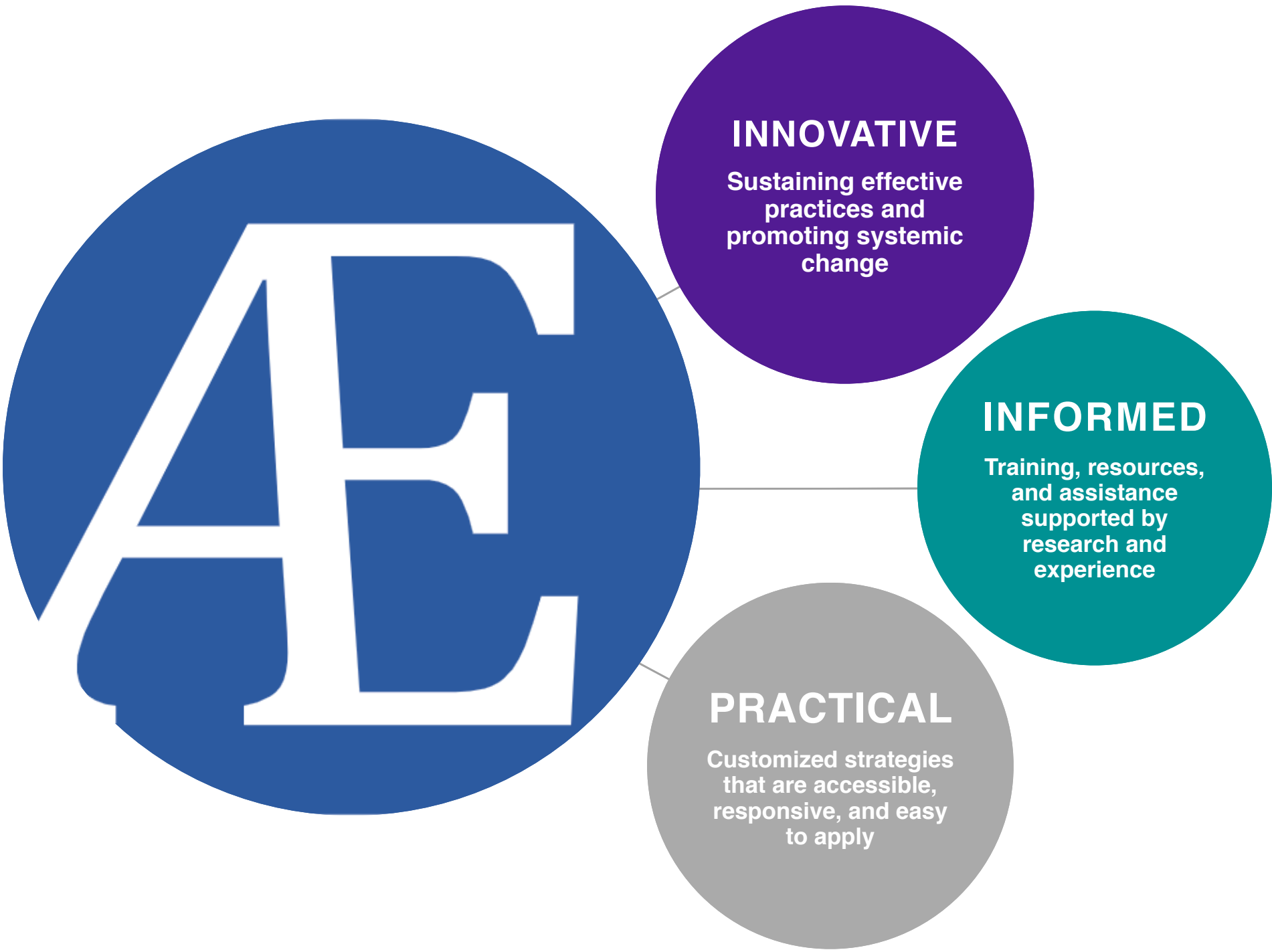
Training and Technical Assistance to Rural Law Enforcement on Response to and Investigation of Domestic Violence, Dating Violence, Stalking and Sexual Assault

DYNAMICS OF DOMESTIC VIOLENCE




INNOVATIVE
Sustaining effective practices and promoting systemic change
INFORMED
Training, resources, and assistance supported by research and experience
PRACTICAL
Customized strategies that are accessible, responsive, and easy to apply

What We Do



Resources

Create, research, and curate publications, statutory and case law compilations, and other resources that strengthen prosecution practices



Consultations

Offer on-demand 24/7 consultations with our seasoned prosecutors to answer case-specific inquiries, discuss strategy, conduct research, and recommend data-driven solutions



Training Events

Develop curricula and facilitate a wide range of specialized in-person and web-based trainings designed to empower prosecutors and allied professionals



Partnerships & Initiatives

Provide long-term support in building frameworks for coordinated responses to gender-based violence including data collection and analysis, task force development, and training

Jane Anderson

ATTORNEY ADVISOR

janderson@aequitasresource.org
(202) 596-4229

1000 Vermont Street NW, Suite 1010
Washington, DC 20005

AEquitasResource.org

Stalking Prevalence

NEARLY
1 in 3 women



&

NEARLY
1 in 6 men



experience stalking in their lifetimes.

Smith, S.G., Basile, K.C., & Kresnow, M. (2022). The National Intimate Partner and Sexual Violence Survey (NISVS): 2016/2017 Report on Stalking. Atlanta, GA: National Center for Injury Prevention and Control, Centers for Disease control and Prevention.

www.StalkingAwareness.org

*Practitioner guides

*Training modules

*Victim resources

*Webinars



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Order Stalking Awareness Brochures & Posters for your Community Today!





StalkingAwareness.org

Julia Holtemeyer M.P.P.

Resource & Training Specialist,

SPARC STALKING PREVENTION, AWARENESS, AND RESOURCE CENTER

202. 499. 0314

JHoltemeyer@StalkingAwareness.org

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Dynamics of Domestic Violence

- Defining domestic violence
- Dating violence
- Power and control tactics
- Common excuses
- Barriers to victim safety
- Impact on children
- Domestic violence in underserved populations
- Resources

Definition of Domestic Violence

- Pattern of abusive, coercive behaviors or threats used to control and exert power over an intimate partner
- Victims forced to change behavior in response to abuse
- Intent and effect

Battering

- It's a choice
- Many batterers repeat their pattern of control in all their intimate relationships
- Victim has no control over batterer's violence

Context of Violence

- Using violence vs battering
- Power and control
- Self-defense

Power and Control

- Batterers seek to gain and maintain power and control over their intimate partners by use of *actual* and *assumed* power

- *It works*


PHYSICAL
VIOLENCE
SEXUAL
USING COERCION AND THREATS
Making and/or carrying out threats to do something to hurt her • threatening to leave her, to commit suicide, to report her to welfare • making her drop charges • making her do illegal things.
USING INTIMIDATION
Making her afraid by using looks, actions, gestures • smashing things • destroying her property • abusing pets • displaying weapons.
USING ECONOMIC ABUSE
Preventing her from getting or keeping a job • making her ask for money • giving her an allowance • taking her money • not letting her know about or have access to family income.
USING EMOTIONAL ABUSE
Putting her down • making her feel bad about herself • calling her names • making her think she's crazy • playing mind games • humiliating her • making her feel guilty.
POWER AND CONTROL
USING MALE PRIVILEGE
Treating her like a servant • making all the big decisions • acting like the "master of the castle" • being the one to define men's and women's roles
USING ISOLATION
Controlling what she does, who she sees and talks to, what she reads, where she goes • limiting her outside involvement • using jealousy to justify actions.
USING CHILDREN
Making her feel guilty about the children • using the children to relay messages • using visitation to harass her • threatening to take the children away.
MINIMIZING, DENYING AND BLAMING
Making light of the abuse and not taking her concerns about it seriously • saying the abuse didn't happen • shifting responsibility for abusive behavior • saying she caused it.
PHYSICAL
VIOLENCE
SEXUAL

Lifetime Estimates of Violence

- 1/3 women and 1/4 men experience intimate partner violence
- 1/3 women and 1/6 men experience sexual violence
- 1/6 women and 1/17 men experience stalking
- Occurs across all races/ethnicities

Small Group Activity

1. Define the crime
2. What are some common characteristics about this crime?
3. What are common offender behaviors?
4. What are common victim responses?
5. What are the challenges in identifying and responding to these crimes?
6. What resources are needed to enhance your agency and community response to this crime?

Realities of VAW Crimes

Course of conduct vs. incident-based

Multiple, concurrent crimes

Traumatic impact

Minimization by victim and/or perpetrator

Underreported

Serial nature of perpetrators

Commonly Missed Crimes in Context of VAW



Impact of Missing Co-occurring Crimes

Violence escalates/fatality

Victim & officer safety compromised

Liability issues

Loss of community trust

Recidivism/re-victimization

Victim reluctant to participate again

Perpetrator empowered

Perpetrators

Plan their crimes

Ensure there are no witnesses

Are strategic and calculating

Engage in targeting and “testing” their victims

Are often repeat offenders

Escalate violence over time

Will attempt to manipulate first responders or control the narrative

Common Excuses

- Anger management problem
- Learned behavior
- Alcohol, drug problem
- Stress
- Bad relationship
- Cultural norms
- Illness
- Genetics
- Family issue
- Victim's behavior

Barriers to DV Victims Safety

- ❑Batterer's relentless behavior, stalking
- ❑Fear of what batterer might do
- ❑Maintain access to batterer
- ❑Fear for children, losing custody
- ❑Financial dependence
- ❑Lack of knowledge of law enforcement on jurisdictional issues
- ❑Fear of job loss (batterer, victim) →

Barriers to DV Victims Safety

- Influential community members, including officer-involved domestic violence
- Religion, family pressure
- Isolation, lack of support
- Culture
- Fear of deportation
- Disability →

Barriers to DV Victims Safety

- Shelter accessibility limitations
  - Gay, lesbian, bisexual, transgender
  - Older victims
  - Older children
  - Disability
  - Pets
  - Drug, alcohol use

Impact of Domestic Violence on Children

- Affected whether witness, victim
- High co-occurrence of domestic violence and child abuse
- Impact may not be immediately noticed
- Potential future victims, abusers
- Custody, visitation often used to maintain control over victim
- Child Protective Services should be called if appropriate, but not to coerce victims into making statements or testifying

Behavioral Red Flags in Children

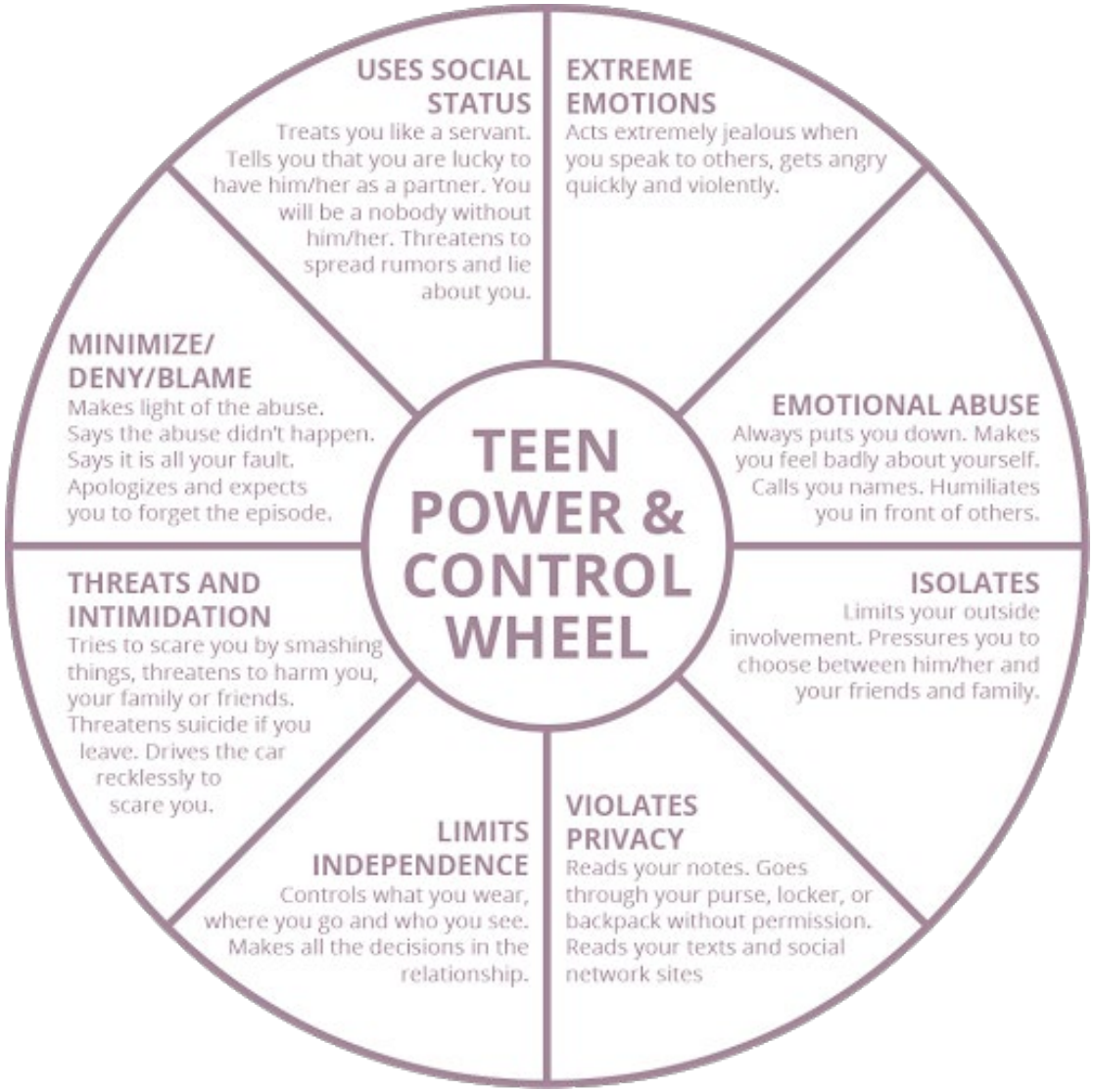
- ❑ Aggressive
- ❑ Passive/withdrawn
- ❑ Manipulative
- ❑ Rebellious/acts out
- ❑ Health problems
- ❑ Other psychological issues


THE CHILDREN ARE WATCHING

Teen Dating Violence

- Nearly 20.9% of female high school students and 13.4% of male high school students report being physically or sexually abused by a dating partner.[1]
- 50% of youth reporting dating violence and rape also reported attempting suicide. This is compared to 12.5% of non-abused girls and 5.4% of non-abused boys.[3]
- Only 33% of teenage dating abuse victims ever told anyone about it.[2]

1 Vagi e. al (2015). Teen Dating Violence (Physical and Sexual) Among US High School Students
2 Teenage Research Unlimited (2005). Teen Relationship Abuse Research.
3 Ackard, D. M. & Neumark-Sztainer, D. (2002). Date Violence and Date Rape Among Adolescents: Associations with Disordered Eating Behaviors and Psychological Health.


TEEN POWER & CONTROL WHEEL
USES SOCIAL STATUS
Treats you like a servant. Tells you that you are lucky to have him/her as a partner. You will be a nobody without him/her. Threatens to spread rumors and lie about you.
EXTREME EMOTIONS
Acts extremely jealous when you speak to others, gets angry quickly and violently.
EMOTIONAL ABUSE
Always puts you down. Makes you feel badly about yourself. Calls you names. Humiliates you in front of others.
ISOLATES
Limits your outside involvement. Pressures you to choose between him/her and your friends and family.
VIOLATES PRIVACY
Reads your notes. Goes through your purse, locker, or backpack without permission. Reads your texts and social network sites
LIMITS INDEPENDENCE
Controls what you wear, where you go and who you see. Makes all the decisions in the relationship.
THREATS AND INTIMIDATION
Tries to scare you by smashing things, threatens to harm you, your family or friends. Threatens suicide if you leave. Drives the car recklessly to scare you.
MINIMIZE/ DENY/BLAME
Makes light of the abuse. Says the abuse didn't happen. Says it is all your fault. Apologizes and expects you to forget the episode.

Dynamics of Teen Dating Violence

Teen dating violence can also look like:

- Excessive Texting
- Sexting (forcing victim to send or receive explicit pictures)
- Abusers Checking Victim's Phone and Text Messages
- Threats Over Text
- Harassment or Surveillance on Social Media Platforms (by the abuser or through third parties)

Teens often think they will be punished or arrested if, at the time of the victimization, they were in a situation where drugs or alcohol were involved

Many teens are aware of mandatory reporting requirements and do not want attention of law enforcement or child protection authorities

Teen Dating Violence

Over a quarter of youth in a relationship said they experienced some form of cyber dating abuse victimization. Those teens also reported:

84%	• psychological dating abuse
52%	• physical dating violence
33%	• sexual coercion

Teens vs. Adults

Similarities

- Both Need:
  - To be believed
  - Compassion
  - Support
  - Safety Planning
  - Options & Choice
  - Referrals

Differences

- Differences in levels of social maturity and cognitive development
- Limited relationship experience
- Strongly influenced by peers & media
- Parental & school restrictions

Indicators of Teen Dating Violence

- Physical injuries
- Isolation, withdrawal, or over-dependence on a dating partner
- Feelings of shame, decreased self-esteem, and decreased interest in activities

Consequences of Not Responding

- Teen victims are at a greater risk of:
  - Doing poorly in school
  - Abusing drugs or alcohol
  - Having problems eating or sleeping
  - Being re-victimized
  - Becoming an offender of violent crime themselves

Considerations for Teens

- Confidentiality/Mandated reporting
  - Know your state law - Do you have to report? To whom?
  - Inform the victim of what the reporting process will be like
- Parents
  - Keep the victim safe?
  - Parental notification age
  - Victim may not want parents to know
  - Who are you more responsible to – the parents or the victim?

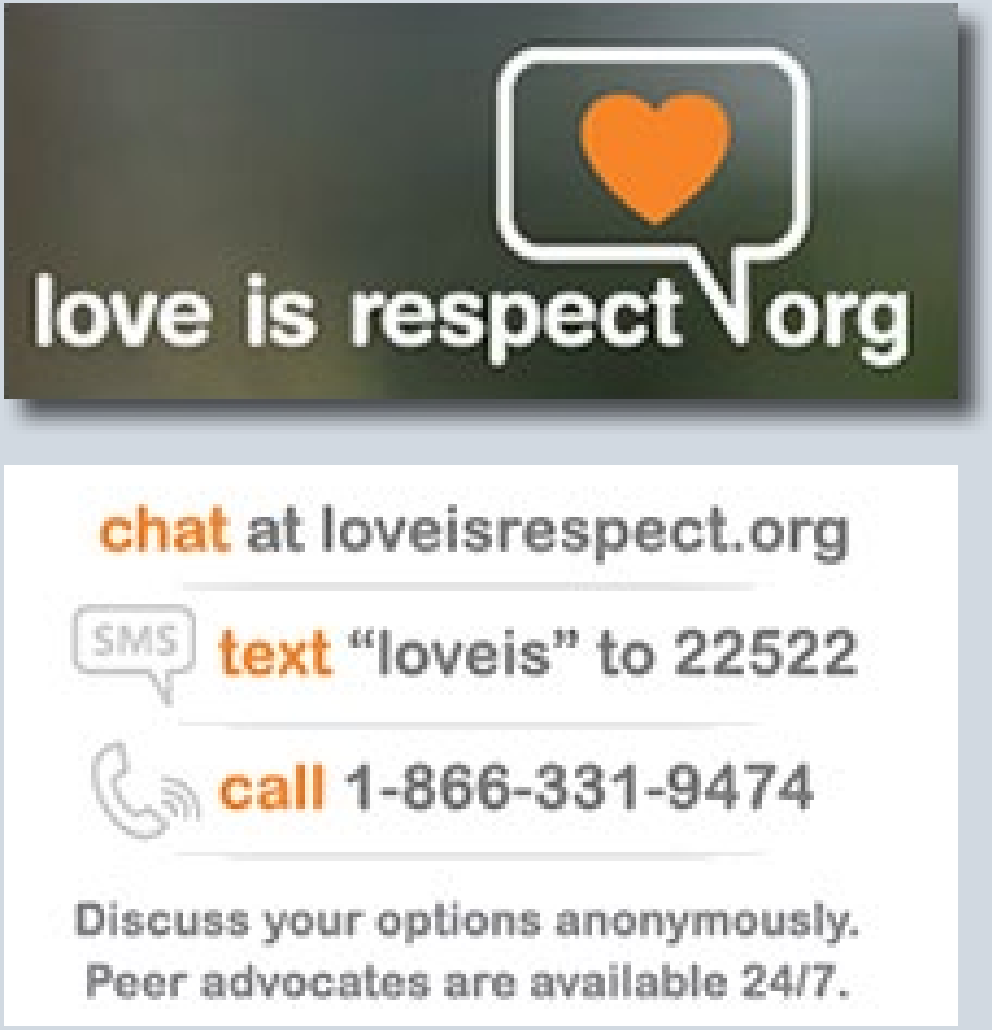
Options for Teens

- Limited or no access to legal remedies
  - Can a teen file a police report?
  - Petition for an order of protection?
  - What are the conditions? Parental/Guardian Involvement?
- Victim Services
  - Refer to local Domestic Violence agency
- Support System
  - Encourage the victim to find someone (not necessarily the parent) to provide support to the victim.
  - Could be a teacher, counselor, victim advocate, friend, relative, etc.

onelove

http://www.joinonelove.org/





National Teen Dating Violence Hotline

Impact of Law Enforcement Response in Rural Areas

- Clear message that domestic violence is a crime, unacceptable
- Officers in position to hold batterers accountable
- Arresting batterers
  - Provides victims with access to services, support
  - Law enforcement essential partner in coordinated community response to end domestic violence

Domestic Violence Resources

- Community programs
- Partnerships
- Culture-specific programs
- Alternative programs
- National resources
- 1-800-799-SAFE

Behavioral Definition of Sexual Assault

The term sexual assault refers to sexual contact or behavior that occurs without explicit consent of the victim. Some forms of sexual assault include:

- Attempted rape
- Fondling or unwanted sexual touching
- Forcing a victim to perform sexual acts, such as oral sex or penetrating the perpetrator's body
- Penetration of the victim's body, also known as rape

Rape, Abuse, and Incest National Network (RAINN). "What is sexual assault?" https://www.rainn.org/articles/sexual-assault . 8/3/2020

Sexual Assault Prevalence and Dynamics

A majority of assaults (8/10) are perpetrated by someone who knows the victim.

In other instances, the assaults that are perpetrated by someone who is not known to the victim may be called "stranger rape."

Survivors of both stranger rape and acquaintance rape often blame themselves for behaving in a way that encouraged the perpetrator. It's important to remember that the victim is never to blame for the actions of a perpetrator.

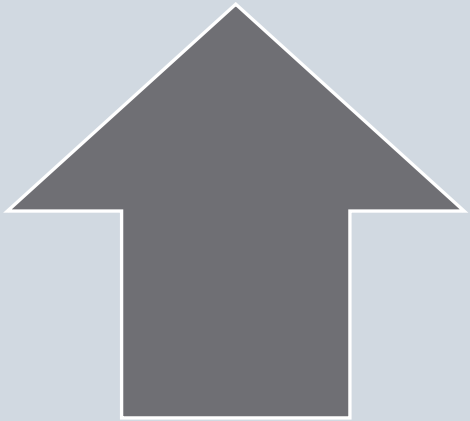
Rape, Abuse, and Incest National Network (RAINN). "What is sexual assault?" https://www.rainn.org/articles/sexual-assault . 8/3/2020

Behavioral Definition of Human Trafficking

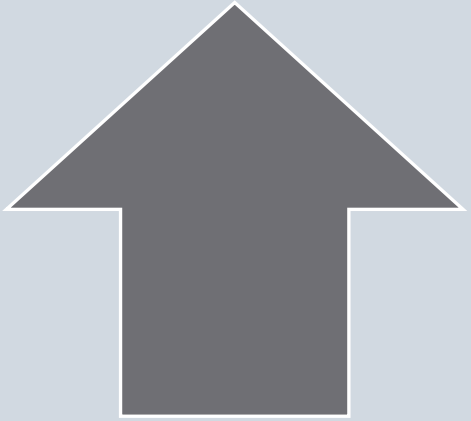
Sex trafficking is the crime of using force, fraud or coercion to induce another individual to sell sex. Common types include escort services, pornography, illicit massage businesses, brothels, and outdoor solicitation.

Labor trafficking is the crime of using force, fraud or coercion to induce another individual to work or provide service. Common types include agriculture, domestic work, restaurants, cleaning services, and carnivals.

Human Trafficking



Victimization



Vulnerability

Vulnerabilities for Trafficking

Foster care or unstable home lives

Homelessness or runaway

Alcohol and/or substance use disorder

Mental health issues

Physical or developmental disability

Poverty

Lack of education or job opportunities

Prior sexual abuse

LGBTQ+

Immigrant or refugee status

Low self-esteem

Recruitment



Identifying Stalking

Defining Stalking



BEHAVIORAL

LEGAL/STATUTORY

STALKING DEFINITION: BEHAVIORAL

Stalking is a pattern of behavior directed at a specific person that would cause a reasonable person to feel fear for the person's safety or the safety of others; or suffer substantial emotional distress.




CONTEXT IS CRITICAL
in stalking cases.



Context

Something may be frightening to the victim but not to you

Stalking behaviors often have specific meanings

Stalking criminalizes otherwise non-criminal behavior

VICTIM ADVISED ON TODAY'S DATE AT APPROXIMATELY 0800 HOURS WHEN SHE GOT INTO HER CAR TO HEAD TO WORK, HER CAR DOORS WERE LOCKED AND ON THE DRIVER'S SEAT WAS A CORONA BEER BOTTLE CAP.

She called the police because of a beer cap?

VICTIM ADVISED ON TODAY'S DATE AT APPROXIMATELY 0800 HOURS WHEN SHE GOT INTO HER CAR TO HEAD TO WORK, HER CAR DOORS WERE LOCKED AND ON THE DRIVER'S SEAT WAS A CORONA BEER BOTTLE CAP. VICTIM STATED YESTERDAY SHE CELEBRATED HER TWO-YEAR ANNIVERSARY OF BEING SOBER AND SHE HAD RECEIVED MESSAGES FROM PEOPLE IN HER AA GROUP CONGRATULATING HER ON HER TWO-YEAR SOBRIETY. SHE BELIEVES THAT SUSPECT PLACED THE BEER CAP IN HER CAR TO MESS WITH HER EMOTIONALLY AS SEEING ANYTHING RELATED TO ALCOHOL IS A TRIGGER TO HER. SHE BELIEVES THAT SUSPECT IS MONITORING HER MESSAGES AS THAT IS THE ONLY WAY SUSPECT WOULD KNOW ABOUT THE ANNIVERSARY.

Law Enforcement Strategies

- T
- I
- P
- S

- Identify stalking within the context of DV, SA and other crimes
- Specialized training for all points of contact
- Remember first contact is critical-provide resources including documentation logs
- Utilize risk assessments
- Be familiar with support referrals

Underserved Populations

- Elder Abuse
  - Domestic violence may be impacted by age, poor health, and other age-related issues such as cognition and dependence
  - Abusers may limit access to medical care, give too much medicine, or take away assistive devices
  - Older victims are less likely to report abuse
    - If abusers are caretakers, they may worry about who will provide care or move them to a nursing home

Underserved Populations

- LGBTQ (Lesbian, Gay, Bisexual, Transgender, Queer/Questioning)
  - Barriers to seeking help from law enforcement:
    - Fear of discrimination
    - Lack of training specific to LGBTQ domestic violence
    - Fear that airing the problem will take away from progress toward equality/that it may encourage anti-LGBTQ bias
    - Shelters are typically female only, transgender people may not be allowed to enter

Underserved Populations

- People with disabilities
  - Experience higher rates of domestic violence
  - Often face non-traditional forms of abuse:
    - Medications withheld or overdosed
    - Finances abused
    - Mobility or breathing aids kept out of reach
    - Personal care services neglected

Underserved Populations

- People with disabilities
  - Many barriers to accessing services:
    - Mobility or communication barriers
    - Feelings of shame and self-blame associated with having a disability
    - Social and/or physical isolation associated with having a disability
    - Fear that other individuals in the community will become aware of the disability, particularly people living with HIV/AIDS or with mental health disabilities
    - The perpetrator could be a family member or primary caregiver
    - Lacks knowledge of available services

Underserved Populations

- Military
  - Soldiers with post-traumatic stress disorder (PTSD) are up to three times more likely to be aggressive with their female partner compared to those without PTSD.
  - Barriers to seeking help:
    - Victims often fear repercussions that will prevent their partner from being promoted or end their military career
    - Many military couples exist on the income of the soldier only
    - Victims often feel isolated—living on remote bases, in foreign countries, or having to move every several years

Underserved Populations

- Law Enforcement
  - Studies indicate that law enforcement families are 2-4 times more likely than the general population to experience domestic violence (Source: The Advocates for Human Rights Organization)
  - Barriers to seeking help:
    - Calling law enforcement because he IS law enforcement
    - He knows where the shelters are located
    - Responding officers may invoke a “code of silence”
    - It’s her word against that of an officer, and he knows the system
    - She could lose any future credibility and protection
    - He could lose his job and retaliate

Underserved Populations

- Undocumented Victims
  - Challenges working with Immigrant Victims of Crime:
    - Language
    - Fear of deportation
    - Lack of knowledge of legal rights
    - Do not trust that police/prosecutors will help them
    - Lack of reporting and/or cooperation as the case moves forward

Underserved Populations

- Rural Areas
  - Large geographic areas
  - Limited staff and resources
  - Intertwined communities
  - Minimal or lack of public transportation options
  - Limited or nonexistent treatment services for abusers

Underserved Populations

Undocumented Victims

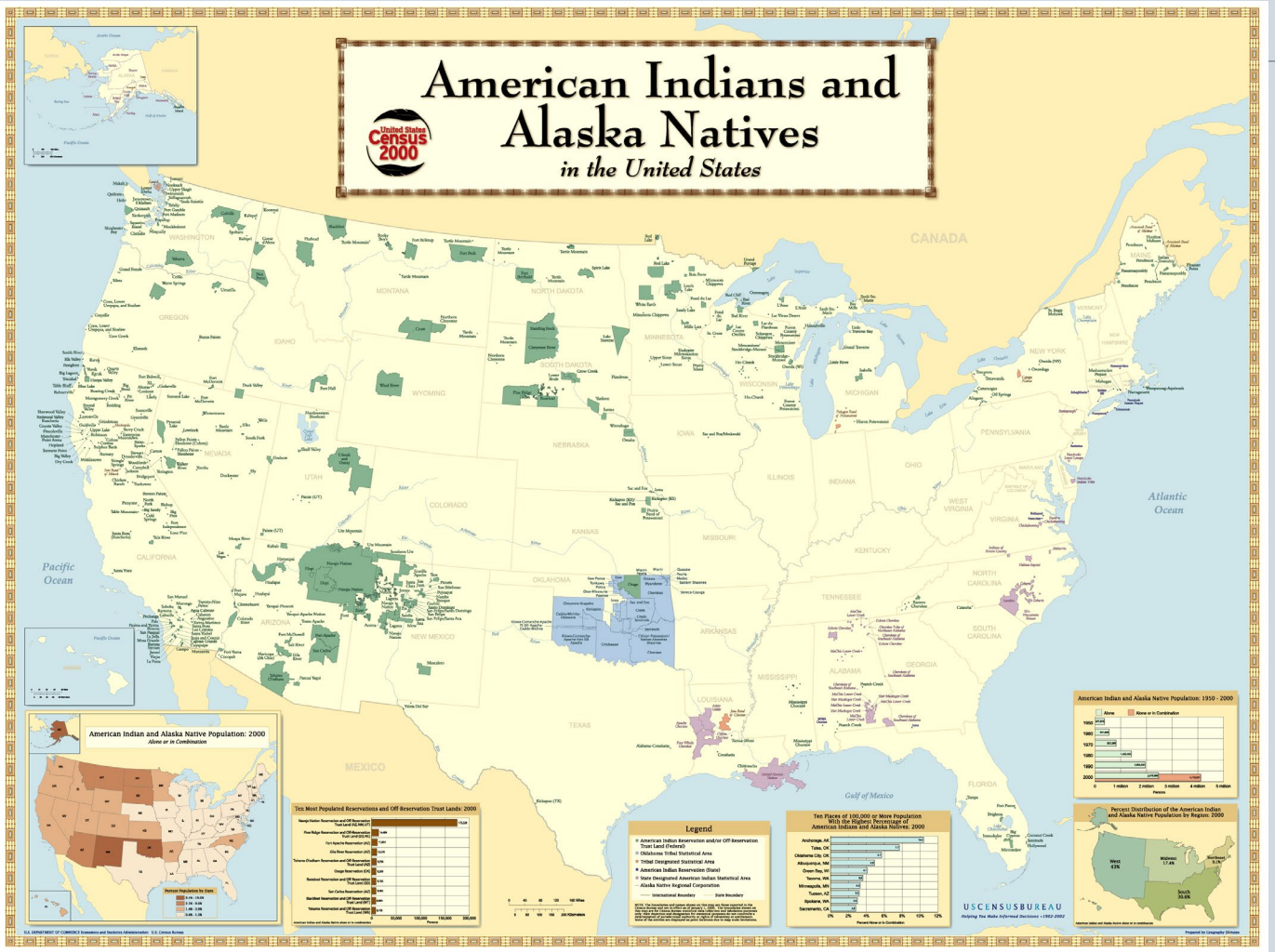
Barriers to seeking help:

- May not trust police/prosecutors
- Economic survival
- Pressures from both families
- Fear of abandoning the home/community
- Fear of losing children
- Religious factors
- Fear of unknown
- May believe that if perpetrator gets deported, she has to go with him and deal with dangers in the home country such as retaliation, ostracism, police, political instability, gender barriers

Rural and Tribal Jurisdictions

Availability	• Long response times • Wait lists, heavy caseloads • What resources?!?
Accessibility	• Transportation • Lack of awareness/training • Bureaucracy
Acceptability	• Shame and blame • Lack of sensitivity, confidentiality • Politics
Affordability	• Creative partnerships • How do we make services affordable?

Map of Indian Country



Large Group Activity

What are the barriers you see in your particular jurisdiction for all of the crimes we have discussed today?

What are some of the benefits of working in a rural or tribal jurisdiction?

What are some creative solutions you have used in your jurisdiction to overcome any lingering barriers?

Questions?