

Protection Orders: How to Get Them and Do They Work?

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Forms of Abuse

- o Physical Abuse
- o Verbal Abuse
- o Emotional or Psychological Abuse
- o Sexual Abuse
- o Abuse of Property and Pets
- o Financial Exploitation

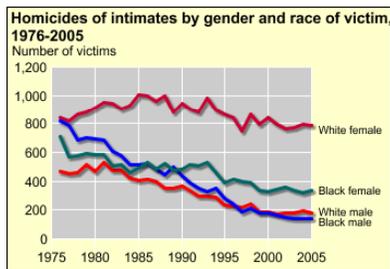
Why is DV Everyone's Problem National Cost of Domestic Violence

- ❖ The health-related costs of rape, physical assault, stalking, and homicide by intimate partners exceed \$5.8 billion each year.
- ❖ Of this total, nearly \$4.1 billion is for victims requiring direct medical and mental health care services.
- ❖ Lost productivity and earnings due to intimate partner violence accounts for almost \$1.8 billion each year.
- ❖ Intimate partner violence victims lose nearly 8.0 million days of paid work each year - the equivalent of more than 32,000 full-time jobs and nearly 5.6 million days of household productivity.

[from the American Institute on Domestic Violence]

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Things are Changing- But Not Enough



<http://bjs.ojp.usdoj.gov/content/homicide/intimates.cfm>

We Wanted to Know How We Were Doing Locally



Randomized Control Trial in Family Court - NIMH



Methods

We recruited subjects in a private secure waiting room after they had filed their petitions with the court and completed a safety plan.

- We randomized subjects to three groups for linking with mental health help if indicated.
- We utilized technology to see if a) women liked it and b) it was effective.
- We used validated instruments to measure mental health symptoms.

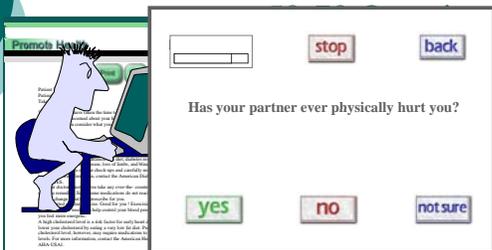
Recruitment

- Preliminary analysis did not reveal any differences in race or age for those who participated and those who did not.
- We do not yet know whether the allegations in the petitions vary by those who participated.
- For those who completed their Time 1 at court, they were likely to finish Time 2.
- For those we were unable to complete at court, it was difficult to have them complete Time 2.



Tired, depressed, sleepless, restless?
 If YES.... Maybe we can help.
 Ask a University of Rochester employee
 for referral sources.

Technology Promote Health Survey



Survey Instruments

- CESD
- Modified PTSD Symptom Scale
- Danger Assessment

- CTSS2
- Traumatic Life Events
- Alcohol and Drugs Inventory of Cons.
- SF12v2
- Attitudes About Seeking Help
- Psychological Abuse
- Brief Coppe
- Social Support
- Current Emotions



If each case is handled with due consideration to the Danger Assessment, and information can create a better Protection Order.

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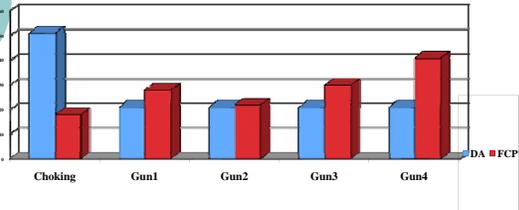
Thinking about Petitions in a new way.



- The questions on the Danger Assessment tool comprise information which could/should be contained, in court documents.

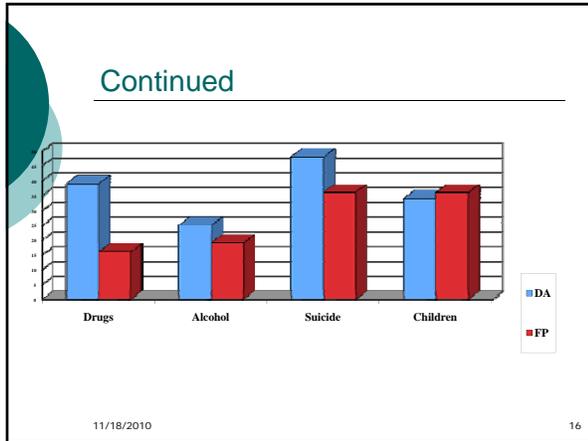
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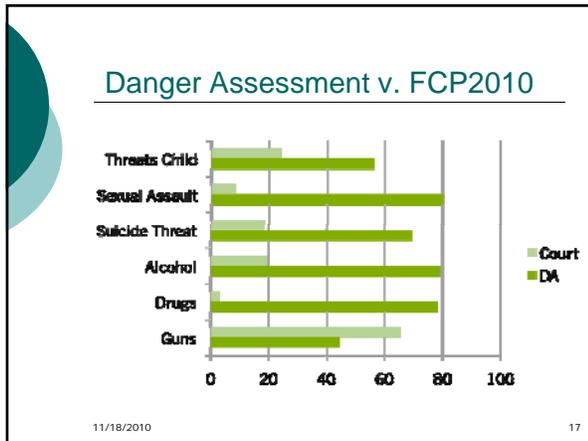
Danger Assessment v. FCP 1999



| Category | DA | FCP 1999 |
|----------|-----|----------|
| Choking | ~85 | ~45 |
| Gun1 | ~45 | ~65 |
| Gun2 | ~45 | ~55 |
| Gun3 | ~45 | ~65 |
| Gun4 | ~45 | ~85 |

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Why Get an OP?

- Orders of protection are an important means of increasing safety for victims of IPV.
- Women with permanent civil orders of protection had a reduction in physical violence by 70%, and 2 out of 5 women who received an OP were not victims of future violence. Holt VL, Kernic MA, Wolf ME, Rivara FP, Do protection orders affect the likelihood of future partner violence and injury?, American Journal of Preventive Medicine, 24(1), 16 (2003).

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Cont

- In a 2008 study, researchers emphasized the importance of increasing women's safety by "attending to specific risk factors, crafting protection orders to meet individual needs, and by appropriate enforcement."
- In the 12 month period following the issue date of the civil order of protection, there was a decline in new incidences of violence reported to the police. Logan TK, Walker R. Civil Protective Order Outcomes: Violations and Perceptions of Effectiveness. Journal of Interpersonal Violence, 24 (4): 675-692 (2009).

Who Gets Protection Orders?

Certain characteristics are seen more frequently in victims of IPV that seek an OP than victims of IPV who do not seek an OP. The following characteristics have been identified as seen more often in victims of IPV who decide to seek an OP:

- 1. older age;
- 2. better chance at financial independence;
- 3. married to the perpetrator but not living with him;
- 4. victim of a recent incident of sexual abuse;
- 5. witness to a friend or family member being abused or threatened;
- 6. pregnant; and
- 7. depressed. 2

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Proceeding in Family Court

- Purpose of Family Court
- Enumerated Offenses
- Jurisdiction
- Reasons to Proceed



Petition Drafting

- Who can draft
- Interview-history, aggravating circumstances, relief sought
- Sufficiency
- Move to ammend
- Basic guidelines



Aggravating Circumstances

- Physical or serious physical injury by the respondent to the petitioner
- The use of a dangerous instrument against the petitioner by the respondent
- A history of repeated violations of orders of protection by the respondent
- Prior convictions for crimes against the petitioner by the respondent
- Exposure of any family or household members to physical injury by the respondent
- Like incidents, behavior and occurrences which, to the court, constitute an immediate and ongoing danger to the petitioner, petitioners family or household



How does this research help?

- Utilize danger assessment information in drafting petition
- Seek relief based on client's allegations and safety concerns
- If your county does not offer court-based assistance train advocates or provide clients with information



Domestic Violence Web Sites

- Family Violence Prevention Fund – www.fvpf.org
- Minnesota Center against Violence and Abuse – www.mincava.umn.edu
- National Coalition Against Domestic Violence – www.ncadv.org
- National Resource Center – www.pcadv.org
- Maine Coalition to end Domestic Violence – www.mcedv.org
