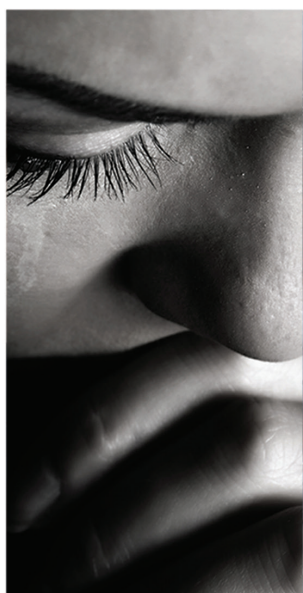


FACT SHEET 3

PROMISING VICTIM RELATED PRACTICES IN PROBATION AND PAROLE



FAMILY VIOLENCE

Family violence, which includes intimate partner domestic violence, child maltreatment, and elder abuse, is a daily occurrence in the United States. More than 1 million women are physically assaulted each year by a current or former intimate partner. According to the National Violence Against Women Survey, nearly 25% of women and 7.5% of men reported experiencing physical or sexual abuse by a current or former spouse, cohabiting partner, or date at some point in their lives (Tjaden and Thoennes, 2000). The National Center on Elder Abuse (2010) estimates that as many as 10% of elderly individuals suffer from abuse or neglect, although fewer than one in five cases is ever reported. Meanwhile, according to the U.S. Department of Health and Human Services, there were over 3 million allegations of child maltreatment involving nearly 6 million children in 2010, with approximately 500,000 of those allegations found to be substantiated claims of maltreatment (2010). Moreover, research suggests that as many as 10% of all children are exposed to domestic violence in their homes (Finkelhor et al., 2009).

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The effects of family violence can be wide-ranging and devastating to victims. Beyond the more easily recognized physical injuries—and, in some cases, death—that may occur with intimate partner, child, and elder abuse, the emotional, psychological, and social impacts of victimization also can have severe and long-term implications. Depression, post-traumatic stress disorder (PTSD) and other mental health concerns, substance abuse issues, suicidal ideation, disordered sleeping and eating patterns, diminished self-esteem and autonomy, withdrawal from social networks and sources of support, and other effects are common among those victimized by family violence. Moreover, children who directly experience or witness family violence face increased risks of future delinquency and use of violence (Widom and Mayfield, 2001).



FIGURE 1

WHAT IS FAMILY VIOLENCE?

Family violence is the oppressive use of power by a person who is, or was, engaged in an intimate relationship with a relatively less powerful person within the family, household, or intimate partner relationship. Family violence includes intimate partner domestic violence, child abuse, and elder abuse (Crowe, Wack, and Schaefer, 1996).

Intimate partner domestic violence involves a coercive pattern of behavior in which one partner in an intimate relationship misuses his or her power to control or coerce the other partner. Intimate partner domestic violence can include a variety of forms of abuse, including physical abuse, emotional abuse, sexual abuse, and economic abuse (Office on Violence Against Women, 2010).

Child maltreatment describes child abuse and neglect. It can be defined as an act or series of acts of commission or omission by a parent or caregiver that results in the harm, potential harm, or threat of harm to a child (Centers for Disease Control and Prevention, 2009).

Elder abuse is the criminal and noncriminal abuse, neglect, and exploitation of persons who are at least 60 years old. It can include physical, emotional, sexual, and/or financial abuse and neglect (DeMichele, Crowe, and Stiegel, 2007).

Society has traditionally regarded intimate partner domestic violence, child maltreatment, and elder abuse as private family matters rather than crimes that warrant response by the criminal justice system. With the passage of a variety of new laws at the state and federal levels in recent decades, however, this perception is changing. Perpetrators of family violence-related crimes now are being arrested, prosecuted, and convicted at increasing rates. Many of these offenders are ultimately released on community supervision, either in lieu of or following a period of incarceration. In addition, many more offenders may be sentenced to probation or parole supervision for offenses other than family violence but also be abusive to their intimate partners, children, or other family members.

Research indicates that proactive responses by community corrections to crimes of abuse can reduce recidivism, increase the time between arrests for abusers, and increase the satisfaction of victims (Klein and Crowe, 2008). It is critical, therefore, that community corrections professionals are well

FIGURE 2

APPA RESOURCES ON COMMUNITY SUPERVISION OF DOMESTIC VIOLENCE CASES

Intimate partner domestic violence is among the most prevalent forms of violence in the United States, resulting in more than half a million crimes against women annually and accounting for nearly one-fifth of all violent crimes against women (Catalano, Smith, Snyder, and Rand, 2009). Research indicates that one in four women will experience domestic violence in her lifetime (Tjaden and Thoennes, 2000).

A large proportion of individuals convicted of domestic violence-related crimes are supervised in the community, either in lieu of or accompanied by a period of incarceration. Research shows that proactive community corrections responses in these cases can reduce recidivism, increase the time between arrests for abusers, and increase the satisfaction of victims (Klein and Crowe, 2008). However, specialized programs and policies for supervising domestic violence cases remain limited across the country.

Through funding from the U.S. Department of Justice, Office on Violence Against Women, the American Probation and Parole Association (APPA) is pleased to provide a range of training and technical assistance resources for probation, parole, and other community justice professionals on community supervision of domestic violence cases.

Among the free resources now available are:

- Guidelines for domestic violence case supervision;
- Computer-based training on the dynamics of domestic violence and their implications for community supervision;
- Online training on implementing APPA's guidelines for domestic violence case supervision; and
- Classroom-based training programs on community corrections' response to domestic violence.

Information on how to access these free training and technical assistance resources is available at www.appa-net.org/dv/.

equipped not only to effectively supervise this population of offenders but also to support and work with those victimized by family violence crimes.

WORKING WITH VICTIMS OF FAMILY VIOLENCE

Criminal justice practitioners may idealize crime victims as being compliant, helpful and grateful for assistance from justice professionals. However, this is not always the case, and particularly not among those victimized by family violence. Victims may, in fact, seem uncooperative, recant, or decide to continue to engage in a relationship with a family member or intimate partner who abuses them. Community corrections professionals may become frustrated with victims who do not exhibit behaviors consistent with their idealized notions.

Critical to working with victims of family violence, therefore, is the understanding that victims have many valid reasons for not cooperating with community corrections officers. Examples include:

- Distrust of the criminal justice system and its professionals;
- Fear of retaliation by the abuser;
- Feelings of embarrassment or shame related to the abuse;
- Economic and/or psychological dependence on the abuser;
- Fear of being institutionalized (particularly among abused elders);
- Lack of knowledge of or confidence in available services and support; and
- Desire to keep the family together.

When working with victims of family violence crimes, it is important to recognize and understand these and other valid reasons why a victim may be reluctant to cooperate. It is through better understanding the victims' perspectives that community corrections personnel can help promote their safety more effectively.

KEY ELEMENTS FOR INTERVENING WITH VICTIMS OF FAMILY VIOLENCE

Until recently, incidents of family violence remained largely behind closed doors and were rarely addressed by the justice system. The once widespread perspective that "what happens in the family, stays in the family," is slowly being replaced, however, with an acknowledgement that intimate partner domestic violence, child abuse, and elder abuse are serious and often violent forms of crime and, as such, warrant a response by the criminal justice system. Community corrections agencies and staff now are recognizing the important role they can play in coordinated community responses to family violence that will enhance victim safety and offender accountability.

Several elements are recommended for an effective community corrections response to family violence victims.

FIGURE 3

THE IMPACT OF TECHNOLOGY ON DOMESTIC VIOLENCE, CASE SUPERVISION, AND VICTIM SERVICES

Technology is a powerful tool that enables agencies to access and deliver information more easily, more quickly, and more conveniently than ever before. For victims of family violence, however, information technologies can also provide another mechanism for stalking and harassment by an abuser. For instance, abusive partners and family members may use global positioning satellite (GPS) devices to track the whereabouts of a victim of abuse without his or her knowledge. Abusers may monitor a victim's use of computers using "spyware" software. Or abusers may send abusive, harassing, or threatening texts or emails to a victim. It is important for probation and parole officers to be aware of the ways in which perpetrators of family violence may be using technology to abuse their victims. This awareness enables officers to more effectively monitor the activities of offenders under probation or parole supervision.

Technology also can enhance victim safety and case supervision. For instance, through the Internet, victims may be able to quickly access information about available services in the community and easily communicate with advocates. Prepaid cell phones increasingly are being used to give victims of intimate partner abuse a safer way to communicate with their support networks, victim service providers, and law enforcement.

A growing number of probation and parole agencies are using electronic monitoring technologies to better supervise perpetrators of abuse. Using specialized software, officers can monitor offenders' computer use. GPS tracking devices can be used to monitor the whereabouts of offenders when a restraining or protection order is in place.

Through the Safety Net Project, the National Network to End Domestic Violence (NNEDV) provides training, technical assistance, and other resources that address how technology affects the safety, privacy, and accessibility rights of victims of domestic violence. Safety Net Project resources can be found at <http://nnedv.org/projects/safetynet>.

In 2009, the American Probation and Parole Association published *Offender Supervision with Electronic Technology: A User's Guide* (Second edition), available at www.appa-net.org/eweb/docs/APPA/pubs/oset_2.pdf. More information on electronic monitoring tools for community corrections is available at the APPA website, www.appa-net.org.

DEFINING PROGRAM GOALS

Victim safety and autonomy should be the core principles that guide interventions in cases of family violence, around which all else must operate when conducting community supervision of family violence offenders. Victims are entitled to be safe, as everyone should be, and they are not responsible for the violence and abuse perpetrated against them. Community corrections officers can help promote victim safety by holding offenders accountable for both their behavior and their compliance with the conditions of their supervision.

While victim safety is the primary goal of community corrections efforts in family violence cases, offender accountability is the primary means for achieving that goal. Secondary to the twin aims of victim safety and offender accountability is offender behavior change, which can be achieved through a variety of interventions.



FIGURE 4

ELDER ABUSE AWARENESS: COMMUNITY CORRECTIONS' ROLE AS THE EYES AND EARS OF THE COMMUNITY

In the course of supervising offenders/defendants convicted of elder abuse, community corrections professionals play a crucial role in a community's collaborative response. Agency staff also may be statutorily mandated to report suspected elder abuse that they encounter in the performance of their duties to law enforcement and/or adult protective service agencies.

The American Probation and Parole Association (APPA) has developed a CD-ROM training program on elder abuse with support from the U.S. Department of Justice, Office for Victims of Crime. The seven-module training program provides insight into the multiple types of elder abuse that officers may encounter while on the job. It also shares a wealth of information about the indicators of abuse, the impact of abuse on victims, and the importance of taking a proactive approach and appropriately intervening in situations where abuse is suspected. The curriculum is accredited by APPA, and those who pass the final test may request a certificate of completion for 6 contact hours of continuing education. More information about the training program is available on the APPA website at <http://www.appa-net.org>.

BUILDING COMMUNITY PARTNERSHIPS

Community corrections programs and professionals should develop active partnerships with community-based family violence programs, advocacy groups, and other justice system and community organizations that work with offenders or victims. Partnerships with community organizations and professionals can be a powerful tool for community corrections professionals to better understand the dynamics of family violence. By building relationships, all partners will be better able to unite in common efforts to promote victim safety.

FIGURE 5

CHILDREN EXPOSED TO VIOLENCE: THE IMPLICATIONS FOR COMMUNITY CORRECTIONS

A recent national survey indicates that as many as 10% of all children are exposed to domestic violence in their homes (Finkelhor et al., 2009). Research suggests that children's exposure to violence within the home, in schools, or in the community can have a variety of short- and long-term effects. Children who experience or witness violence may perform poorly in school and may exhibit aggressive behavior. Long-term effects of exposure to family violence during childhood include an increased likelihood of depression, other mental health disorders, and substance abuse (Summers, 2006). According to the National Center for Children Exposed to Violence, children who are exposed to violence also are more likely to become involved in the juvenile justice system (2006).

Juvenile probation officers should be aware that their supervisees may have witnessed or experienced family violence within their homes. For these children, early intervention is critical. Identifying children exposed to violence through assessments and linking affected juveniles to appropriate mental health services and other community interventions are key steps in helping to prevent future delinquency among this population. These actions are also of significant value in ending intergenerational cycles of violence.

Through funding from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (OJJDP), the Safe Start Center (www.safestartcenter.org) offers a variety of resources on children's exposure to violence and appropriate interventions.

CONDUCTING THOROUGH CASE ASSESSMENTS

Assessment activities should gather information from both offenders and their victims. Assessment activities may include screenings of and/or interviews with victims, risk and needs assessments conducted with offenders, and informal interviews with offenders. Offenders should be told that the probation or parole agency will contact victims both initially and throughout the supervision period. Victims' accounts of the violence should be heard as credible and used as a basis for making case decisions. Victims should be advised, during the assessment process and subsequently, of their rights and the actions they can take to increase their safety. All family violence offenders should be initially classified as high-risk and should be assessed for substance abuse problems.

IMPOSING SPECIAL CONDITIONS OF RELEASE

Community corrections professionals and courts or paroling authorities typically work cooperatively to impose special conditions of release on family violence offenders. These conditions assist probation and parole officers in achieving the goals of victim safety, offender accountability, and offender behavior change. Swift consequences should follow any violation of these conditions and/or any further instances of abuse.

ENSURING CLOSE OFFENDER SUPERVISION

In an effort to promote victims' safety, family violence offenders should be supervised initially as high-risk offenders. This designation provides for frequent contacts, home visits and/or field surveillance, investigation of records for new abuse, supervisor contact with victims (if they are willing), substance abuse monitoring, checks of attendance at and participation in treatment and intervention programs, electronic monitoring or curfew checks, and/or monitoring of the fulfillment of offenders' financial obligations.

PROVIDING SERVICES TO VICTIMS

Supervision protocols should include ongoing contact with victims (if they are willing). Additional resources and services should be provided to victims, either directly through the probation/parole agency or by referrals to other agencies. Examples include safety planning, using victim protection technologies (cell phones, electronic monitoring, etc.), and offering opportunities for treatment and support.

PROVIDING RELEVANT STAFF TRAINING

Specialized supervision caseloads are a best practice for managing cases involving family or intimate partner violence. However, many agencies lack the resources to develop and implement highly specialized staffing units. Where specialized caseloads are not feasible, probation and parole agencies should ensure that staff are adequately trained in dealing with cases of family violence and are sensitive to victims' needs and concerns.

For example, attempts by offenders and others to deny, minimize, externalize, or rationalize abusive behaviors should be challenged. Conditions of supervision should be carefully designed to avoid putting a victim at further risk of harm. Community corrections officers should collaborate with victims when possible and with victim advocates to ensure that supervision is carried out in a way that promotes the safety and security of victims.

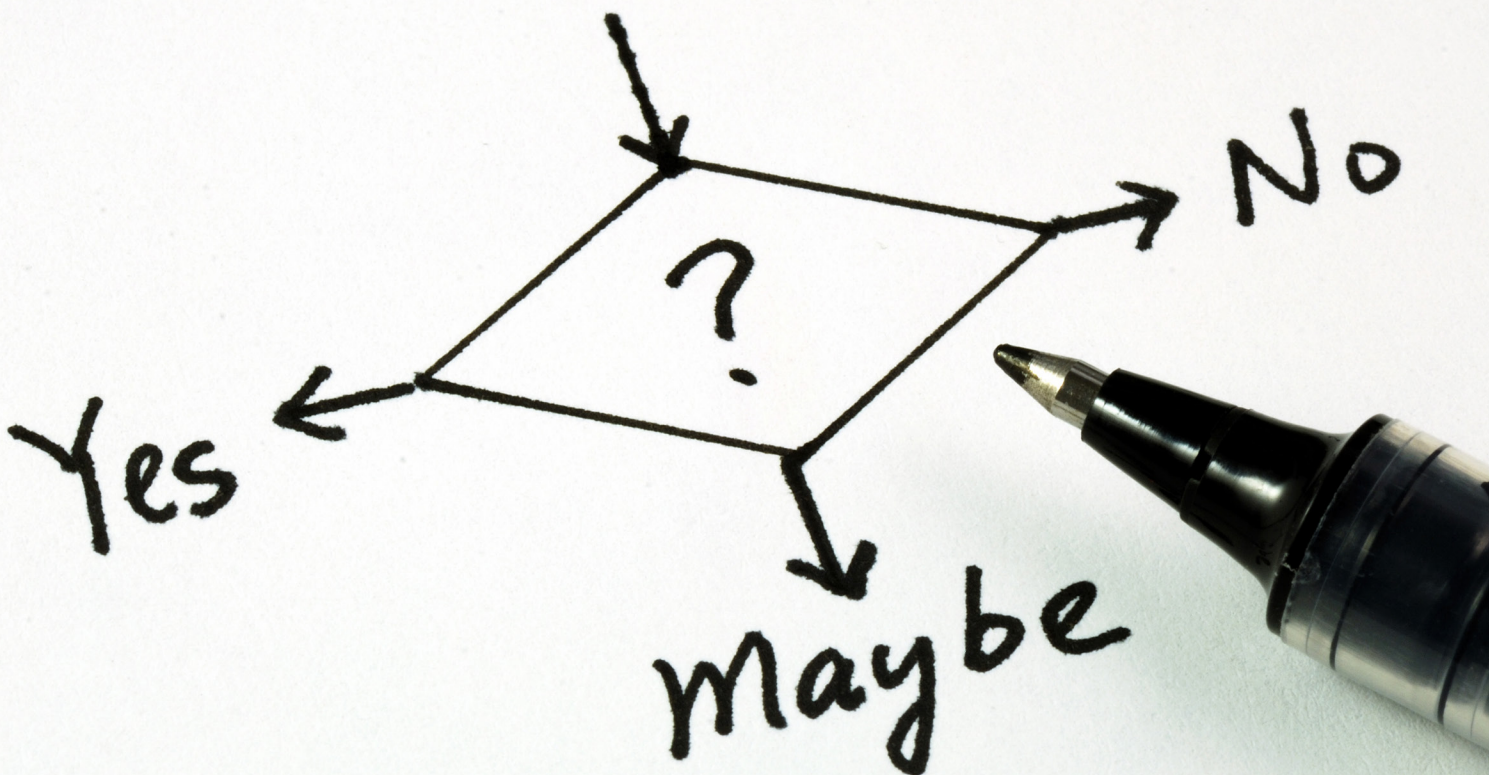
FIGURE 6

OFFENDER? VICTIM? OR BOTH?

Domestic violence cuts across all boundaries of race, age, social class, and sexual orientation. It affects the lives of individuals from all social categories—including those involved with the criminal justice system. According to the U.S. Department of Justice, Bureau of Justice Statistics, between 40% and 57% of women offenders in prison, in jail, or on probation supervision reported experiencing physical or sexual abuse prior to their sentence. Of these women, roughly half reported that their abusers were intimate partners. Among probationers in particular, approximately 40% of women reported experiencing prior abuse as an adult. Of these women reporting prior abuse, about 57% experienced such abuse at the hands of their intimate partner (Harlow, 1999).

Research indicates that domestic violence victimization can play a direct role in the entry of women offenders into criminal activity (Gilfus, 2002). Many women who are abused are arrested for acts of self-defense against their abusers (Miller, 2001) and subsequently face charges of domestic violence themselves. In other cases, women who are victims of domestic violence may be forced by the abuser to engage in criminal activities—including theft, prostitution, drug use, drug dealing, and other crimes—or they may engage in such crimes to obtain the resources needed to flee the abusive relationship (Bloom, Owen, and Covington, 2003; DeHart, 2005).

Offenders under community supervision must be held accountable for their crimes, but in situations involving a history of coercion or abuse, it is critical that the supervision process be conducted in a way that does not put victims of intimate partner abuse at further risk of harm. Community corrections professionals can fulfill a crucial function in promoting victim safety and autonomy by screening women offenders for a history of domestic violence and providing support and assistance for identified victims.



The American Probation and Parole Association (APPA), through funding from the U.S. Department of Justice's Office on Violence Against Women and Office on Victims of Crime, has developed training on supervising family violence cases. This includes several computer- and web-based training programs designed specifically for probation and parole professionals. Information about APPA's free resources on supervising intimate partner violence and elder abuse cases can be found at www.appa-net.org.

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