project in Duluth, MN.

## A GUIDE TO WORKING WITH WOMEN IN CRISIS



**The written Japanese *kanji* expression for “crisis” is composed of two characters. Taken separately, one means “opportunity,” the other means “danger.” Crisis can thus be a time of danger or vulnerability that offers an opportunity for change and growth.**

### ▶ REMAIN CALM

Fear is contagious, and many women in crisis have enough fear bottled up to last a lifetime. By emotionally reacting to a woman’s fear you might limit your own ability to think clearly. The best ways to combat your fear are to be well-informed on procedures and resources, know yourself and learn to gauge your own emotional reactions, and get to know the woman you are working with so you can help her separate objective reality from her immediate sense of fear.

### ▶ LET WOMEN DECIDE THEIR OWN PACE FOR CHANGE

Allow women you are helping to decide on their own plan of action. Some women in crisis have never recognized their own resources. Others have lost touch with their resources. Respect and believe in a woman’s capacity to change and grow.

### ▶ EXPLAIN ALL KINDS OF INFORMATION THOROUGHLY

Don’t assume that women know about their rights or available services. Don’t talk down to women, but do be thorough in explaining information about your services and other community resources. If a woman looks or sounds confused, ask if she has any questions. Listen to her. Remember that she is the expert on her situation.

### ▶ DO NOT IMPOSE YOUR OWN VALUES

This does not mean you cannot express concern about a woman’s choices if you believe she is in danger, but it does mean you must be careful not to reject her even if you disagree with her behavior. Understanding the dynamics of domestic violence can help you avoid anger and despair when women struggle with decisions about ending a violent relationship or “giving it one more try.”

### ▶ ENCOURAGE EACH WOMAN TO ACCEPT RESPONSIBILITY FOR HER FUTURE

There might be a tendency for you to want to do things for her that she can do for herself. Even though you can and should help her, she will become stronger and more self-sufficient as she assumes responsibility for her own life.

### ▶ DON’T CONVEY DISAPPOINTMENT IF A WOMAN RETURNS TO AN ABUSIVE RELATIONSHIP

She will have enough conflicts about her decision. She might feel like she is failing you. You can point out your concerns about her safety while still accepting her. Respect her decision and remind her that you are available if she needs you in the future. Always work with her to create a safety plan.

### ▶ BE ABLE TO TOLERATE YOUR OWN ANGER AND THE WOMAN’S ANGER

Have some personal outlets for your anger, anxiety and frustrations. You will be better equipped to help women in crisis if you can avoid “burn out” and overwhelming stress. Talk to other staff members or domestic violence program advocates if you need help dealing with your anger or a woman’s anger about the violence she has survived.

### ▶ MINIMIZE EDUCATIONAL, SOCIAL AND ECONOMIC DIFFERENCES AS MUCH AS POSSIBLE

Avoid focusing on your own personal history. If you are distant, however, the woman you are trying to help might feel hurt. Strive for a comfortable balance. Answer her questions about you with minimal detail and turn the conversation back to her life. Convey warmth, respect and concern.

## PERSONALIZED SAFETY PLAN



**Safety plans may help you anticipate the dangers you may face. Just as abusers continually shift their tactics of power and control, your safety plan is an adaptable tool to help increase your safety in your ever-changing situation.**

### ► WHEN TO USE A SAFETY PLAN

Safety plans can be made for a variety of situations: for dealing with an emergency, such as when you are threatened with a physical assault or an assault has occurred; for continuing to live with or to date a partner who has been abusive; or for protecting yourself after you have ended a relationship with an abusive partner.

### ► USE WHAT YOU ALREADY KNOW

If you are a woman who has been abused, you probably know more about safety planning and risk assessment than you might realize. Being in a relationship with an abusive partner—and surviving—requires considerable skill and resourcefulness. Any time you do or say something as a way to protect yourself or your children, you are assessing risk and enacting a safety plan. You do it all the time; it's just not always a conscious process.

### ► THINK IT THROUGH

It can be a helpful safety strategy to evaluate risks and make safety plans in a more intentional way. Whether you are currently with your partner or have ended the relationship, and whether you choose to use available services or to involve the police, there are certain things that are helpful to consider in planning for your future safety.

### ► BE AWARE OF DANGERS

If you are planning to leave your partner or already have left, be aware that batterers often escalate their violence during times of separation, increasing your risk for harm, including serious and life-threatening injury. Making a separation safety plan can help reduce the risks to you and your children.

### ► EVALUATE YOUR OPTIONS

Only you can judge who it's safe to tell about your situation and who to ask for help. Sometimes, people who don't have good information about domestic violence respond to women who have been abused in ways that aren't helpful, even when they mean well. On the other hand, you might feel comfortable asking for help from someone you know. It's your decision. The important thing is for you to identify all the people who might be willing and able to help you. Make a list of their phone numbers and attach it to your safety plan for easy reference.

### ► PLAN AHEAD

You don't have to wait for an emergency to ask for help. In fact, it's a good idea to talk to people who can help before there's a crisis. Find out what they are willing and able to do for you. That way, you'll know in advance if you have a place to stay, a source of financial assistance or a safe person to keep copies of important papers.

### ► REDUCE YOUR RISK

No woman has control over her partner's violence, but women can and do find ways to reduce their risk of harm. The following safety plan is a tool to help you identify and evaluate your options and assist you in creating a personalized plan to reduce your risk when confronted with the threat of harm or with actual harm. Use what applies or change it to reflect your particular situation. **Your safety plan does not need to be written down (especially if you fear your abuser will find it), though you may choose to.** There's no right or wrong way to develop a safety plan. Make it your own, and review it regularly to make changes as needed.

**PERSONALIZED SAFETY PLAN (CONTINUED)****▶ SAFETY DURING A VIOLENT INCIDENT**

- I will use my judgment and intuition. If I think my partner is going to hurt me, I will try to move to a space that has lower risk, such as \_\_\_\_\_. (Often bathrooms, garages, kitchens, areas near weapons or rooms without an outside exit are most dangerous.)
- If the situation is serious, I can give my partner what he wants to try to calm him down. I have the right to protect myself until I/my children are out of danger.

**▶ SAFETY IF STAYING**

- I can tell \_\_\_\_\_ about the violence and request they call the police if they hear noises coming from my home.
- I can teach my children how to use the telephone or dial 911 to contact the police or fire department and/or how to contact a safe neighbor for help. I will make sure my children know our address.
- If I have a programmable phone, I can program emergency numbers.
- I will use \_\_\_\_\_ as the code word with my children or my friends so they will call for help if needed.
- If I have to leave my home, I will go to \_\_\_\_\_. If I cannot go there, I can go to \_\_\_\_\_.
- The domestic violence program hotline number is \_\_\_\_\_. I can call it or the national hotline at (800) 799-SAFE for help.

**▶ SAFETY IF LEAVING****Preparing to leave**

- I will call a domestic violence program to get help making my plans. The hotline number for the nearest program is \_\_\_\_\_.
- I will leave money and an extra set of keys with \_\_\_\_\_ so I can leave quickly.
- I will leave extra clothes with \_\_\_\_\_.
- I can open a post office box and have personal mail and bills (credit cards, cell phone, etc.) sent there.

- I will ask \_\_\_\_\_ and \_\_\_\_\_ to see who would be able to let me stay with them or lend me some money.
- I can increase my independence by opening a bank account and getting credit cards in my own name; by taking classes or getting job skills; and/or by getting copies of all the important papers and documents I might need and keeping them with \_\_\_\_\_.
- I can rehearse my escape plan and, if appropriate, practice it with my children.
- If it's not safe to talk openly, I will use \_\_\_\_\_ as the code word or signal to my children that we are leaving, or to my family or friends that we are coming.
- I can keep my purse and car keys ready and put them \_\_\_\_\_ so I can leave quickly.

**Items to consider taking if leaving**

The following items may be helpful to have if you decide to leave, but remember that almost all of these items are replaceable.

- Identification for myself
- My and my children's birth certificates
- My and my children's Social Security cards
- School and vaccination records
- Money, checkbook, bankbooks, ATM cards
- Credit cards
- Medication and medical supplies
- Keys—house, car, work
- Driver's license, car registration
- Insurance papers
- Public assistance ID/Medicaid cards
- Passports, Alien Registration Receipt Cards, work permits
- Divorce or separation papers
- Lease, rental agreement or house deed
- Car/mortgage payment book
- Children's toys, security blankets, stuffed animals
- Sentimental items, photos
- My personalized safety plan (if written down)

**PERSONALIZED SAFETY PLAN (CONTINUED)****▶ SAFETY AT HOME****If my partner and I are no longer living together**

- I can, or ask my landlord to, change the locks on my doors and windows.
- I can, or ask my landlord to, replace wooden doors with metal ones.
- I can, or ask my landlord to, install security systems, including additional locks, window bars, poles to wedge against doors, etc.
- I can buy rope ladders to be used for escape from second-floor windows.
- I can install smoke detectors and put fire extinguishers on each floor in my home.
- I can provide my onsite property manager and/or trusted neighbors with a picture of my partner and ask them to notify the police if they see him near my home.

**▶ AT WORK**

- I can inform my boss, the security supervisor and the employee assistance program (EAP), if available, about my situation. The number of the EAP office is \_\_\_\_\_.
- I can ask \_\_\_\_\_ to screen my calls and visitors at work.
- When leaving work, I can \_\_\_\_\_.
- If there's trouble when traveling to and from work, I can \_\_\_\_\_.

**▶ SAFETY IN PUBLIC OR IF BEING STALKED**

- If I suspect I am in imminent danger, I will locate a safe place for myself (police stations, residences of family or friends, domestic violence shelters, local churches, public areas etc.).
- I can document my partner's actions and keep it in a safe place. This may include taking photos of destroyed property/vandalism, saving answering machine messages, keeping letters/notes, etc.
- I can change my patterns—avoid stores, restaurants, banks, doctor's appointments, self-service laundries and other places where my partner might find me based on my regular schedule.

- I can tell \_\_\_\_\_ and \_\_\_\_\_ about the situation and provide them with a photo or description of my partner and any possible vehicles he may drive. I can ask them to call the police if they believe I or my children are in danger.
- When I am out of the house, I will try not to travel alone and will try to stay in public areas.

**▶ WITH AN ORDER OF PROTECTION**

- I will keep my protection order \_\_\_\_\_.  
(Always keep it on or near you.)
- I will give copies of my protection order to the local police or sheriff and to departments in towns where I visit friends and family.
- I will give copies to my employer, my religious advisor, my closest friend, my children's school and child-care center and \_\_\_\_\_.
- If my partner destroys my order or if I lose it, I can get another copy from the court that issued it.
- If my partner violates the order, I can call the police and report a violation, contact my attorney, call my domestic violence program advocate, and/or advise the court of the violation.
- I can call a domestic violence program if I have questions about how to enforce an order or if I have problems getting it enforced.

**▶ PROTECTING MY CHILDREN**

- I can teach developmentally appropriate safety strategies to my children.
- I can teach my children how to make a collect call to me if they are concerned about their safety.
- I can teach my children how to use the telephone or dial 911 to contact the police and fire departments and how to contact a safe neighbor for help. I will make sure they know our address.
- I can tell my children's caretakers who has permission to pick them up and make sure caretakers know how to recognize those people.
- I will give the people who take care of my children copies of custody and protection orders, as well as emergency numbers.

## PERSONALIZED SAFETY PLAN (CONTINUED)

### ► SAFETY AND TECHNOLOGY

- Each day there are advances in technology. I can ask someone familiar with technology or domestic violence about the ways that my partner may monitor me.
- I will use a computer that my partner doesn't have access to when I look for help, a new place to live, etc. It may be safest to use a computer at a public library, Internet café, community center or \_\_\_\_\_.
- I can ask my friends and family to be careful about who they give my e-mail address to, and to use the Bcc: option when copying me in on e-mail.
- When making or receiving private calls, I will not use a cell phone that I share with my partner because my partner may have access to cell phone billing records and phone logs and may have put settings on my phone that allow him to track my whereabouts. My local domestic violence shelter may have a donated cell phone I can use.
- I will ask the court systems, post office and other government agencies how they protect or publish my records and request that they seal or restrict access to my files to help protect my safety.

### ► MY EMOTIONAL HEALTH

- If I am feeling down, lonely or confused, I can call \_\_\_\_\_ or the domestic violence hotline \_\_\_\_\_.
- If I have left my partner and am considering returning, I will call \_\_\_\_\_ or spend time with \_\_\_\_\_ before I make a decision.
- I can attend support groups, workshops or classes at the local domestic violence program or \_\_\_\_\_ so I can build a support system, learn skills or get information.
- I will look at how and when I drink alcohol or use other drugs. If I am going to drink or use other drugs, I will do it in a place where people are committed to my safety.

### ► KEEP YOUR PLAN IN A SAFE PLACE

Only you can decide if it is safe to have a written safety plan. If you decide to keep a written safety plan, make sure to find a place to keep it where your partner won't find it; maybe you can ask a friend to keep a copy for you. Whether it's safe to write down your plan or not, it's still important to make one.

### ► WHAT CAN A DOMESTIC VIOLENCE PROGRAM DO FOR ME?

Local domestic violence programs are a vital resource, providing free and confidential assistance to women victimized by domestic violence and their children. They provide emergency safety services, such as shelter and 24-hour crisis hotlines. **But you don't have to stay in a shelter to get help from a program.** Most also provide a full range of non-residential services to women who have been battered.

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

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

### NATIONAL DOMESTIC VIOLENCE HOTLINE

## 800-799-SAFE (7233)

**Toll-free, 24-hour crisis intervention  
and referrals to domestic violence  
programs in your area.**

This personalized safety plan was adapted from ones developed by AWARE in St. Louis, the Office of the City Attorney, San Diego, the National Center for Victims of Crime Stalking Resource Center and the National Network to End Domestic Violence Safety Net Project.

## FUNDAMENTAL ISSUES RELATED TO JUSTICE SYSTEM REMEDIES



**F**or most women, becoming a victim of a violent crime is their first introduction to the legal system. It can be complicated, confusing, frustrating, intimidating and, often, insulting. The stress of dealing with the bewildering proceedings and the frequently encountered gender bias of the justice system adds to a victim's trauma. And, while the court system is able to respond to some of the needs of women who have been battered, it is equally important that both survivors and those who work with them understand its limitations in ending violence against women.

Because a woman's danger generally increases as she tries to escape her abuser, it is vitally important that she have a well-thought-out safety plan. She is the expert on her situation and has been using all of her skills to survive so far. The likelihood is great that her abuser will retaliate or that the violence will escalate as she tries to engage the justice system. Keep in mind that testifying in court against an abuser can be a frightening and dangerous thing for a survivor to do. It might be the first time she faces her partner since the last attack or when she was able to leave. She has every reason to believe that his anger and violence will escalate as a result of the steps she is taking to free herself.

Because victims recognize the danger associated with testifying against their abusers, or because of threats from their abuser, they may recant accusations of abuse or refuse to cooperate with law enforcement and/or prosecutors. While recanting or refusing to cooperate may appear to be counterintuitive—if he goes to jail, he cannot hurt her—abusers often threaten harm and have ways (such as using friends, family or children) of controlling their victims even while incarcerated. Also, most batterers do not go to jail. And, those who do may seek revenge once they are released. Recanting or refusing to cooperate with the prosecution of their

### SAFETY

#### KEY POINT

**Safety for women who have been battered and their children should be of paramount concern in all interactions with them.**

.....  
Danger escalates for a woman who has been battered and her children when she leaves her abusive partner or seeks assistance from the police, justice system or social service providers.



**W**hat good does an Order of Protection do? It's a piece of paper. You still have to live in your house without the police there all the time. You still have to be able to get to the phone and call for help.¶

— SURVIVOR OF  
DOMESTIC VIOLENCE

batterers is an often-misunderstood survival strategy sometimes employed by women victimized by domestic violence.

Be extremely cautious about urging a woman who has been battered to obtain an Order of Protection. It must be made clear to her that it is not an ironclad shield against the abuser's renewed assaults. Even law enforcement agencies that have strong resolve to respond to victims' needs cannot provide officers to be with her 24 hours a day. Furthermore, a woman's ability to rely on assistance from police and sheriff's deputies often depends upon the particular officer who answers a call. Even at best, the violence might happen so suddenly that she can call for help only after an assault has occurred.

### **BENEFITS, DRAWBACKS OF PROTECTION ORDERS**

Experience suggests that Orders of Protection might be most effective with men who ordinarily obey the law and have something to protect, such as their standing in the community or their employment. For the batterer who has contempt for all authority, has a history of other criminal behavior or is determined to control his partner at all costs, an Order of Protection might offer little increased safety to a woman.

On the other hand, having an Order of Protection can enhance local law enforcement's efforts to assist the victim, and repeated violations of a protection order eventually are likely to result in legal consequences for a perpetrator.

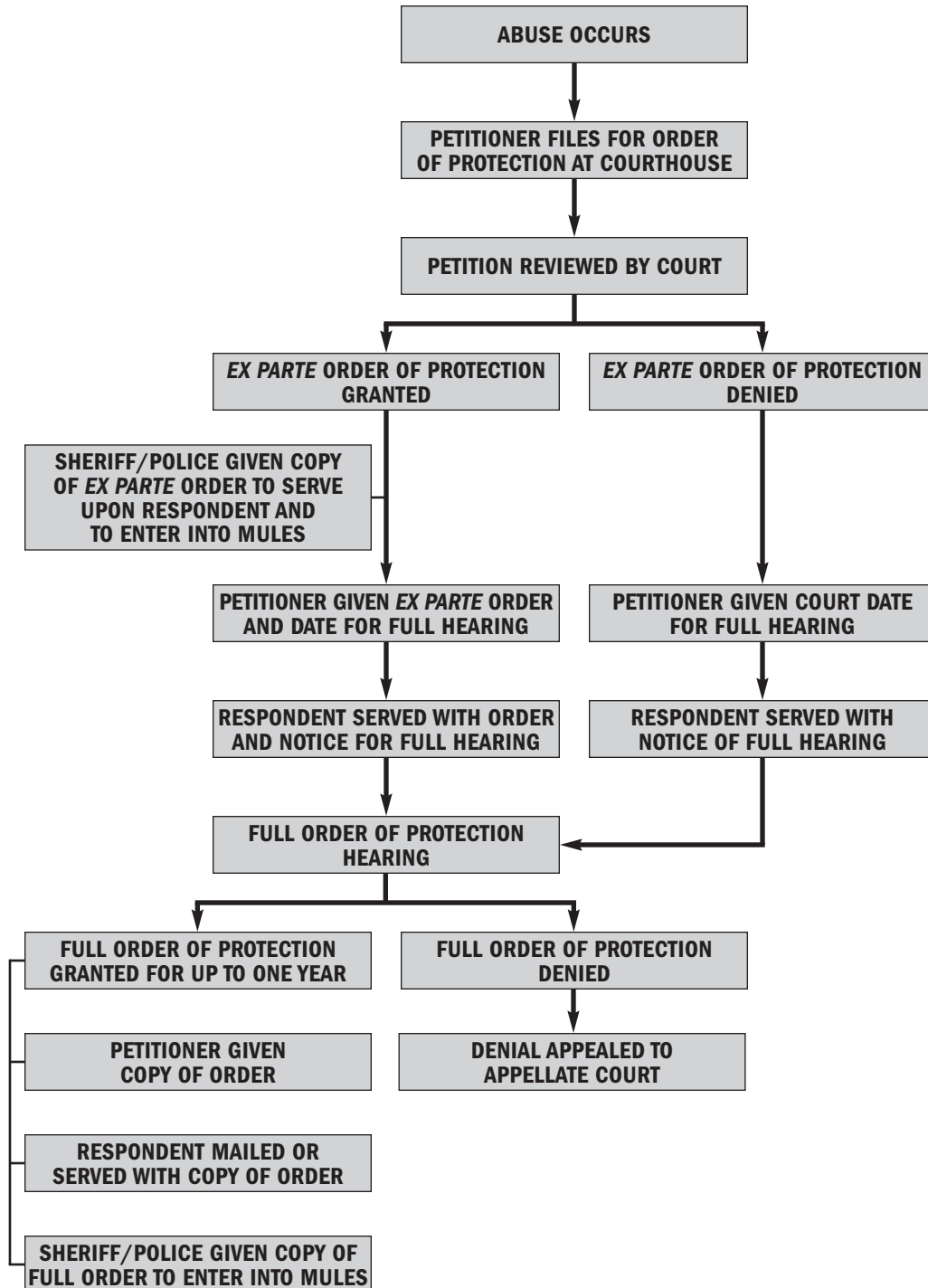
### **ACCOUNTABILITY FOR CRIMINAL OFFENDERS**

Domestic violence is a crime, and it ought to be accorded the same prosecution efforts as any other violent offense. Communities and the justice system have a critical interest in reducing the prevalence of domestic violence, particularly because such violence tends to escalate in frequency and severity if unchecked. According to the U.S. Department of Justice National Crime Victimization Survey, more than 1,200 women were murdered by a current or former intimate in 2000.

In addition to holding criminals accountable for their conduct, there are other significant reasons that underscore the importance of a diligent response to domestic violence from members of the criminal justice system. Offender prosecution in domestic violence cases can protect the victim from additional acts of violence, reduce children's exposure and possible injury, deter the abuser from committing further acts of violence and reinforce a community's refusal to tolerate domestic abuse.

In 2000, the Missouri General Assembly established new crimes of domestic assault with enhanced penalties for repeat offenders. These crimes are outlined in the table on page 37.

**PROCEDURE FOR OBTAINING AN ADULT ORDER OF PROTECTION**



## RELIEF AVAILABLE WITH PROTECTION ORDERS



**The Missouri Adult Abuse Act allows a victim of abuse to ask the court for the following types of help through an Order of Protection. However, these orders are not always granted by the court.**

### EX PARTE ORDER OF PROTECTION (SECTION 455.045, RSMo)

- ▶ Temporarily restrains the respondent from abusing, threatening to abuse, molesting, stalking or disturbing the peace of the petitioner.
- ▶ Temporarily restrains the respondent from entering the premises of the dwelling unit of the petitioner when the dwelling unit is: a) jointly owned, leased or rented or jointly occupied by both parties; or b) owned, leased, rented or occupied by the petitioner individually; or c) jointly owned, leased or rented by the petitioner and a person other than the respondent; provided, however, no spouse shall be denied relief under this section by reason of the absence of a property interest in the dwelling unit; or d) jointly occupied by the petitioner and a person other than the respondent; provided that the respondent has no property interest in the dwelling unit.
- ▶ Temporarily restrains the respondent from communicating with the petitioner in any manner or through any medium.
- ▶ Awards temporary custody of minor children where appropriate.

### FULL ORDER OF PROTECTION (SECTIONS 455.050 and 455.075, RSMo)

- ▶ Prohibits the respondent from abusing, threatening to abuse, molesting, stalking or disturbing the peace of the petitioner.
- ▶ Prohibits the respondent from entering the premises of the dwelling unit of the petitioner when the dwelling unit is: a) jointly owned, leased or rented or jointly occupied by both parties; or b) owned, leased, rented or occupied by the petitioner individually; or c) jointly owned, leased, rented or occupied by the petitioner and a person other than the respondent; provided, however, no spouse shall be denied relief under this section by reason of the absence of a property interest in the dwelling unit; or d) jointly occupied by the petitioner and a person other than the respondent; provided that the respondent has no property interest in the dwelling unit.
- ▶ Prohibits the respondent from communicating with the petitioner in any manner or through any medium.
- ▶ Awards custody of minor children born to or adopted by the parties when the court has jurisdiction over such child and no prior order regarding custody is pending or has been made, and the best interest of the child requires such order be issued. There is a presumption that the best interest of the child is served by placing him or her in the custody of the non-abusive parent.
- ▶ Establishes a visitation schedule for the non-custodial parent that is in the best interest of the child. The court can deny visitation if it finds that visitation would endanger the child's physical health, impair his or her emotional development or would otherwise conflict with the best interests of the child, or that no visitation can be arranged that would sufficiently protect the custodial parent from future abuse.
- ▶ Awards child support, when no prior order of support exists.
- ▶ Awards income maintenance, for no more than 180 days, to the petitioner when the petitioner and the respondent are lawfully married.
- ▶ Orders the respondent to make or to continue to make rent or mortgage payments on a residence occupied by the petitioner if the respondent is found to have a duty to support the petitioner or other dependent household members.
- ▶ Orders the respondent to pay the petitioner's rent at a residence other than the one previously shared by the parties if the respondent is found to have a duty to support the petitioner and the petitioner requests alternative housing.
- ▶ Orders the petitioner be given temporary possession of specified personal property, such as automobiles, checkbooks, keys and other personal effects.
- ▶ Prohibits the respondent from transferring, encumbering, or otherwise disposing of specified property mutually owned or leased by the parties.
- ▶ Orders the respondent to participate in a court-approved counseling program designed to help batterers stop violent behavior or to participate in a substance abuse treatment program.
- ▶ Orders the respondent to pay a reasonable fee for housing and other services that have been provided or that are being provided to the petitioner by a domestic violence shelter.
- ▶ Orders the respondent to pay court costs.
- ▶ Orders the respondent to pay the cost of medical treatment and services that have been provided or that are being provided to the petitioner as a result of injuries sustained to the petitioner by an act of domestic violence committed by the respondent.
- ▶ Orders one of the parties to pay the other's attorney's fees.

## MISSOURI ADULT ABUSE ACT AT A GLANCE

	ADULT ORDERS	CHILD ORDERS
<b>WHO CAN OBTAIN RELIEF?</b>	(§455.010) Any <b>adult</b> , defined as a person 18 years of age or older or otherwise emancipated. This person is called the petitioner.	(§455.501 & §455.503) Any <b>parent, guardian, guardian ad litem, court-appointed special advocate, or juvenile officer</b> on behalf of a child (any person under 18 years of age). This person is called the petitioner.
<b>WHOM CAN THEY OBTAIN RELIEF AGAINST?</b>	(§455.010) A <b>family or household member</b> (a spouse, a former spouse, adults related by blood or marriage, adults residing together or who resided together in the past, an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, or adults who have a child in common, regardless of whether they have been married or have resided together) or an <b>adult stalking</b> the victim. This person is called the respondent.	(§455.501 & §455.505) A <b>former or present household member</b> (an adult living in the same household or previously living in the same household), an <b>emancipated child</b> or a <b>person stalking</b> a child. This person is called the respondent.
<b>WHAT ACTS BY THE ABUSER FORM THE BASIS FOR RELIEF?</b>	(§455.010) <b>Abuse</b> , which includes, but is not limited to, the occurrence of any of the following acts, attempts, or threats against a person who may be protected under the Adult Abuse Act: <b>assault, battery, coercion, harassment, sexual assault or unlawful imprisonment. Stalking</b> also is covered by the Adult Abuse Act.	(§455.501) <b>Abuse</b> , which involves any <b>physical injury, sexual abuse or emotional abuse</b> inflicted on a child other than by accidental means by an adult household member, or <b>stalking</b> of a child. Discipline, including spanking, administered in a reasonable manner is not to be construed as abuse.
<b>WHAT RELIEF IS AVAILABLE?</b>	(§455.045) <b>Ex Parte Order of Protection.</b> (§455.050) <b>Full Order of Protection.</b>	(§455.520) <b>Ex Parte Child Order of Protection.</b> (§455.523) <b>Full Child Order of Protection.</b>
<b>WHAT IS THE PROCEDURE FOR OBTAINING RELIEF?</b>	(§§455.015–455.032) <b>Petitioning</b> court for Order of Protection. (§455.035) <b>Obtaining Ex Parte</b> Order of Protection if there is an immediate and present danger. An <i>Ex Parte</i> Order of Protection is not always granted, but the court always should set a hearing date. (§455.040) <b>Hearing</b> on Full Order of Protection held within 15 days after petition is filed, unless there is good cause for a continuance.	(§§455.503–455.510) <b>Petitioning</b> court for Child Order of Protection. (§455.513) <b>Obtaining Ex Parte</b> Child Order of Protection if there is an immediate and present danger. An <i>Ex Parte</i> Order of Protection is not always granted, but the court always should set a hearing date. (§455.516) <b>Hearing</b> on Full Child Order of Protection within 15 days after petition is filed, unless there is good cause for a continuance.

## MISSOURI ADULT ABUSE ACT (CONTINUED)

	ADULT ORDERS	CHILD ORDERS
<b>HOW LONG CAN AN ORDER LAST, AND IS IT RENEWABLE?</b>	(\$455.040) An Order of Protection lasts for a <b>minimum of 180 days</b> and a <b>maximum of one year</b> . It can be renewed twice; each renewal can last up to one year. No new incident of abuse is required if the order is renewed before the old one expires.	(\$455.516) A Child Order of Protection can last for a <b>minimum of 180 days and a maximum of one year</b> . The order can be renewed twice; each renewal can last up to one year. No new incident of abuse is required if the order is renewed before the old one expires.
<b>WHAT HAPPENS IF ANOTHER COURT MAKES A CUSTODY ORDER?</b>	(\$455.060) The portion of the Order of Protection relating to <b>custody, visitation, support and maintenance</b> is no longer valid, but the prohibitions regarding abuse remain in effect.	(\$455.528) The portion of the Order of Protection relating to <b>custody, visitation, support and maintenance</b> is no longer valid, but the prohibitions regarding abuse remain in effect.
<b>CAN AN ORDER BE MODIFIED?</b>	(\$455.060 & §455.065) <b>Yes</b> . Upon the filing of a motion and a showing of changed circumstances.	(\$455.528 & §455.530) <b>Yes</b> . Upon the filing of a motion and a showing of changed circumstances.
<b>ARE PROTECTION ORDERS FROM OTHER STATES ENFORCEABLE IN MISSOURI?</b>	(\$455.067) <b>Yes</b> . The Adult Abuse Act provides that orders from other states must be given “full faith and credit” in Missouri. A procedure for registering foreign orders is contained in the statute. However, registration does not have to occur for such orders to be enforced.	<b>Uncertain</b> . No statutory or legal precedent at this time. Child orders might be covered by the federal Violence Against Women Act. Consult an attorney.
<b>WHAT HAPPENS IF AN ORDER IS VIOLATED?</b>	(\$455.085 & §455.090) The violator can be <b>arrested</b> and <b>prosecuted</b> for a crime. Arrestable violations of the terms and conditions of a protection order include abuse, stalking, disregard of child custody provisions, communication initiated by the respondent, or entrance upon the premises of the petitioner’s dwelling unit. If the violation involves the failure to surrender custody of a minor child to the person to whom custody is awarded, the violator must be arrested and the <b>child turned over</b> to the custodial parent. A <b>contempt of court</b> action can be brought in the issuing court and the violator can be held in contempt of court. (This sometimes results in a fine and can include jail time.) The court may schedule compliance review hearings to monitor the respondent’s compliance with the order, whether or not there has been a violation.	(\$455.538 & §455.524) The violator can be <b>arrested</b> and <b>prosecuted</b> for a crime. Arrestable violations of the terms and conditions of a protection order include abuse, child custody and entrance upon the premises of the victim’s dwelling unit. A <b>contempt of court</b> action can be brought in the issuing court and the violator can be held in contempt of court. (This sometimes results in a fine and can include jail time.) If the violation involves failure to surrender custody of a minor child to the person to whom custody is awarded, the violator must be arrested and the <b>child turned over</b> to the custodial parent. The court may schedule compliance review hearings to monitor the respondent’s compliance with the order, whether or not there has been a violation.

## DOMESTIC VIOLENCE ASSAULT CRIMES



**The Missouri General Assembly in 2000 established separate crimes for domestic assault. These new categories of assaults acknowledge elements of power and control, and they include enhanced penalties for prior or persistent offenders.**

### FIRST-DEGREE DOMESTIC ASSAULT (SECTIONS 565.063, 565.072 RSMo)

#### Definition

A person commits the crime of domestic assault in the first degree if he or she attempts to kill or knowingly causes or attempts to cause serious physical injury to a family or household member or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, RSMo.

#### Punishment

Domestic assault in the first degree is a Class B Felony, unless the offender inflicts serious physical injury on the victim, in which case it is a Class A Felony.

**Prior offender** (1 prior offense within 5 years): Class A Felony; no probation or parole if serious injury inflicted.

**Persistent offender** (2+ previous offenses within 10 years): Class A Felony; no probation or parole.

### SECOND-DEGREE DOMESTIC ASSAULT (SECTIONS 565.063, 565.073 RSMo)

#### Definition

A person commits the crime of domestic assault in the second degree if the act involves a family or household member or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, RSMo, and he or she attempts to cause or knowingly causes physical injury by any means, including use of a deadly weapon or dangerous instrument, or by choking or strangulation; or recklessly causes serious physical injury; or recklessly causes physical injury with a deadly weapon.

#### Punishment

Domestic assault in the second degree is a Class C Felony.

**Prior offender** (1 prior offense within 5 years): Class B Felony.

**Persistent offender** (2+ previous offenses within 10 years): Class A Felony.

### THIRD-DEGREE DOMESTIC ASSAULT (SECTION 565.074, RSMo)

#### Definition

A person commits the crime of domestic assault in the third degree if the act involves a family or household member or an adult who is or has been in a continuing social relationship of a romantic or intimate nature with the actor, as defined in section 455.010, RSMo, and he or she attempts to cause or recklessly causes physical injury; or with criminal negligence causes physical injury by means of a deadly weapon or dangerous instrument; or places the victim in apprehension of immediate physical injury by any means; or recklessly engages in conduct which creates a grave risk of death or serious physical injury to the victim; or knowingly causes physical contact knowing the other person will regard the contact as offensive; or knowingly attempts to cause or causes the isolation of such family or household member by unreasonably and substantially restricting or limiting such family or household member's access to other persons, telecommunication devices or transportation for the purpose of isolation.

#### Punishment

Domestic assault in the third degree is a Class A Misdemeanor.

**Persistent offender** (2+ previous offenses within 10 years): Class D Felony. The offenses may be against the same family or household member or against a different family or household member.

#### DEFINITIONS

Class A Felony	10-30 years or life imprisonment
Class B Felony	5-15 years imprisonment
Class C Felony	7 years imprisonment or less
Class D Felony	4 years imprisonment or less
Class A Misdemeanor	A term of imprisonment not to exceed 1 year

# COLLABORATION: EXPANDING SERVICES WITH COMMUNITY PARTNERS



**W**orking collectively provides opportunities to secure results we are more likely to achieve together than alone. These joint efforts, which are commonly known as collaborations, demand relating to and working with one another in innovative ways. In the context of addressing domestic violence, it is essential to bring together diverse service providers and community members, meld their resources, and stretch their minds to embrace new ideas and strategies.

For the sake of justice and human rights, communities have an interest and obligation to end domestic violence. The health, economic and social costs of

domestic violence warrant attention as well. Living in an atmosphere dominated by domestic violence harms children and adults. Every community owes these citizens respect and competent services that provide safety and restore their well-being and sense of security.

Dozens of communities throughout Missouri are already effectively responding to domestic violence. Known as coordinated community responses, these efforts are often formed and maintained by individuals and organizations that most frequently

serve women who have been battered. Groups of concerned civic leaders, law enforcement and justice system officials, social service and health care providers, educators, and clergy can have a significant effect upon their communities when they unite for a common purpose. Some groups meet formally on a regular basis; others have an informal structure that relies upon regular and honest communication among the participants.

Collaboration is a process that gets people to work together in new ways. To most effectively collaborate, each community partner needs to know what resources partner agencies have to offer, how the referral and networking connections should be structured, and what services they can expect to be offered to

## PARTNERSHIPS



**A key element to the success of addressing domestic violence is the existence of available resources.**

Domestic violence initiatives in any community require collaboration with other service providers and thereby offer opportunities to create and sustain new ways of working together.



the population of women and children all partners are striving to serve. To facilitate a cooperative alliance with domestic violence advocates, it is important to know something about the work they do and how they can assist survivors and their children by providing support and safety.

## DOMESTIC VIOLENCE PROGRAM SERVICES

Domestic violence programs provide a range of services:

- ▶ **Hotline.** Crisis intervention, information and referrals provided 24 hours a day, seven days a week on a telephone line answered by qualified, trained staff or volunteers.
- ▶ **Crisis intervention.** Interactions and activities performed by telephone or in person by qualified, trained staff or volunteers with an individual in crisis to stabilize emotions, clarify issues and provide support and assistance to help explore options for resolution of the individual's self-defined crisis and needs.
- ▶ **Shelter.** Emergency housing and related support services provided in a safe, protective environment for adult individuals and their children who have been victimized by domestic violence.
- ▶ **Transitional housing.** Non-emergency housing for a length of stay of more than six months that is free or low-cost subsidized and directly available through the program.
- ▶ **Support groups.** Interactive group sessions that may be non-directed, topic-oriented or informational and educational that are facilitated by a qualified, trained staff member or volunteer.
- ▶ **Services for children.** Structured programs that include information, activities, support and assistance provided to children.
- ▶ **Professional therapy.** Individual or group therapy delivered by an individual who is in compliance with state licensure rules and regulations pertaining to a psychologist, counselor or social worker and who has specific training in addressing domestic violence.
- ▶ **Ongoing advocacy.** Tangible, goal-directed interactions, advocacy and assistance provided to aid a survivor in obtaining needed services and developing short- and long-term resource and safety plans.
- ▶ **Court advocacy.** Provision of information, support, assistance, accompaniment and intervention with any aspect of the civil or criminal legal system on behalf of a service recipient.

It is important to understand that shelters and other domestic violence programs will not always be able to accommodate a woman and her children. Shelters are sometimes filled to capacity. Sometimes, after an in-depth interview and an assessment of alternatives, a domestic violence program advocate might not admit someone to the shelter, might not encourage getting an Order of Protection, or might not support your sense of urgency that she leave. Ultimately, all decisions regarding courses of action are up to the woman to make. She is the expert on her own life.

### NOTEWORTHY



#### Advocates emphasize confidentiality

Confidentiality is a fundamental necessity when assisting victims of domestic violence.

Program advocates are bound by strict state and federal guidelines regarding the release of information. These restrictions sometimes might appear to be a barrier to collaboration.

You should understand that domestic violence advocates will not acknowledge a person's presence or participation in their program without a written release of information from the victim. Keep in mind that domestic violence advocates are bound by state law (Section 455.220, RSMo) and their programs' confidentiality requirements. A domestic violence advocate's insistence on written releases is a function of safety and self-direction for women and their children.

In addition, state law gives domestic violence shelter staff members and volunteers certain legal protections from being forced to testify about a program participant unless that individual waives her confidentiality protections (Section 455.220, RSMo). This law was upheld in *State ex rel. Hope House* (2004).

## RECOMMENDED RESOURCES



**These books and Web sites are recommended to help increase your understanding of domestic violence.**

### BOOKS

- ▶ Bancroft, L., & Silverman, J. (2002). *Batterer as parent: Addressing the impact of domestic violence on family dynamics*. Thousand Oaks, CA: Sage. The authors' research creates a coherent argument as to why common characteristics of batterers affect their ability to parent appropriately.
- ▶ Bancroft, L. (1993). *Why does he do that?: Inside the minds of angry and controlling men*. New York: G.P. Putnam's Sons. Women in abusive relationships and those who help them tell themselves these things every day. Now they can see inside the minds of angry and controlling men as Bancroft illustrates ten abuser personality types he has seen in his career.
- ▶ Davies, J., Lyon, E., & Monti-Catania, D. (1998). *Safety planning with battered women: Complex lives/difficult choices*. Thousand Oaks, CA: Sage. This book introduces the "woman-defined" advocacy model, which is designed to bridge the gap that sometimes occurs between the perspective of a woman victimized by domestic violence and the perception of an advocate.
- ▶ Evans, P. (1992). *The verbally abusive relationship: How to recognize it and how to respond*. Holbrook, MA: Bob Adams. This book provides validation and understanding of verbal abuse as well as providing valuable insight and recommendations to service providers and those seeking support.
- ▶ Fortune, M. (1995). *Keeping the faith: Guidance for Christian women facing abuse*. San Francisco: HarperCollins. Rev. Fortune provides a concise response to common religious questions and concerns.
- ▶ Herman, J. L. (1992). *Trauma and recovery*. New York: HarperCollins. Herman is well known for this work. It contains good information for anyone who has suffered trauma and for anyone working with people who have suffered trauma.
- ▶ Island, D., & Letellier, P. (1991). *Men who beat the men who love them: Battered gay men and domestic violence*. Binghamton, NY: Harrington Park. This book challenges many assumptions about relationships within the gay community and is a unique work among the volumes of domestic violence literature.
- ▶ Jayne, P. (2000). *Ditch that jerk: Dealing with men who control and hurt women*. Alameda, CA: Hunter House. If you know your husband or boyfriend is a good man, then this book isn't for you. But if you're not so sure, this book will help you assess whether your partner could be controlling or abusive—and whether he'll ever change.
- ▶ Jones, A. (1995). *Next time she'll be dead: Battering and how to stop it*. New York: Fawcett Columbine. This powerful book is one of the most critically acclaimed and widely distributed works about women who have been battered. It reveals the ways that society encourages violence against women.
- ▶ Jones, A., & Schechter, S. (1992). *When love goes wrong: What to do when you can't do anything right*. New York: HarperCollins. This book explains in detail what control looks like in a relationship and offers strategies for women with controlling partners.
- ▶ NiCarthy, G. (2004). *Getting free: You can end abuse and take back your life*. Seattle: Seal. Since its original publication in 1982, this book has been an important resource on domestic violence.

**RECOMMENDED RESOURCES (CONTINUED)**

- ▶ Schechter, S. (1982). *Women and male violence: The visions and struggles of the battered women's movement*. Boston: Southend. This well-known publication takes an in-depth look at battering and the social movement against it. It describes not only the experiences of victims, but the powerful movement that demands an end to violence against women and permanent changes in the conditions of women's lives.
- ▶ Wilson, K. (2005). *When violence begins at home: A comprehensive guide to understanding and ending domestic violence*. Alameda, CA: Hunter House. This extensive reference provides information on everything from indicators of an abusive relationship and advice on leaving an abusive partner to anti-burnout tips for advocates and current trends in domestic violence legislation.
- ▶ White, E. (1994). *Chain, chain, change: For black women dealing with physical and emotional abuse*. Seattle: Seal. This book examines the influences of racism and sexism in abusive relationships.
- ▶ Winer, M., & Ray, K. (1996). *Collaboration handbook: Creating, sustaining, and enjoying the journey*. St. Paul, MN: Amherst H. Wilder Foundation. This workbook has stimulating insights into ways that groups can work together to end violence against women.

**WEB SITES**  
.....**STATE**

- ▶ Missouri Coalition Against Domestic and Sexual Violence, [www.mocadsv.org](http://www.mocadsv.org)

**NATIONAL/OTHER**

- ▶ The Battered Women's Justice Project, [www.bwjp.org](http://www.bwjp.org)
- ▶ The Domestic Abuse Intervention Project, [www.duluth-model.org](http://www.duluth-model.org)
- ▶ Faith Trust Institute, [www.faitrustinstitute.org](http://www.faitrustinstitute.org)
- ▶ Family Violence Prevention Fund, [www.endabuse.org](http://www.endabuse.org)
- ▶ Minnesota Center Against Violence and Abuse, [www.mincava.umn.edu](http://www.mincava.umn.edu)
- ▶ National Coalition Against Domestic Violence, [www.ncadv.org](http://www.ncadv.org)
- ▶ National Domestic Violence Hotline, [www.ndvh.org](http://www.ndvh.org)
- ▶ National Electronic Network on Violence Against Women (VAWnet), [www.vawnet.org](http://www.vawnet.org)
- ▶ National Network to End Domestic Violence, [www.nnedv.org](http://www.nnedv.org)
- ▶ National Resource Center on Domestic Violence, [www.nrcdv.org](http://www.nrcdv.org)
- ▶ National Stalking Resource Center, [www.ncvc.org/src](http://www.ncvc.org/src)
- ▶ U.S. Centers of Disease Control and Prevention Family and Intimate Violence Prevention Team, [www.cdc.gov/ncipc/dvp/dvp.htm](http://www.cdc.gov/ncipc/dvp/dvp.htm)
- ▶ U.S. Department of Justice, Bureau of Justice Statistics, [www.ojp.usdoj.gov/bjs](http://www.ojp.usdoj.gov/bjs)

**RECOMMENDED RESOURCES (CONTINUED)**

**The videos and tools listed are especially well suited for community education presentations or staff and volunteer training.**

**VIDEOS**

- ▶ *Defending our lives.* (1994). Cambridge Documentary Films. Contact: (617) 484-3993. This Academy Award-winning documentary exposes the magnitude and severity of domestic violence in the United States. The devastating accounts by the women featured in this film reveal the failure of the criminal justice system—and our society as a whole—to protect victims of domestic violence.
- ▶ *Breaking the silence: Children's stories.* (2005). Connecticut Public Broadcasting. Contact: [www.cptv.org](http://www.cptv.org). This powerful documentary examines the impact of domestic violence on children and how some family courts are failing to protect women who have been battered and their children.
- ▶ *City of shelter: A coordinated community response to domestic violence.* (2000). Global Village Communications. Contact: (937) 848-6199. An 11-part, video-based training series for professionals, these videos can be used to launch productive training and discussion sessions. Your procedures and opinions might vary from those presented, but a coordinated community response starts with communication—often soul-searching communication—between diverse, and sometimes divergent, members of the community. Seventy-one professionals in the fields of criminal justice, health care and victim advocacy served as consultants and content contributors for the series.
- ▶ *Safe: Inside a battered woman's shelter.* (2000). Intermedia. Contact: (800) 553-8336 or [www.intermedia-inc.com](http://www.intermedia-inc.com). This video tells the story of three women who, having left abusive partners, learn to take their first steps on this new path, adjust to shelter life, and deal with their problems and those of their children. Each of the women develops her own coping mechanisms, has a different timetable and different ways of rebuilding her life.

**COMMUNITY EDUCATION TOOLS**

- ▶ *In her shoes.* Washington State Coalition Against Domestic Violence. Contact: (306) 586-1022 or [www.wcadsv.org](http://www.wcadsv.org). This is an interactive exercise based on the real-life successes and struggles of women who have been battered. The simulation illustrates how all aspects of a community have a role in ending violence against women.
- ▶ *In her shoes: The economic justice edition.* Washington State Coalition Against Domestic Violence. Contact: (306) 586-1022 or [www.wcadsv.org](http://www.wcadsv.org). Similar to the original edition, this expanded version illustrates the additional struggles women face when they are poor as well as providing the abusers' perspective.
- ▶ Pence, E. (1987). *In our best interest: A process for personal and social change.* Duluth, MN: Minnesota Program Development. This is an essential resource for anyone who works with women who have been battered. *In Our Best Interest* clearly explains how to teach critical thinking skills, offers topics for support groups and provides exercises to help women understand their relationship to the world and global attitudes that condone violence against women.

# THE MISSION AND PURPOSE OF MCADSV



**T**he Missouri Coalition Against Domestic and Sexual Violence is the membership organization for providers of domestic and sexual violence prevention and intervention services in the state of Missouri. Founded in 1980, MCADSV has more than 100 member programs providing services to victims of domestic and sexual violence. Since its beginning more than two decades ago, MCADSV has been working to ensure there is someone to talk to, someplace to go and someone to help women who have been battered and their children. In 2006, the Coalition formally expanded its mission to also address the needs of women and their children victimized by sexual violence, dating violence and stalking. MCADSV is the state's oldest and sole grassroots organization of community-based programs working to end violence against women and their children. To further these aims, MCADSV provides the following services to its member programs and the communities they serve:

## EDUCATION

- ▶ MCADSV educates the general public about domestic violence, sexual violence, dating violence and stalking; trains professionals; and advocates public policy to prevent and alleviate violence against women and their children.

## ASSISTANCE

- ▶ MCADSV provides technical assistance, training and support to members and related communities of service providers.

## ALLIANCE

- ▶ MCADSV provides opportunities for communication among those working in the movement to end violence against women and their children.

## RESEARCH

- ▶ MCADSV researches the extent of domestic violence, sexual violence, dating violence and stalking to more effectively reduce its impact and occurrence in the lives of Missouri's women and their children.

## NOTEWORTHY



### Thanks to those who contributed to this publication

**The Missouri Coalition Against Domestic and Sexual Violence gratefully acknowledges the contributions of those whose material has been adapted with permission and included in this publication:**

▶ The Rhode Island Coalition Against Domestic Violence, publishers of *Creating a safe environment for your clients: Understanding the dynamics of domestic violence*, 1997.

▶ Jody Raphael of the Taylor Institute and Richard Tolman of the University of Michigan for their report *Trapped by poverty, trapped by abuse: New evidence documenting the relationship between domestic violence and welfare*, 1997.

▶ Susan Schechter and Anne L. Ganley, *Domestic violence: A national curriculum for family preservation practitioners*, published by the Family Violence Prevention Fund, 1995.



# individual membership application

## MCADSV Individual Members receive:

- ▶ Free statewide and regional trainings.
- ▶ Technical support and training provided by MCADSV staff.
- ▶ Public policy advocate present at state and national level.
- ▶ Free MCADSV publications and manuals.
- ▶ Access to the MCADSV Resource Lending Library.
- ▶ Regular updates on state and federal legislation relating to violence against women.
- ▶ Access to MCADSV listservs.
- ▶ Discounts on Annual Conference fees.

**Advocate Membership**

Individuals who are employed by a member program of MCADSV. (\$35 annually)

**Supportive Membership**

Individuals who support the mission and efforts of MCADSV. (\$45 annually)

**Student Membership**

Full-time students who support the mission and efforts of MCADSV. (\$25 annually)

*The above membership rates apply through December 2008. For more information, contact MCADSV.*

Name \_\_\_\_\_ Title \_\_\_\_\_

Organization \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone (    ) \_\_\_\_\_

E-mail Address\* \_\_\_\_\_

\*Including your e-mail address confirms your agreement to subscribe to the MCADSV listserv(s) and abide by MCADSV's listserv policy.

**As an individual member of the Missouri Coalition Against Domestic and Sexual Violence, I agree with and support the Coalition's philosophy and mission.**

Signature \_\_\_\_\_ Date \_\_\_\_\_

## Memberships available for organizations:

Those interested in an organizational or affiliate membership should request a supplemental membership packet from MCADSV.

Please join our effort to make Missouri safer for women.

Send your application to:

217 Oscar Drive, Suite A

Jefferson City,  
Missouri 65101

(573) 634-4161

(573) 636-3728 Fax

[mocadsv@mocadsv.org](mailto:mocadsv@mocadsv.org)

[www.mocadsv.org](http://www.mocadsv.org)

