

# Intimate Partner Violence and Veterans Treatment Courts

Ohio Specialized Dockets Conference

Columbus, Ohio

October 12, 2018

# Agenda

- Treatment court model
- Veterans Treatment Courts (VTCs) vs Domestic Violence Courts
- Considerations for VTCs
  - Develop a victim component
  - Refine eligibility criteria
  - Screen and assess for intimate partner violence (IPV), risk, and danger
  - Ensure appropriate treatment/intervention
  - Modify supervision and sanctions
  - Expand, educate, and coordinate
- Questions and answers

# Treatment Court Model

- Began with drug and mental health courts
- Originally for non-violence offenders
- Non-adversarial approach
- Support from stakeholders representing law enforcement, the family, and the community
- Treatment and rehabilitation vs incarceration
- Expectation of relapse

Treatment Courts	DV Courts
Treatment with accountability	Accountability with treatment
Reduce crime and associated costs	Promote victim and community safety
Mandated SA/MH treatment	Mandated batterer's/offender intervention treatment
Monitoring through treatment, supervision, judicial reviews, and substance abuse testing	Monitoring through treatment, supervision, judicial reviews, and survivors
Incentives and Sanctions Relapse part of recovery	Immediate response to violations Relapse not tolerated
Forge partnerships with government and community-based organizations	Participate as part of coordinated community response (CCR), especially with victim advocacy agencies; <b>Victim advocates onsite</b>

# Develop a Victim/Survivor Component

- Connect survivors to a community-based victim advocates
  - Part of Domestic Violence Court model
  - Risk & danger assessments
  - Safety planning
- Connect survivors to community, military, and/or VA resources
  - Legal services, shelter, employment services, etc.
- Develop a survivor communications plan
  - With whom will info be shared?
  - Conducted separate from VTC participants
- Inform victims participation is voluntary – consult/seek approval on veteran court entry

# Understanding Victim Behavior

- Love partner, but want abuse to stop
- Don't want abuser to go to jail
- Try to handle the situation themselves
- Many abusive behaviors are not criminal
- 36% report IPV to police
- 10% report sexual assault
- Primary reasons women report IPV to the police



**Stop the violence + protection**

# IPV Victim Issues

## **General**

- Fear of violence/reprisals
- Threats to recant/drop charges
- Fear of losing children
- Financial concerns/dependence
- Shame and embarrassment
- Reluctance to become involved with police and courts
- Trauma/mental health issues

## **Military & Veteran-Related**

- Fear negative effect on military career
- Loss of access to services and benefits
- Lack of knowledge of civilian resources
- Isolation and lack of support system
- Caretaker role and guilt

# Safety Planning with IPV Survivors: Complex Lives/Difficult Choices

- Survivor-centered intervention includes an analysis of the complex package of physical, legal, economic, familial, social, and emotional risks faced by the victim, and by those the victim feels bound to protect.
- What are the consequences and implications for any course of action?
- How constricted has the victim's life become?

*Davies, J., Lyon, E., & Monti-Catania, D. (1998)  
2nd Edition, (2014) by Jill Davies and Eleanor Lyon*



# Advocacy

System-Based Advocates

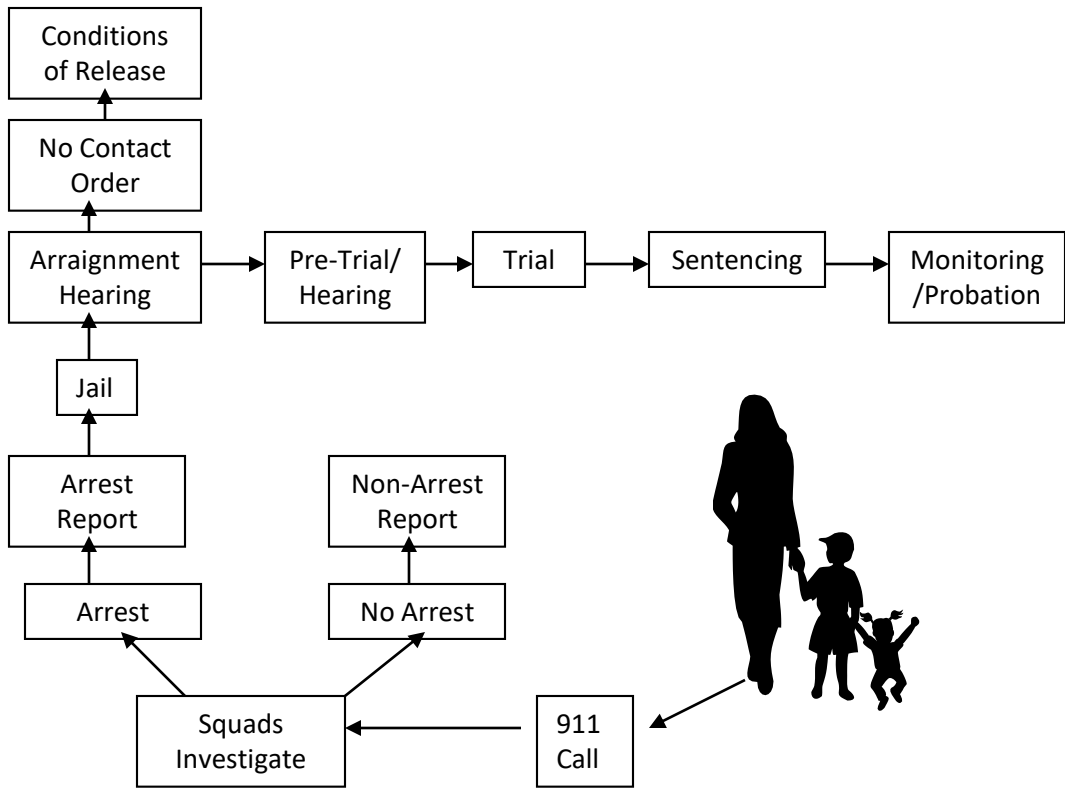
Community-Based Advocates

Military-Related Advocates

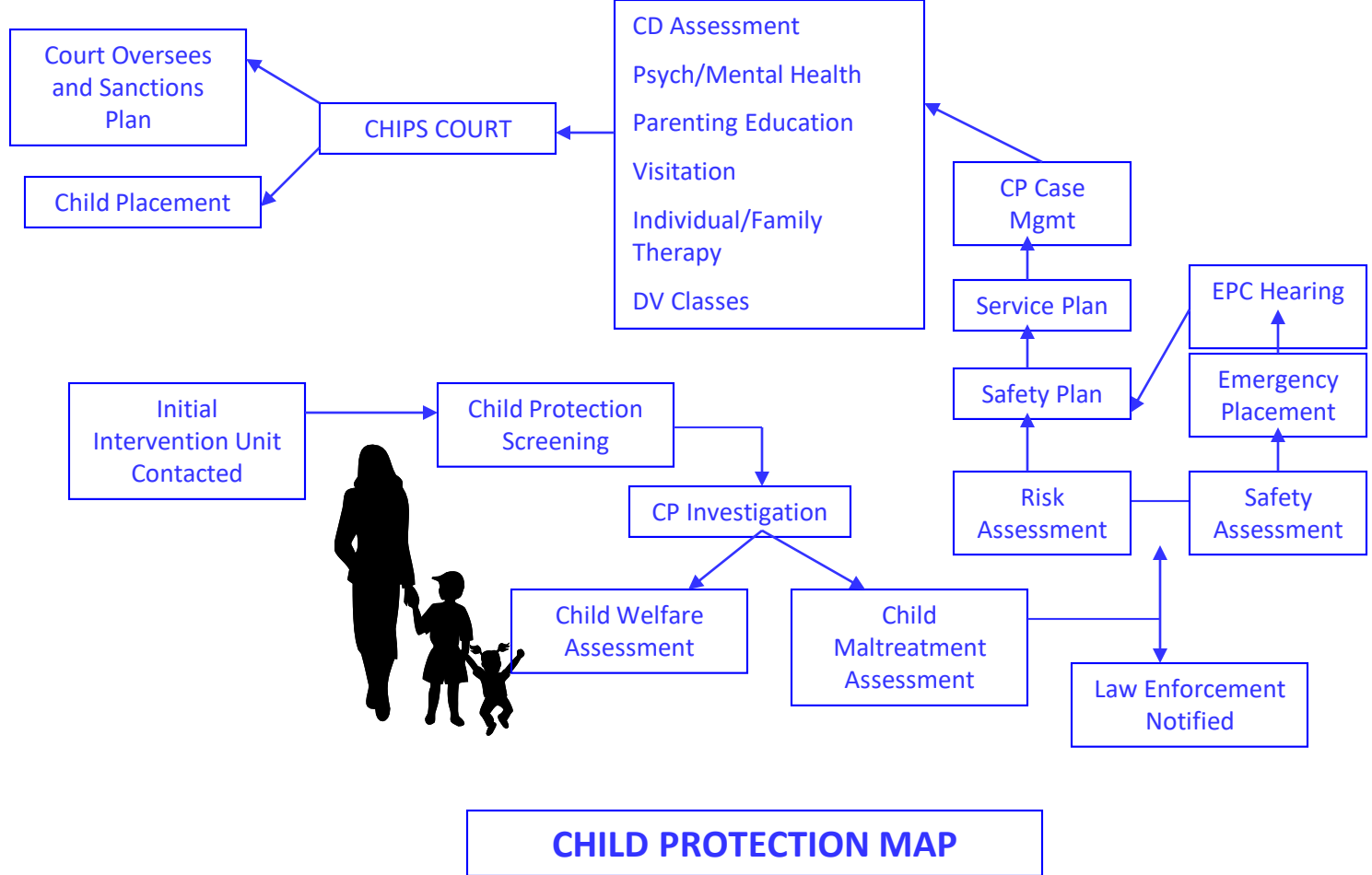
IPV victims may be involved with multiple institutions that have many steps when involved with child protection, civil and criminal justice systems, and the military response to IPV.

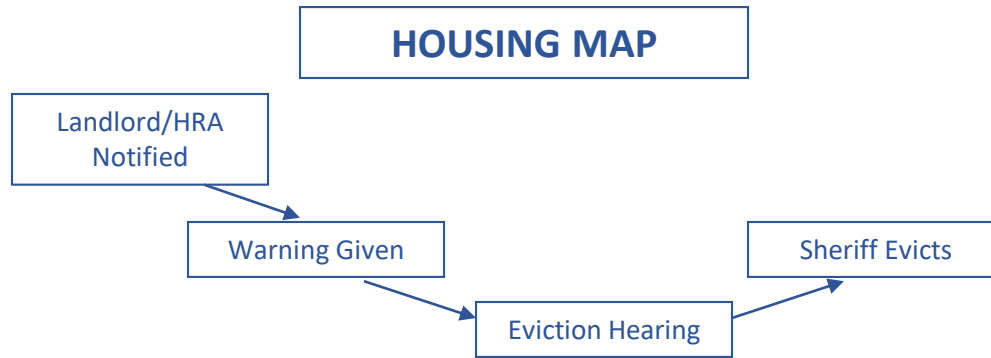
*Praxis – Rural Technical Assistance on Violence Against Women*



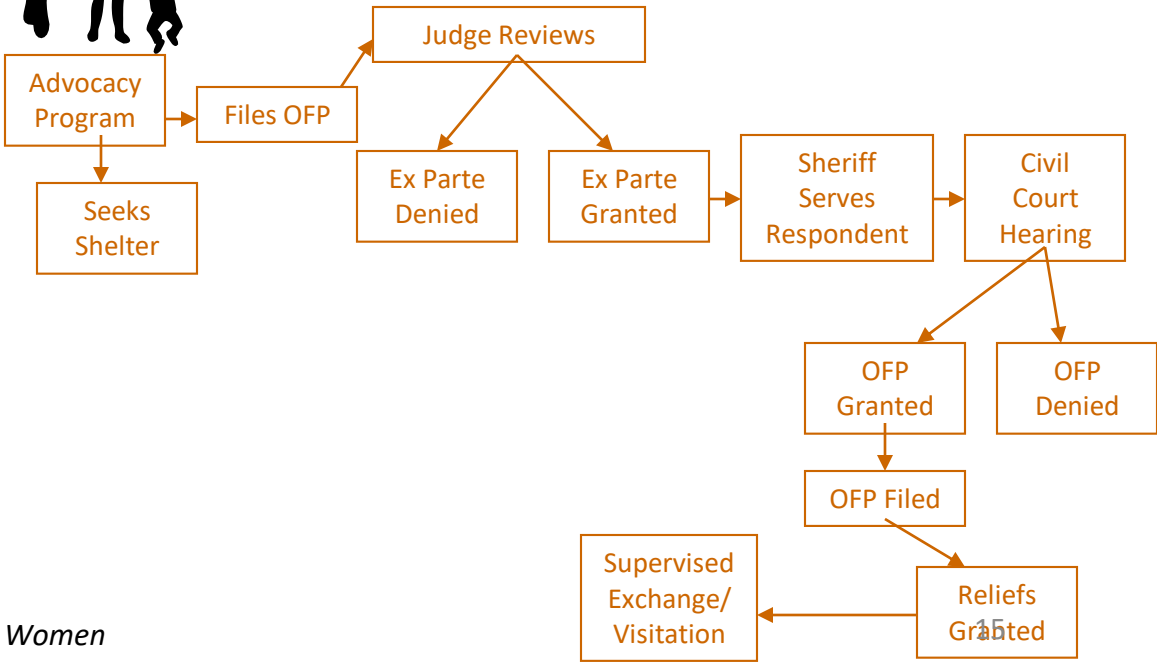


**DOMESTIC VIOLENCE/ ARREST INCIDENT**



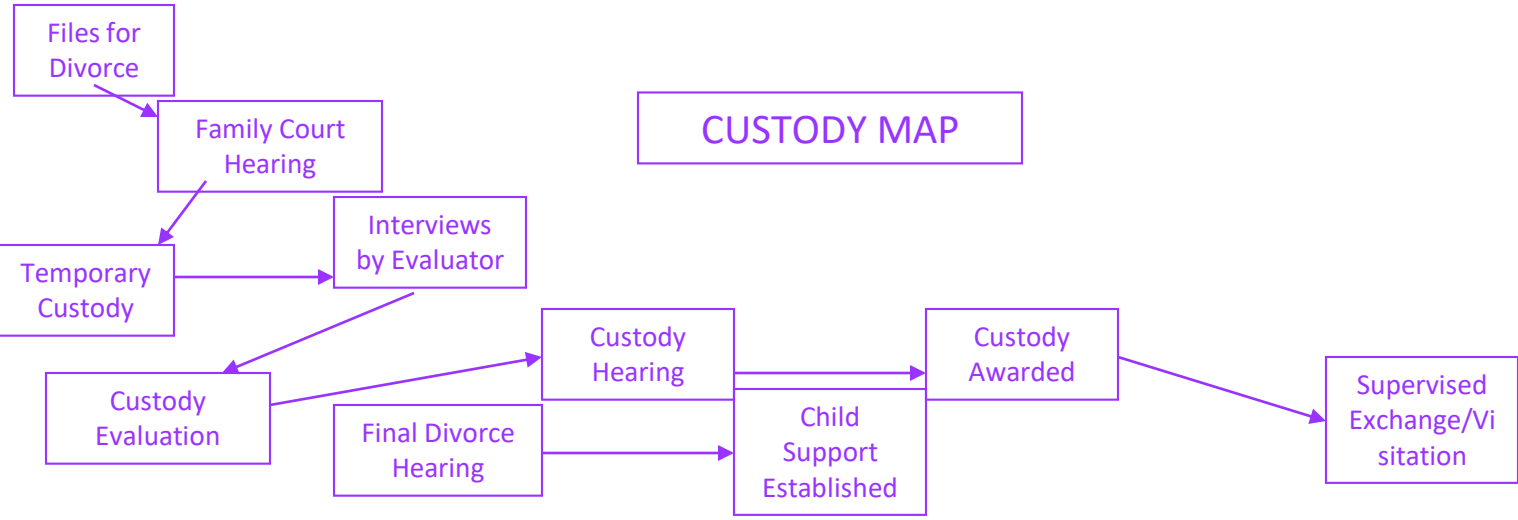


# ORDER FOR PROTECTION – CIVIL COURT PROCESS

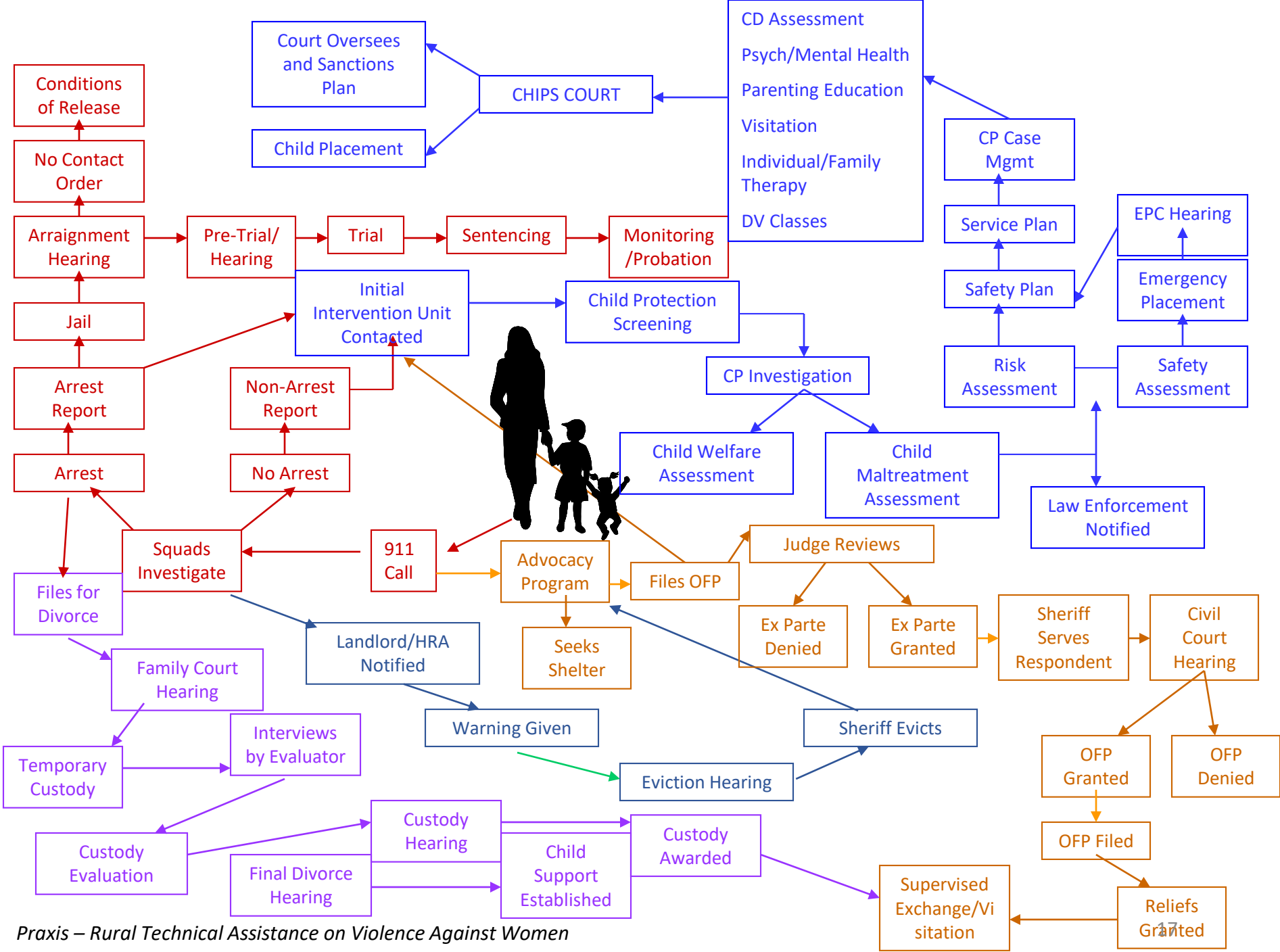




CUSTODY MAP







# What do Victim Advocates do?

- Engage with victims to assess risks posed by the abuser, by intervention, and develop a safety plan.
- Understand and listen to the lived experiences of abuse, cultural alienation, or dealing with institutional responses.
- Explain civil, criminal, and military responses, and explore increased safety and unintended consequences.
- Strategize with victim to identify and achieve short and long-term goals for safety and autonomy.
- Facilitate access to resources, emergency housing, shelter.
- Maintain confidentiality.

# System-Based Advocates

- Support victims in their role as a witness to a crime.
- Employed by a public agency - law enforcement, prosecuting attorney, probation, or some other entity within the city, county, state, or federal government.
- Nothing that a victim says to a system-based advocate will typically be protected as confidential.
- Roles and responsibilities vary based on their host or governing agency.
- Have various names for the position - victim liaisons, crime-victim advocates, Victim-Witness Assistance Coordinators.

# Community-Based Advocates

- Focus exclusively on the interests and autonomy of the victim (and support people).
- Represent the interest of the IPV victim, providing information and support that allows him/her to make an informed choice that best serves his/her interest.
- Facilitate the risk assessment conversation and safety planning.
- Enhance the system's response by providing resources and direct support to victims of IPV.

# Community-Based Advocates

- Assist victims in dealing with the **impact of the IPV on all areas of their lives**, not just their interactions with the criminal justice system.
- Advocate for an institution to adjust its practices to enhance safety for victims of IPV and her/his children.
- Serve as a systems-change agent, whose job includes some combination of training, consultation, strategic planning, and policy and protocol development.

# Advocates in the Military

- Most like a system-based advocate, with some exceptions related to confidentiality
- Restricted reporting
  - Provides for informed decision making
  - Limits information to select individuals
  - No report to command or law enforcement – no actions taken with perpetrator
- Unrestricted reporting
  - Report to command and law enforcement
  - Actions potentially taken with perpetrator
- Exceptions

# Why Independent Advocates?

- Only advocates can represent the interests of the victim when they conflict with those of the State.
- Independent advocates increase the likelihood that victims/survivors will participate actively in the judicial process.
- Advocates' independence of the criminal justice system allows them to play a coordinating role among elements of the system.

# Refine Eligibility Criteria

- Nexus between combat/service-related conditions?
- First time domestic violence offenders?
- Survivor approval?
- Context
  - Battering, Situational, Pathological, Resistive
  - Don't take veterans outside Pathological context
- High risk/high need differs for IPV
- Require and enforce firearm prohibitions





# Screen for IPV

- Do not rely solely on self-report as offenders often deny, blame others, and minimize.
- Screen all veteran participants for IPV.
  - Center for Court Innovation and National Institute of Corrections piloting VTC Enhancement Initiative tools.
- Obtain information from multiple sources
  - Prior police reports
  - Survivors and former partners
  - Protection order affidavits & protection order registries
  - National Crime Information Center (NCIC)
  - Military records

# Assess for IPV

- Assess IPV separately from PTSD, TBI, substance abuse, etc.
- MH providers and substance abuse counselors typically do not have specific IPV expertise.
- Collaborate with community-based and military victim advocates to assess survivors; when permitted by survivor, utilize shared information in VTC process.



# IPV Risk Factors

- **Access to lethal weapons**
- **Threats to kill partner**
- **Threats of suicide**
- History of physical, sexual, or emotional abuse toward intimate partners
- History of violent behavior toward family members (including children), acquaintances, and strangers
- Relationship instability, especially recent separation or divorce
- Presence of other life stressors, including employment/financial problems or recent loss, **unemployment**
- Evidence of mental health problems and/or substance abuse

# Risk Factors (Cont'd)

- Childhood history of witnessing or being a victim of family violence
- Resistance to change and lack of motivation for treatment
- Antisocial attitudes and behaviors
- Attitudes that support violence toward women
- A pattern of coercive control
- **Stalking**
- **Strangulation**
- **Forced sex**

# Risk and Danger Assessment

- This is an ongoing process, not a one-time event.
- Victims are the best source of information.
- Some victims' perceptions vastly different than an advocate's or an assessment; may downplay risk and signs of danger.
- Some of most dangerous cases are where there has been no intervention and when a victim is trying to leave the relationship.
- Intervention can also compromise safety – there are always unintended consequences.

# Benefits of Risk Assessment

- Develops more realistic safety plans with victims.
- Educates criminal justice practitioners about risk.
- Provides a shared language about risk, lethality, and recidivism.
- Helps the criminal justice system identify appropriate interventions.
- Informs bail, conditions of release, supervision strategies, and other types of court-ordered treatment decisions.

# Assessing for Risk and Danger

- What do we want the information for?
- Will we use a tool?
- How do we integrate identification of risk factors into institutional practice?
- How is it documented?
- How do we ensure that the next intervener has access to this information?

# Risk Assessment Tools

- DVSI (Domestic Violence Screening Instrument)

- Predictive of recidivism
- Most questions rely on available information; a few are asked of victim
- Commonly used by pre-trial for bail recommendations and Probation for case management

- SARA (Spouse Abuse Risk Assessment)

- Predictive of recidivism
- Longer and includes clinical factors; includes victim questions
- Commonly used by Probation to inform recommendations to court, case management strategies and level of supervision



# Assessment Tools

- Danger Assessment (DA)
  - Predictive of lethality and recidivism
  - Information gathered solely from the victim
  - Used by victim advocates with survivors in safety planning
  - [www.dangerassessment.org](http://www.dangerassessment.org)

*Cost, training, and access issues for assessment tools*

# For each woman and her children, what risks are generated by...

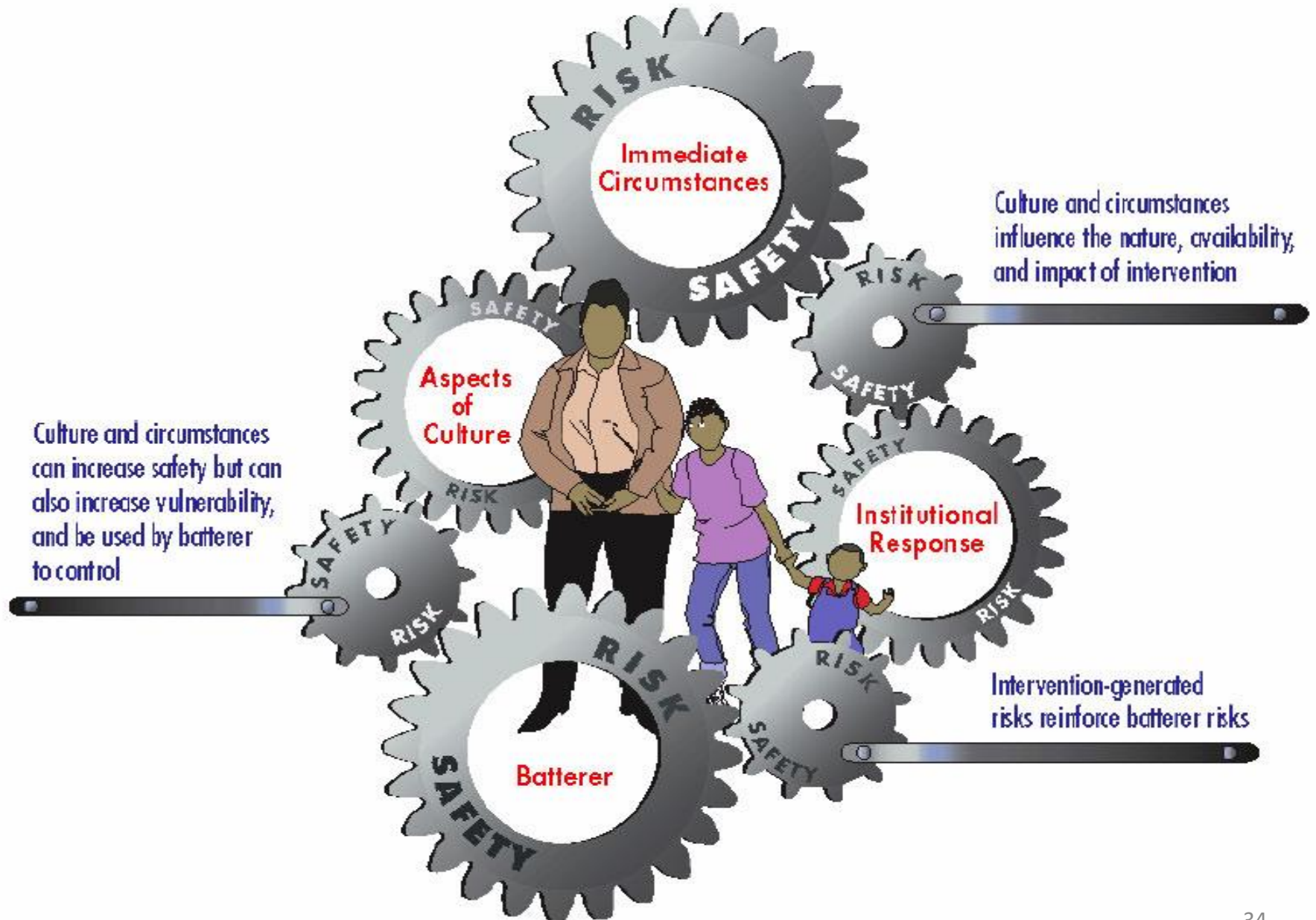


Figure 9: The Complexity of Risk and Safety 1

# Federal Gun Control Act

- Prohibits owning or possessing firearms or ammunition in several circumstances
- Qualifying court orders (18 U.S.C. §922(g)(8))
  - Official use exemption (18 U.S.C. §925(a)(1))
- Misdemeanor domestic violence convictions (Lautenberg Amd) (18 U.S.C. §922(g)(9))
  - Restoration by pardon, expungement, or restoration of civil rights (18 U.S.C. §921(a)(33)(B)(3))



# IPV Treatment/Intervention

- Provide separate treatment for IPV, mental health, and substance abuse
  - Sequencing of treatment?
- Anger management not generally effective in stopping IPV
- Couples counseling not a substitute for offender intervention programs; can increase danger for victims
- Consider culturally-competent batterer intervention programs (BIPs)



# Modify Supervision & Sanctions

- IPV perpetration can be significantly deterred by swift and certain court response for violations, intensive programming for high-risk men, and ongoing monitoring.
- While relapse is common and often expected for addicts, for IPV perpetrators it means re-assault and harm to others (relapse vs. re-offense).
- Consequences for continued violence and abuse must differ from other violations (Program termination?).
- Prohibit firearms/enforce existing prohibitions
- Survivor is usually best source of information.

# Expand, Educate, Coordinate

- Expand interdisciplinary court team
  - Community-based IPV victim advocate
  - IPV treatment staff
  - VHA Intimate Partner Violence Coordinators (IPVCs)
- Coordinate with existing Domestic Violence Court
  - Route there before treatment court
- Work within existing coordinated community response (CCR)



# Takeaways

- All IPV can be lethal.
- Firearms access should be restricted during program participation.
- Contextual analysis and risk assessments should be conducted.
- Battering can coexist with PTSD and/or TBI.
- Treat the IPV, not just substance abuse and mental health issues.
- Community-based victim advocates, intervention program staff, and DV courts bring expertise and resources.
- Treatment courts must operate as part of existing CCRs.

# Treatment Goals

*The goal of PTSD treatment is to quiet the PTSD symptoms and facilitate re-integration into the full range of social experiences.*

*The goal of DV/IPV treatment is to stop all forms of abuse of intimate partners by holding the abuser responsible for the violence and accountable for stopping the abusive behavior.*



# Domestic Violence/Batterer Intervention Programs (BIPs)

- Most view IPV as a gendered crime.
- Single gender group programs are preferred.
- Men's violence against women is culturally learned, socialized behavior, not a sickness within offenders.
- Most use a cognitive behavioral approach.
- Most are not clinically-based.
- Most have a close relationship with victim advocates.
- Provide limited confidentiality due to accountability to the criminal justice system.

# Program Characteristics

- Less effective for high risk offenders
- Non-completion a strong indicator that abuse will continue
- Characteristics associated with failure to complete
  - Being younger
  - Less education
  - Criminal histories/violence in their family of origin
  - Unemployment
  - Substance abuse problems
  - Having children
  - Lacking court sanctions for noncompliance

B. Hart, A. Klein, *Practical Implications of Current Intimate Partner Violence Research for Victim Advocates and Service Providers* (2013)

# Do BIPs Work?

- Participants completing at least 3-months of a program were 50% less likely to re-assault their partners in the 15-month follow-up compared to a comparable group who did not complete the program.
- A 4-yr longitudinal follow-up evaluation shows a clear de-escalation of re-assault and other abuse over time, with the vast majority of men reaching sustained non-violence.
- At 30 months, 80% of the men had not been violent to their partners in the previous year; At 48 months, 90% had not.

Gondolf, 2000; 2002; 2004

# Veteran-Specific Programs

- Common characteristics
  - Cognitive behavioral based
  - Trauma-informed, particularly regarding PTSD
  - Military/veteran culturally competent
- ***Change Step*** (Domestic Abuse Project)
  - Minneapolis, MN and US Air Force Healthcare
  - 24 2-hr group sessions with individual case management
  - Psychoeducation and psychotherapy

# Veteran-Specific Programs

## ***Family Recovery Program*** (San Diego Vet Center)

- Based on the STOP Domestic Violence Model
- 52 2-hour group sessions with concurrent individual therapy
- Self management and relationship skills

## ***Strength at Home – Men’s Program*** (Veterans Health Administration (VHA))

- VA Medical Centers
- 12 2-hr group sessions
- Psychoeducation, conflict management, coping strategies, and communication skills

# VHA IPV Assistance Program

- Expanded screening, prevention, and intervention for veterans
- Strengthen partnerships with community providers/resources
- Intimate Partner Violence Coordinators (IPVCs)



Phase I – Victim screening, assessment, & intervention

Phase II – Offender intervention (*Strength at Home*)

Pilot sites - Baltimore, Cincinnati, Kansas City, Philadelphia, Portland, OR, and Salem, VA

# Contact Information

Glenna Tinney  
MSW, LCSW, DCSW  
Captain, U.S. Navy (Ret.)  
[tinneygl@gmail.com](mailto:tinneygl@gmail.com)

# Questions and Answers





# Resources

- BWJP Website, Military Page

<http://www.bwjp.org/military.aspx>

- Screening, Assessment, and Intervention Model for Intimate Partner Violence Perpetration and Co-Occurring Combat-Related Conditions
- Intimate Partner Violence: Insights into Military Personnel and Veterans
- Safety at Home – Intimate Partner Violence, Military Personnel, and Veterans E-Learning Course
- Webinar recordings

# Resources

- Additional Resources
  - *Understanding the Military Response to Domestic Violence, Tools for Civilian Advocates*
  - *Collaborating for Safety: Coordinating the Military and Civilian Response to Domestic Violence, Elements and Tools*
  - *Victim Advocate Guide: IPV and Combat Experience*
  - *Representing Victims of Intimate Partner Violence Connected with the Military*
- National Center on Domestic and Sexual Violence  
[http://www.ncdsv.org/ncd\\_militaryresponse.html](http://www.ncdsv.org/ncd_militaryresponse.html)