Improving Probation Response to Domestic Violence

Illinois Family Violence Coordinating Councils

2014-WE-AX-0025 Office of Violence Against Women Grants to Encourage Arrest Policies and Enforcement of Protection Orders
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Probation
Promising Practices Mini-Toolkit

• 4 Sections
  – Title and Section pages (for those who want to print them all out)
  – Quick Reference Guide Component
  – Training Component (including PowerPoint and handouts)
  – Resources Component
Probation Promising Practices

Training Teams

• Probation Officer from your community
• Ideally would have two or three of the following Protocol Training Team members present the training:
  – DV advocate
  – Law Enforcement
  – Representative from Disabilities and/or Older Adult Agency
  – Prosecutor
Tips for Training

• Notes on PowerPoint
• Handouts
• Customize PowerPoint for your local area
• Audience Participation
• Answer Questions periodically and at the end of presentation
• Include information on domestic violence, abuse against people with disabilities and abuse of older adults
IL Domestic Violence Act

• IDVA covers many relationships:
  – Intimate partner
    • Current and past relationships
  – Relationships with child in common
  – Caregivers
  – Familial relationships
  – Cohabitating relationships
ROLE OF PROBATION

- Probation has a defined role in supervising offenders
- Officers come in contact with victims and offenders.
- Wear 2 hats
  - Offender accountability
  - Victim Safety
    - Communication with victim
    - Providing resources to victim
    - Referring to services for victim
ROLE OF PROBATION

• While conducting routine duties, a probation officer must use powers of observation to "read between lines" and be alert to clues of domestic violence with the abuser and the victim.

• Look and Listen
  – What do I see which might be an indicator of DV?
  – What do I hear which might be an indicator of DV?
Role of Probation

• According to APPA, “domestic violence supervision requires a unique blend of community correction practices. These practices attempt to incorporate:
  - multiple agencies;
  – supervision and intervention components for offenders;
  – concerted attempts to contact and interact with victims.”
Points of Entry

• Intake interview
• Pretrial assessment
• Presentence investigation
• Anytime during probationary sentence
  – For domestic violence offender on probation
  – For victim of domestic violence on probation
Power and Control Wheel

Using Coercion & Threat
Using Economic Abuse
Using Male Privilege
Using Children

Using Intimidation
Using Emotional Abuse
Using Isolation
Blaming Denying Minimizing

POWER and CONTROL

PHYSICAL, VIOLENCE, SEXUAL

Courtesy Domestic Abuse Intervention Project
Duluth, MN
P & C activity
How might power & control look for a person with a disability or older adult?
Tips for Working with Older Adults and People with Disabilities

• Determine if the individual needs any accommodations

• The person is the expert on what they need; it is okay to ask

• Create a safe, accessible environment with limited distractions

• Presume competence
Tactics – People with Disabilities and Older Adults

- Seeks guardianship or power of attorney
- Withhold care & denying basics
- Threatens to end relationship and leave the person unattended
- Threatens to have person institutionalized
- Taking assistive devices away
- Exposes disability (AIDS, mental illness)
- Blames disability/age for abuse
QUESTIONS
Victim?
How is the victim acting?

• Fearful, anxious.
• Reluctant to respond when questioned or hesitates in providing info.
• Reluctant to speak in front of her partner.
• Unusually isolated, unhealthy.
What is the victim saying?

- Victim denies or minimizes violence/injuries.
- Victim and other household members give conflicting accounts of incident. Victim blames self for injuries/health.
- Victim is reluctant and/or embarrassed to talk about injuries and/or abuse.
- Victim may admit to hitting partner.
What is the abuser saying?

- Answers for victim or controls communication with victim.
- Statements convey being in charge.
- Denial or minimization of injuries/violence.
- Talks about own problems.
- Speaks disrespectfully or belittles the victim.
What can you see?

- Injuries at various stages of healing
- Patterned injuries
- Injuries relating to restraint
- Defensive wounds
- Repeated or chronic injuries
What does the environment tell you?
What do you see?
What does the environment tell you?
What’s missing? – access issues

- No phone
- No sign language interpretation
- No church
- No car
- No medicine
- No food
- No elderly people
How are others acting?

- If a probationer is accompanied to the office or someone else is present during a home visit, observe the interaction to identify possible indicators of domestic violence.
Whole Picture

Like a math problem. Add all the pieces together:

- Victim behavior
- Victim statements
- Abuser statements
- + Environmental Factors

= Domestic Violence
Assessment questions

• Are there times you have felt afraid of your partner/caregiver?”

• “Has anyone in your household hurt you or threatened to hurt you?”

• “Sometimes when others are over-protective and jealous, they react strongly and violently. Has this happened to you?”
Assessment questions

• “Because domestic violence is so common in today’s world, I’ve begun to ask about it routinely.”
• “We often see people with injuries such as yours which are caused by someone they know. Could this be happening to you?”
• “You seem frightened and anxious. Has someone hurt you?”
Assessment questions

• “What happens when you and your partner disagree?”

• “Have you ever had sex with your partner when you did not want to?”

• Has your caregiver ever treated you roughly, not given you the medicine you need, threatened to stop taking care of you or put you in an institution?
Victim – has more pieces of the puzzle you don’t have

• You may be concerned about physical injuries and she/he doesn’t seem to care.
• You may see options for her/him that they either don’t see or don’t feel are options for them at that time.
Role of Probation

• Victim has intimate awareness of the offender’s activities, patterns, behaviors and triggers.
  – Provides a better understanding about the dangerousness of ongoing situations
  – Helps identify particular signs that might signal reoccurring violence or probation violations
Role of Probation

• When engaging with victims, be an “information provider.”
  – Inform and educate victims about abuse and risks
  – Remind and reassure victims that they did not cause the abuse
  – Victim’s safety & the safety of her children are probation’s chief concern
  – Link victim to local advocacy resources

• Documentation
  – Factual and objective
  – Consider victim
Role of Probation

• Probation Officers are uniquely positioned to provide victims with support and understanding.

• Why Contact with the Victim is Important
  – Promotes victim safety & autonomy
  – Assists in effective case management
  – Supports a coordinated community response
Talking to victims

• Compassion
  – Validate feelings.
  – “I’m sorry this happened to you”
  – “You don’t deserve to be treated this way”
  – “Help is available to you”
  – Empathy and active listening skills
Talking to victims

• Be non-judgmental
• Restore control to the victim
• Encourage to talk in a confidential setting – privately
• Don’t take it personally
• Check your attitude
• Ask victim what they would like to do next
**Victim is the Expert**

- Victim knows their situation better than anyone.
  - May not be an option to leave the relationship
  - Physical abilities
- Ask the victim what they need or want.
  - They may know strategies that work
- What is important to you may not be important to the victim.
Safety Planning for Victims

• Friends/Family with whom she can stay
• Shelter
• Counseling
• Report to police
• Order of Protection
Domestic Violence Services

• Domestic Violence Shelter and Victim Services
• Adult Protective Services
• Rape Victim Services
Support Services

• Area Agency on Aging
• Care Coordination Units
• Centers for Independent Living
• Disabilities Service Providers
Barriers to Leaving
Why Does the Victim Stay?

- The abuser may blame the abuse on substance abuse issues or job stress, leading the victim to believe that if these problems can be solved, the violence would end.

- The abuser promises to change.

- An abuser may threaten to fight for sole custody of the children.
Barriers to Leaving
Why Does the Victim Stay?

• The abuser is the source of income for the family and the victim may not have job skills or financial resources if she/he leaves.

• Prior negative experiences with the criminal justice system may cause the victim to be skeptical of the system’s ability or willingness to offer assistance.

• The victim may not be aware that abuse constitutes a criminal offense, or that services are available in the community.
Barriers to Leaving
Why Does the Victim Stay?

• The abuser has isolated the victim and she fears no one will believe or support her/him.

• The abuser may threaten homicide and/or suicide if the victim leaves.

• The batterer may begin to stalk the victim – following her/him to work and other places, making harassing phone calls.
Barriers to Leaving
Why Does the Victim Stay?

In cases involving an older victim or person with a disability:

- The victim may be afraid that they will lose their home or be placed in a nursing home if they report the abuse.
- The victim may be dependent on their abuser for daily care or necessities.
- The victim may have been isolated from family or friends by the abuser and have no way of leaving the situation.
- Medical problems may cause the victim to stay with the abuser in order to maintain insurance coverage.
Why does the victim stay?...

The better question is:
“Why does the abuser do this and how can I help the survivor gain access to safety?”
The victim may feel it is safer for her/him to remain in the situation.

Leaving an abusive situation is the most dangerous time for a battered person.
Leaving is a process rather than an event.
DV Interventions

• Couples counseling and anger management should never be recommended in a domestic violence situation!

• A partner abuse intervention program is the most appropriate option.
National Resources for Victims

• National Domestic Violence Hotline
  – 1-800-799-SAFE (7233)  1-800-787-3224 (TTY)
  – http://www.thehotline.org/
• National Sexual Assault Hotline – RAINN
  – 1-800-656-HOPE (4673)
  – https://rainn.org/
• National Center on Elder Abuse
  – 1-800-677-1116
  – http://www.ncea.aoa.gov/
• National Child Abuse Hotline
  – 1-800-422-4453
  – https://www.childhelp.org/
• National Center on Criminal Justice and Disabilities
National Resources for Victims

- National Teen Dating Abuse Helpline
  - 1-866-331-9474  1-866-331-8453 (TTY)
  - [http://www.loveisrespect.org/](http://www.loveisrespect.org/)
- Stalking Resource Center
- National Suicide Prevention Lifeline
  - 1-800-273-TALK (8255) [24/7 hotline]
  - 1-888-628-9454 (Spanish)
  - 1-800-799-4889 (TTY)
  - [http://www.suicidepreventionlifeline.org/](http://www.suicidepreventionlifeline.org/)
QUESTIONS
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You make a difference in the lives of victims.

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