



National Institute of Justice

The Criminal Justice System Response to Intimate Partner Violence Victims: Developing a Research Agenda

March 7–8, 2016
The Grand, Baltimore, Maryland

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U.S. Department of Justice
Office of Justice Programs
810 Seventh St. N.W.
Washington, DC 20531

Loretta E. Lynch

Attorney General

Karol V. Mason

Assistant Attorney General

Nancy Rodriguez, Ph.D.

Director, National Institute of Justice

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The Criminal Justice System
Response to Intimate Partner
Violence Victims:
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NIJ

Attendees

Non-Federal participants

Courtney Ahrens, California State University at Long Beach
Liberty Aldrich, Center for Court Innovation
Joanne Belknap, University of Colorado-Boulder
Firoza Chic Dabby, Asian Pacific Institute on Gender-Based Violence
Gretta Gardner, DC Coalition Against Domestic Violence
John Guard, Pitt County Sheriff's Office
Margaret Hobart, National LGBTQ DV Capacity Building Learning Center
Aviva Kurash, International Association of Chiefs of Police
David LaBahn, Association of Prosecuting Attorneys
TK Logan, University of Kentucky
Jennifer Long, AEquitas: The Prosecutors' Resource on Violence Against Women
Chris Maxwell, Michigan State University
Jill Messing, Arizona State University
April Pattavina, Wellesley Centers for Women
William H. Petty, Ph.D. Victim Services Consultants
Hillary Potter, University of Colorado-Boulder
André B. Rosay, University of Alaska Anchorage Justice Center
Tami Sullivan, Yale University
William Wells, Sam Houston State University
Mieko Yoshihama, University of Michigan

Federal staff/contractors

Bethany L. Backes, National Institute of Justice
Virginia Baran, U.S. Department of Justice Office on Violence Against Women
Caroline Bettinger-López, Office of the Vice President
Christine Crossland, National Institute of Justice
Lisa Fedina, National Institute of Justice
Damien Frierson, U.S. Department of Health and Human Services
Bea Hanson, U.S. Department of Justice Office on Violence Against Women
Rosie Hidalgo, U.S. Department of Justice Office on Violence Against Women
Jennifer Lynne Holmes, National Institute of Justice
Matthew D. Johnson, National Institute of Justice
Marina Mendoza, National Institute of Justice
Angela M. Moore, National Institute of Justice
Carrie Mulford, National Institute of Justice
Rebecca Odor, U.S. Department of Health and Human Services
John Picarelli, National Institute of Justice
Madeleine Solan, U.S. Department of Health and Human Services
Silvia Torres, U.S. Department of Justice Office for Victims of Crime
Allison Turkel, U.S. Department of Justice Office for Victims of Crime

Note taker

Mary Beth de Ribeaux

Welcome and Opening Remarks

Angela Moore, National Institute of Justice (Facilitator)

Welcome and thank you for taking the time to be here at this important meeting, where we will be discussing critical issues around intimate partner violence (IPV), particularly regarding ways in which the National Institute of Justice (NIJ) can move the research agenda forward on this topic. I have been involved in a lot of work at NIJ, particularly in the Crime, Violence and Victimization Division and as cofounder of the Violence Against Women research program. I now lead the Justice Systems Research Division at NIJ.

Seri Irazola, Director, Office of Research and Evaluation, National Institute of Justice

Because Dr. Irazola could not attend the meeting, Dr. Moore read her prepared remarks. In those remarks, Dr. Irazola also thanked attendees for their participation and noted that it reinvigorates NIJ staff to meet with experts on the ground as they tackle critical research questions. Dr. Irazola is director of NIJ's Office of Research and Evaluation, which develops, conducts, directs, and supervises social and behavioral science research and evaluation activities that cut across an array of criminal justice topics, including violence victimization. In her notes, she pointed out that NIJ has had domestic violence as an area of study for more than 40 years, even before set-aside funds for it were first received in 1998 through the Violence Against Women Act (VAWA), and she listed some of NIJ's current and past research initiatives related to IPV. Recognizing that NIJ now needs to assess and plan short- and long-term priorities and update the research agenda, Dr. Irazola thanked Dr. Bethany Backes and her team for their work to develop a systematic approach for refining NIJ's research agenda [on IPV], beginning with a questionnaire sent out last fall, and for organizing this meeting. She expressed hope that this meeting will add to the rich body of knowledge on IPV that NIJ has spearheaded and that fruitful collaboration will result. She also expressed gratitude for the presence of Ms. Bettinger-López, Dr. Hanson, and other colleagues from the U.S. Department of Justice (DOJ) and the U.S. Department of Health and Human Services (HHS).

Dr. Moore then introduced the next two speakers, Caroline Bettinger-López and Bea Hanson. Ms. Bettinger-López is a senior advisor to the Vice President and serves on the White House Council on Women and Girls. She has also served as an associate professor of clinical legal education at the University of Miami School of Law, where she was the founder and director of the Human Rights Clinic. Her focus has been on violence against women, gender and race discrimination, and immigrant rights. Dr. Hanson leads the Office of Violence Against Women (OVW) and serves as liaison between DOJ and Federal, State, tribal, and international governments in matters related to violence against women. She is responsible for developing legal and policy positions for DOJ regarding the implementation of VAWA and oversees a budget of \$400 million. Previously, she served as chief program officer for Safe Horizon in New York City, which serves 350,000 victims annually.

Caroline Bettinger-López, White House Advisor on Violence Against Women

Thanks to NIJ staff for hosting this important meeting. As you know, the Vice President has been a lifelong champion dedicated to ending violence against women, and he is eager to hear the ideas that come forth from this meeting. The Obama Administration has worked to address structural biases in the IPV realm, and I will give some examples of the Administration's efforts to enhance law enforcement response to sexual assault and IPV and tackle root causes. For years, [research on] gender bias in the criminal justice response has been lacking, but three recent studies have provided data that show a great deal about the perceptions of survivors. For instance, a survey by the National Domestic Violence Hotline showed that many women felt discriminated against by the police (43 percent, and 46 percent of them thought it was because of their gender). With these data, the Administration is implementing empirically driven policy changes.

- In December 2015, Attorney General Loretta Lynch announced new *Guidance on Identifying and Preventing Gender Bias in Law Enforcement Response to Sexual Assault and Domestic Violence*. It describes eight principles (e.g., law enforcement agencies should reduce bias against victims; effectively

investigate and classify reports; retain, review, and act upon data on sexual assault and domestic violence) along with case examples, and it applies to all 18,000 law enforcement agencies across the country. The *Guidance* is very committed to intersectionality. Your thoughts on the research and implementation dimensions of the document are welcome.

- The President's Task Force on 21st Century Policing underscored transparency and trust between law enforcement agencies and communities. To promote this objective, the White House Police Data Initiative began in May 2015, in which participating cities release data on policing and share successes and challenges. Orlando will be the first city to release data in the area of sexual assault and domestic violence. This is a real opportunity for Federal and non-Federal partners to make sure that police departments are aware of the way data needs to be interpreted to avoid consequences for victims.

What can we do in the next 10 months and how can activities be embedded to outlive the Obama Administration? As President Obama says, "A lot can happen in the fourth quarter!" One place the Administration is focused on now is a major summit that the White House Council on Women and Girls is hosting on May 23 (see www.theunitedstateofwomen.org for more information). One of its six main workstreams addresses violence against women, and we welcome ideas for topics to be covered in the summit. Again, thanks to NIJ for gathering this group of experts, and thanks to you for sharing your expertise and thoughts.

Bea Hanson, Principal Deputy Director, Office on Violence Against Women

Impressive progress has been made both on a national level (e.g., 60- and 30-percent decreases in homicides for men and women, respectively, and a 60-percent decrease in incidents of domestic violence) and on an international level (e.g., China just had its first law against domestic violence go into effect on March 1). Yet considering that 25 percent of women will be victims [of domestic violence] in their lives, there is more to be done in addressing the issue. Thanks to NIJ for convening a meeting at this key time around the 25th anniversary of VAWA to set the agenda going forward. In looking at the impact of VAWA on communities, some inroads have been made and new interventions are happening, but also there is a return to "Domestic Violence 101" matters. Issues to think about when moving forward could include:

- What's the best way to train police on addressing survivors and providing interventions?
- How can we show the importance of special units in reducing domestic violence and being a resource?
- How can we best educate prosecutors and judges?
- What is the impact of the chronic nature of domestic violence on the criminal justice response? (For example, a victim who calls too many times may be classified as a public nuisance, and then she becomes the offender.)
- Can we address evidence-based prosecution in a way that is victim-centered? How can we address situations of women charged with "failure to protect" when they are themselves victims of domestic violence?
- How can we look at members of marginalized communities who will not go to the criminal justice system? What interventions are helpful for them? Is the goal to create an access point where they feel comfortable with the criminal justice system, or do we need alternatives, and what would those alternatives look like?

Although significant funds have been given to batterer intervention programs, which might only help a little, it would be better to have answers regarding what would be best to fund. OVW values having NIJ as a partner for the great work they do. A program now underway looks at domestic violence homicide and different models to reduce it that can be replicated around the country. Also, for the first time, a solicitation will come out to evaluate work done by researcher-practitioner partnerships focused on marginalized communities. Thanks again to NIJ for putting this meeting together at a perfect time; it will be good to set an agenda going forward.

Meeting Purpose, Background, and Goals

Bethany Backes, National Institute of Justice

This meeting is the first step to building a research agenda for NIJ. Its purpose is to discuss relevant research and practice issues and generate research priorities related to the three areas of law enforcement, prosecution, and criminal court responses to IPV victims.

As background, NIJ has received set-aside funds since 1998 (\$5 million this year), which has helped establish a program of research on IPV. Two reports were commissioned in 1996 and 1998; a special issue of the journal *Violence Against Women* was published in 2013 summarizing NIJ's work, and NIJ has produced a compendium on research on violence against women to serve as a reference document. Since 1993, NIJ has distributed more than \$55 million toward domestic violence and IPV research (49 percent of its funding allocated for violence against women research), supporting more than 200 studies. To help identify and prioritize the future of IPV research, given the many issues intersecting this topic and possible research angles, NIJ produced a questionnaire for stakeholders last fall. After tabulating more than 450 responses, "effectiveness of new and existing interventions" ranked highest. We plan to work with colleagues across the Federal government to develop a research agenda related to this line of research. Ranked second-highest was "criminal justice response to IPV and system revictimization," the focus of this meeting.¹

The format for this meeting will be a mini-presentation in each of three main areas (law enforcement response, prosecutorial response, and court/judiciary response to victims), followed by a practitioner's commentary, and then discussion guided by six questions:

1. Given your expertise and knowledge, what are the gaps in the empirical literature regarding the response to victims of IPV?
2. Given your expertise and knowledge, what are the gaps in the empirical literature regarding the revictimization of victims of IPV?
3. Are there specific populations, circumstances, or subtopics that might need further in-depth research development?
4. In thinking about the overall discussion thus far, what intersections of IPV (not yet mentioned) are critical to explore, such as race and ethnicity, co-occurring victimization, gender, religion, immigration status, ability status, and socioeconomic status?
5. Are there any research methods that are particularly promising that might be used to address the proposed research questions? Alternatively, are there any ill-advised methods for these questions?
6. Is there anything additional that is missing or should be noted?

Although civil and family courts are intertwined with the topic of this meeting, the intent here is to focus specifically on the *criminal* justice response to *victims*. Also, offending and battering issues will be addressed in other forums. Tangential issues will be collected in a "parking lot." Discussion should consider moving forward, thinking critically about approach (providing justification for why/why not a particular research method would work), feasibility, and how to build on topics already being explored/funded. The definition of IPV used by the Centers for Disease Control provides a framework, but consider its parameters to be flexible for our discussion over the next two days.

¹ Over the next several years, NIJ intends to address other topic areas through a variety of ways, such as meetings, papers, funding opportunities, and interagency coordination.

At the end of the meeting, attendees will also be challenged to think about possible dissemination products that could come from this meeting and will be invited to participate in their creation.

Clarification on Use of the Term “Revictimization”

In response to David LaBahn’s suggestion to discuss how the system can help rather than harm, instead of using the phrase “revictimization,” a distinction was made between direct revictimization (e.g., use of coercive tactics, power, or manipulation to shut down a victim) and revictimization that happens because a victim encounters someone in the criminal justice system who is untrained or inexperienced and doesn’t understand the dynamics of IPV.

Area 1. Law Enforcement Response

Who Will Help Me? Domestic Violence Survivors Speak Out about Law Enforcement Responses

TK Logan, University of Kentucky

In a survey of callers to the National Domestic Violence Hotline, 637 respondents who qualified for inclusion answered eight questions about interactions with law enforcement.²

- Average age was 30 years.
- Mostly white (56 percent); also Hispanic (15 percent) and African-American (11 percent).
- Study limitations included small number of questions, lack of context (snapshot only), respondents are not representative (women from some ethnicities/races are underrepresented, and hotline/victim services users tend to be the ones the system has failed).

Highlights of the study included:

- About half (48 percent) had previous experience interacting with law enforcement related to partner abuse or sexual assault.
- For those with no previous experience, a majority were afraid of how the police would react (with 44 percent “extremely concerned”), citing reasons such as the police would make things worse (70 percent), do nothing (59 percent), be rude to the offender (45 percent), or end up arresting the victim (17 percent). Other barriers to involving police included a desire for privacy (60 percent), fear of retaliation (44 percent), and protection of children (22 percent). In future occurrences, 24 percent indicated they were not at all likely to contact police, and 50 percent were unsure.
- For those who had previous contact with law enforcement, 44 percent reported no impact on their safety, and 31 percent said they felt less safe. Almost one-half (43 percent) felt discriminated against by the police, with 46 percent of them believing it was because of their gender, and 53 percent responding that it was because they weren’t a “perfect” victim (e.g., for reasons of income, disability, sexual preference, or reputation). Other reasons cited included law enforcement’s lack of understanding of domestic violence, race/ethnicity, and politics/offender connections. About two-thirds of respondents were afraid of how the police would react. Their greatest fear was that police would do nothing (80 percent), followed by the offender only receiving light punishment (51 percent). Approximately one in four (28 percent) had been arrested or threatened with arrest. One-fourth were “not at all” likely to call the police again in the future. Asked if the police had done anything helpful, 35 percent said they’d done nothing helpful, but 26 percent got information, 14 percent saw the offender arrested/charged, 14 percent received tangible help, and 9 percent reported it was helpful just to be believed.

² The full report can be seen at <http://www.thehotline.org/wp-content/uploads/2015/09/NDVH-2015-Law-Enforcement-Survey-Report.pdf>.

Questions/Comments

Comment by [unknown]: There was a qualitative study done looking at police reports that included what police said about a victim's veracity. Rich data does exist that could shed light on whether the assertion "the police don't believe me" is true.

Response by TK Logan: That would be interesting to see, but the police reports I've seen do not contain that information.

Response by [unknown]: Look at Dr. Rebecca Campbell's work on backlog.

Area 1. Practitioner Response

Aviva Kurash, International Association of Chiefs of Police

This research echoes what we've heard from the field, so it is not surprising. It [distrust of law enforcement] is real, but we dedicate our lives to changing it. Moving forward:

- **Trauma-informed sexual assault training.** What does "justice" mean for survivors of IPV? We need to expand the idea beyond the criminal justice system's narrow definition (prosecution, incarceration) and look at what might be justice for a survivor whose life is destroyed by the experience.
- **Culture change.** Training in the academy is crucial, but supervisors and mentors and chiefs play an important role because culture change will come from leadership. Who is that leader today who hires an officer, who then moves up the chain of command and starts mentoring others? How can we get to them? How do we ensure victims' voices are heard?
- **Training.** Not enough effective trainers. We also need to find out what methods of training are effective and what exactly training should cover. For example: helping officers recognize manipulative offenders and understand victim intimidation, empowering officers to understand that helping someone doesn't necessarily mean putting [the victimizer] in jail but could be as simple as listening and believing, other nontraditional tools to help victims, and how to recognize gender bias. Also, we constantly need to go back to "Domestic Violence 101" (e.g., understanding consent compared with submission).
 - **Body-worn cameras.** A double-edged sword. Can we use them to train officers better? Or will it make victims disinclined to call law enforcement?

These are complex issues, and research needs to be more nuanced.

Responses to Discussion Question 1

Given your expertise and knowledge, what are the gaps in the empirical literature regarding the response to IPV victims?

- *Contact with advocates as a significant variable.*
 - *Margaret Hobart:* Research should look at this variable because it is likely important for people to connect with help outside the criminal justice system. In other countries, for example, a victim gets an in-person visit from an advocate on the day following a police call. This is activated by the police but separate from them.
 - *Courtney Ahrens:* There are examples of multidisciplinary approaches (e.g., systems-based advocates), but there are many models used. For example: Who is at the table? Where are they housed? Members of the community included? How often do they meet [with victims]? Is their work case-based? Who does what? We need more research on what models are most effective.
- *Comparing ways of getting help before being criminalized.*
 - *Margaret Hobart:* If we look at a police call as a request for help, what would be the best structure to meet those needs, and is it through the criminal justice system?

- *Training.*
 - *Courtney Ahrens:* Police are not social workers, so train them to do their jobs better and figure out how to coordinate advocates and law enforcement to work together.
 - *Mieko Yoshihama:* In our study, we asked what was helpful when victims sought help. Information and tangible help was rated very helpful, and a very basic caring attitude made a difference. Not making law enforcement a social work system, but [training officers] to show basic caring.
 - *John Guard:* Training must be the right training by the right person who can connect the knowledge to the person doing the work. The overwhelming majority of the people that I train have never heard of *Crawford v. Washington*. So bad guys can exploit that.
- *Research to create more sustainable system changes.*
 - *Margaret Hobart:* What evaluation structures create a shift in practice? What kind of forms? What kinds of data collection? Who is being appealed to by police recruitment posters, and does that match the needs of 911 callers? Does allocation of material resources relate to outcomes?
 - *Courtney Ahrens:* Were special units effective? Why did some get dropped? Why are some still existing, and how can we learn from mistakes?
 - *April Pattavina:* Some police agencies have champions who will take on tough tasks and build multidisciplinary teams—how can their work be sustained? Is it a resource issue or related to keeping knowledge transfer intact through changes and personnel turnover? How do we understand their sustainability and learn from them?
 - *Tami Sullivan:* How can champions be supported?
 - *John Guard:* Regarding sustainability, a lot of units were just one person working the second-most-committed crime next to theft.
 - *David LaBahn:* To get sustainability and buy-in, make research relevant (i.e., something that makes life easier/better—“what’s in it for me?”).
- *Perspective of survivors.*
 - *Margaret Hobart:* Need to measure actual lived experiences and find out what was meaningful for them. It’s hard and expensive research to do safely but necessary to understand what matters.
 - *Chic Dabby:* Diminishing victim credibility and victim blaming are part of the culture, so that by the time a victim comes in contact with the system, she’s already been abused and had negative help-seeking experience. How much of the victim’s claim that she was not understood or believed by police is real, and how much is connected to not understanding the procedure? For example, victims may interpret police trying to establish probable cause as not believing them unless the process is demystified by the police or an advocate who explains the steps.
- *Better tracking data.*
 - *TK Logan:* Some victims are not calling police (e.g., if threatened with arrest, they likely won’t call again), so they may not get counted.
- *Economical cost of good/poor response.*
 - *TK Logan:* Teasing out the effect of law enforcement compared with the judge compared with the prosecutor.
- *Risk assessments and their unintended consequences.*
 - *TK Logan:* Who is being triaged out? Some have used risk assessment questionnaires but maybe not in the best ways.
 - *Liberty Aldrich:* Compare the use of risk assessment tools that are specific and nonspecific to domestic violence.
- *Community context.*
 - *TK Logan:* Impoverished rural communities are a different world.

- *Perspective of officers: vicarious trauma, burnout, frustration.*
 - *Gretta Gardner:* How does an IPV call affect law enforcement responders, especially if they have experienced domestic violence in their lives or if a child witness is present? Research on doctors/nurses working in high-stress environments may be analogous. Also officers with burnout may forget training—how do we institutionalize a philosophical approach when officers are not applying what they’ve learned?
 - *John Guard:* Officers see the beginning and the end (i.e., call from victim and adjudication) but rarely the middle (where there is manipulation), so there is frustration because of the disparity between the beginning and end. No one likes to say they’re at fault, so they point the blame at the victim.
- *Male/female pairing.*
 - *Gretta Gardner:* How do male and female officers responding to domestic violence differ? Are females better at de-escalating? For example, in batterer-intervention programs, it is thought male and female facilitators get different results.
- *Multiplicity and chronicity in contacts with system.*
 - *Mieko Yoshihama:* Need data on life-course trajectory of violence and contact with the system. What happened from the victims’ initial contact through their trajectory of help seeking, and how did it change based on contact with the system (i.e., how it impacts their future of being abused and seeking help)? We need to have a good data method of life history calendar and life course.
- *Impact of criminal justice reform efforts on domestic violence response.*
 - *Liberty Aldrich:* What impact on IPV response do training or risk assessment tools not specific to domestic violence have?
- *Relationship of domestic violence offenders with other crime offenders.*
 - *Liberty Aldrich:* Does the offender’s history of criminal offenses impact the response by police?
 - *Aviva Kurash:* We need numbers, statistics, and prevalence. Also connections between offenders with domestic violence in their background and those who commit mass shootings or crimes against police.
 - *David LaBahn:* Test whether cop killers are domestic violence offenders who have access to guns. Does it improve safety to remove guns? Great things are done with gang offenders (who often have criminal histories); can these methods be applied to domestic violence offenders?
- *Mandatory arrest.*
 - *William Petty:* Pull apart the Sherman & Harris, 2014, study looking at the association between mandatory arrest and victim mortality, or replicate it to add veracity to the argument of whether we are harming/helping victims by mandatory arrest.
- *Role of prosecutor.*
 - *David LaBahn:* How do the prosecutor’s two distinct roles (filing decisions, which are victim focused, and case dispositions, which are offender focused) overlay?

Responses to Discussion Question 2

Given your expertise and knowledge, what are the gaps in the empirical literature regarding the revictimization of IPV victims?

- *Reframing “revictimization.”*
 - *Jill Messing:* Instead of revictimization through the system, reframe the concept to how the system can empower victims to make the best choices for themselves (i.e., turn a deficit into an empowerment idea).
 - *Joanne Belknap:* In my research, we found the biggest predictor of satisfaction with police response was whether police did what the victims wanted. A victim-centered approach is how we give power back.

- *Courtney Ahrens*: Use caution regarding “trauma-informed survivor-centric” models because not sure how those are interpreted and implemented on the ground—perhaps not what survivors want or what empowers them.
- *Victims’ needs.*
 - *André Rosay*: Why do victims call law enforcement, and what are their needs? Is it that law enforcement hasn’t met their needs or can’t meet their needs? Until there’s a better understanding of their needs, the risk of revictimization will always exist.
- *Witness intimidation benchmarks.*
 - *Jennifer Long*: We developed benchmarks on witness intimidation, which is common and often missed. The benchmarks are not tested, but there is data available.
- *Pulling from other sources.*
 - *Jennifer Long*: Pull from work on family justice to continue to help law enforcement and prosecutors understand revictimization.
- *Wrongful arrest.*
 - *Margaret Hobart*: Due to an inability to discern who is the aggressor, sometimes the wrong person is arrested (in either LGBTQ or heterosexual relationships), but the stakes are very high for victims processed as offenders (e.g., financial consequences, child custody issues, mental health impacts, substance abuse). What allows officers to exercise discernment in a nuanced way?
- *Mandatory arrest/misdemeanor policies.*
 - *Margaret Hobart*: How have these policies worked out? Did community safety improve? Replicate the Sherman study but also do a trial validity and compare policies.
- *Contempt charges.*
 - *Margaret Hobart*: Sometimes victims get charged with contempt if they are reluctant to testify.
- *Role of child protective services (CPS) agencies.*
 - *Margaret Hobart*: The role of CPS and how police call upon those agencies plays a huge role in victims’ minds. Different law enforcement agencies have different policies about when to call CPS—compare what happens to victims when there is a policy and when there isn’t.
- *Marginalized communities.*
 - *Margaret Hobart*: How does that change for LGBTQ, sex workers, immigrants, and other marginalized communities?
- *Building on what is going well.*
 - *Courtney Ahrens*: Put champions and those who show kindness/caring into special units, because that means more to survivors than anything else.
- *Follow process to understand proximal and distal outcomes of police involvement.*
 - *Tami Sullivan*: The first call (which may not have been initiated by the victim) sets into motion lots of processes. There are negative experiences along the way, but there can also be positive experiences and positive outcomes, so looking at all outcomes along the way is important. Pair administrative data with victim-reported data and triangulate.
- *Looking at entire police department.*
 - *Hillary Potter*: Look at the police department as a whole and its community when doing research. Ask about other reasons for distrusting the police (not just those related to domestic violence).
- *Temporal sequencing.*
 - *Joanne Belknap*: What happens in the gap between arrest and court (e.g., stalking, witness tampering)?

Responses to Discussion Questions 3 and 4

Are there specific populations, circumstances, or subtopics that might need further in-depth research development? In thinking about the overall discussion thus far, what intersections of IPV (not yet mentioned) are critical to explore, such as race and ethnicity, co-occurring victimization, gender, religion, immigration status, ability status, and socioeconomic status?

- *Latinas born in the United States.*
 - *Hillary Potter:* What is the experience with policing of Latinas/Chicanas/Puerto Ricans born in the *United States*? (The recent shift in focus to Latin American-born women and immigration issues misses this population.)
- *Hearing impaired and disabled.*
 - *TK Logan:* More research on hearing impaired and disabled victims, especially in terms of caregiver abuse.
- *Language access.*
 - *Margaret Hobart:* The possibility of a good response from law enforcement [goes down] when there is no system or an inconsistent system for translation.
- *Rural populations.*
 - *André Rosay:* What works for rural populations? In some areas, 911 call responders take a long time to arrive.
- *Reporting and race/ethnicity of victims.*
 - *Courtney Ahrens:* More documentation is needed on disparities of who does/doesn't report with respect to race/ethnicity. In my work, Korean and Vietnamese women will not go to the police because of family shame.
- *Gender/race/ethnicity of officers.*
 - *Courtney Ahrens:* What are the pros and cons of pairing victims with officers of the same gender and racial/ethnic background? Document whether officers respond differently to victims of differing backgrounds (e.g., if victims' body language is interpreted as not confident, does it impact bias?).
 - *Joanne Belknap:* Dayna Matthew's work on implicit racial bias in the medical field would be interesting to apply.
- *Alternative points of entry.*
 - *Courtney Ahrens:* What are alternative points of entry for those unwilling to go to the police? For example, allowing victims to get information on safety without committing to doing something. For public safety, perhaps online anonymous reporting, as for campus sexual assault.
 - *Jennifer Long:* There may be something out there already on anonymous reporting for criminal cases (done in Boston 2005?).
 - *Courtney Ahrens:* Increased police presence may have more implications.
 - *Chris Maxwell:* Is there research done on mechanisms (e.g., apps) being developed for anonymous reporting out of concerns for disproportional minority contact in highway patrol stop-and-frisk? Applied to domestic violence, these mechanisms could be used to increase system efficiency to respond.
 - *David LaBahn:* Also done for animal abuse.
 - *Angela Moore:* Confidentiality concerns raise an issue.
 - *Jill Messing:* For women who don't want to contact advocacy services or police, we've worked on an app that helps them make decisions about a relationship and provides resources. See safetydecisionaid.com.
 - *Courtney Ahrens:* Have police at community events, health fairs, schools, etc.

- *Police response.*
 - *Margaret Hobart:* Is there a way to scaffold technology with police decision-making to help keep officers conducting interviews/investigations on track (e.g., a set of cues)?
 - *Margaret Hobart:* What would a response that works for the most marginalized person look like, and how could we get a routine officer to respond in that situation?
- *Frequency and dimensions of first responders.*
 - *William Wells:* How many sexual assault calls does a cop respond to? In Houston, we saw a few officers responding to a disproportionate number of calls, so considering that training might be spread out over thousands of cops, it might not yield much “bang for the buck.” First responders could also include sexual assault nurse examiners (SANEs) or other doctors and nurses, and even detectives.
 - *Chris Maxwell:* Officer ID is not usually in data (it raises issues with the union), but it might be possible to use a proxy (e.g., with census tracts and precinct geographical data).
 - *Aviva Kurash:* Immediacy of domestic violence calls compared with delayed [response] to sexual assault calls.
- *Information to communities.*
 - *Courtney Ahrens:* Provide information about the system to communities. What kind of information would be helpful and not overwhelming?
- *Role of extended family in ethnic communities.*
 - *Courtney Ahrens:* Who else witnesses violence in the same home? What are the implications of their testimony? Have they taken part in the abuse (e.g., Korean mother-in-law abusing daughter-in-law)? If the victim is an undocumented immigrant, there may be ways to protect her, but what about her sister living with her?
- *Classification of calls.*
 - *William Petty:* Who responds to what? Calls are often classified “family disturbance” until an officer responds and reclassifies it as domestic violence.
- *Probable cause.*
 - *John Guard:* What level is probable cause? What is the baseline to make an arrest? Arrest does not solely depend on the victim’s injury. Witnesses can be more helpful in court than the victim’s injuries.
- *Nonpolice intersection points.*
 - *Jennifer Long:* There’s a lot to learn at intersection points that aren’t law enforcement but may lead to law enforcement (e.g., medical [contexts] caring for an injured victim).
 - *David LaBahn:* Another example is juvenile family violence centers that have a medical model for young offenders. They figure out what is happening in the household and how it can be repaired, so law enforcement’s role is not arrest but transport. Could that be replicated for adults? There’s a similar program in Oklahoma City with veterans.
- *Police access to protective orders.*
 - *April Pattavina:* How do police get access to protective orders? Do they automatically come up, or do police have to look? If there is a difference, it could be a natural experiment.
- *Same-sex cases.*
 - *Margaret Hobart:* There are three times as many dual arrests in same-sex cases. Are these offenders misidentified as victims?

Responses to Discussion Questions 5 and 6

Are there any particularly promising research methods that might be used to address the proposed research questions? Alternatively, are there any ill-advised methods for these questions? Is there anything additional that is missing or should be noted?

- *Person-centered analysis.*
 - *Tami Sullivan:* Our research is variable driven, but more person-centered, sophisticated analysis is needed.
- *Time element.*
 - *Tami Sullivan:* Use daily assessment measures to see how events unfold over time. In one of my studies, actively abused women had phone interviews daily for 90 days. In another study, women have phone interviews 4 times per day for 1 month. This level of information helps identify proximal risk factors and protective factors and offers great potential because it avoids recall bias and memory decay. Challenges to this method include IRB challenges, safety challenges, cost.
 - *Jill Messing:* Some big differences occur over time. The more often you contact victims, the more likely they will continue to participate.
 - *TK Logan:* [I've used] subject-driven calendars, where participants generate dates of importance (e.g., Easter important to some, not others). Main reasons women participate: opportunity to help other women and payment.
 - *Mieko Yoshihama:* I echo the importance of looking at time element, whether daily, monthly, or life course.
- *What makes a good officer?*
 - *Aviva Kurash:* What experiences in an officer's work life will make him or her more effective?
 - *Angela Moore:* NIJ has been funding a policing platform project designed to follow new recruits as they progress over their career. Although not specific to domestic violence, it will be interesting to see how it relates.
- *Peer review.*
 - *Jennifer Long:* On researcher-practitioner partnerships, it is important to connect with people in the jurisdiction, but also with other practitioners who have experience across multiple jurisdictions and know the law more broadly. (For example, you might internalize something in your own jurisdiction that isn't actually unique.)
- *Multilevel ecological analysis.*
 - *Mieko Yoshihama:* Look at multiple levels; not just individual factors or relationship factors but also community factors (e.g., racial composition of police force or city). Also look at context in a sociopolitical and historical context. Multilevel modeling is also important.
- *Matching interviewer and interviewee.*
 - *Hillary Potter:* Consider matching interviewer/interviewee by gender and race, particularly for qualitative studies. It could be a choice given to the interviewee. Some might not be as forthcoming if not completely comfortable.
 - *Carrie Mulford:* Also generational matching (e.g., for younger offenders, having a younger interviewer helps rapport).
 - *TK Logan:* But caution about putting too much on matching, because good interviewers are hard to find. Find one and keep up supervision.
- *Matching victim and police accounts.*
 - *Courtney Ahrens:* Study what the victim said happened and what the police said happened.

- *Mixed methods research.*
 - *Courtney Ahrens:* Not just administrative data but also the qualitative perspective. Also multiple case study methodology.
- *Best practices.*
 - *Courtney Ahrens:* How to get best practices implemented in the field? Maybe find a place doing a good job and take those results and see if another place doing a good job is doing the same thing or adding something. Find out what's necessary and sufficient so we can say, "At the very least, do this."

Area 2. Prosecutorial Response

Improving Prosecution of Intimate Partner Violence in Alaska

André B. Rosay, University of Alaska at Anchorage

The Alaska Victims Survey (modeled after CDC's National Intimate Partner and Sexual Violence Survey, but shorter) measured IPV rates in Alaska in 2010.

- Measured both threats and physical violence by current/former sexual partners.
- Provided lifetime and past-year prevalence.
- Updated in 2015.
- Past-year estimates (2010) were 9.4 percent (i.e., more than 20,000 women, or 1 in 10 women in Alaska had experienced IPV).

Prosecutorial research looked at cases reported to law enforcement and linked cases referred to prosecution to prosecutorial outcomes.

- Of 1,281 cases involving domestic violence reported to Alaska state troopers (largest law enforcement agency in Alaska), 80 percent of cases were referred; of those, 85 percent were accepted for prosecution; of those, 79 percent resulted in conviction on any charge (not necessarily domestic violence). Overall, 54 percent of cases reported ended in conviction.
- Other agencies had lower rates.

Key factors identified to improve prosecution in Alaska:

- **Enhancing local police presence.** Some villages in Alaska have no local police presence and a 911 call may be routed hundreds of miles away. Local police presence increases the likelihood of prosecution and conviction.
- **Strengthening local alcohol prohibition.** Both perpetrators and victims had high rates of alcohol use. One study showed 87 percent of victims had used alcohol; 42 percent were passed out at the time of assault. Alcohol use reduces the likelihood of acceptance and conviction.
- **Enhancing investigation capacity.** For example, ensuring officers have access to cameras to document context of assault.
- **Promoting access to SANEs.** Documentation of physical injuries helps prosecution.

This research was used in partnership with Alaska's governor to develop the Choose Respect Initiative, which focused on offender management and accountability, support for survivors, and prevention and intervention efforts. Other strategies included a no-drop policy (later cancelled due to budget constraints), hiring additional prosecutors, and vertical compared with horizontal prosecution. Results of the 2015 survey update showed a dramatic drop in the prevalence of IPV (6.4 percent, down by 32 percent or about 6,500 victims, compared to 2010 rates).

Questions/Comments

Question by William Petty: To whom do victims in Alaska report a crime? Are Alaska Natives represented?

Response by André Rosay: Yes. It's complicated, but most of their calls are answered by state troopers.

Question by Jennifer Long: Is the drop in victimization based on reporting? How do you know it's a difference in victimization and not a difference in victims not wanting to be involved?

Response by André Rosay: Good question—does it mean we're really doing better? The numbers are based on a telephone survey of the general population (not a cohort) using random digit dialing for both cell and land line phones across the state.

Question by Liberty Aldrich: Did you track changes over time?

Response by André Rosay: We only have two points in time, but the drop is consistent with other data sources. Anecdotally it [the Choose Respect Initiative] was successful because the governor stood behind it. The messaging was most important. Some error bars were overlapping.

Comment by Chris Maxwell: If no error bars, don't make too much of the drop. It's testable, though.

Response by André Rosay: A lot were statistically significant, and it's consistent with other research we're seeing.

Question by Rebecca Odor: Did you measure incomes?

Response by André Rosay: No. The margin of error increases when the women are split into groups. However, in April we will release results from a survey specific to Alaska Natives and American Indians compared to non-Hispanic whites.

Question by Mieko Yoshihama: Did fatal homicide drop as well?

Response by André Rosay: Data showed random variation from year to year. The bigger issue is women going missing and not showing up as homicide victims in official statistics.

Comment by Chic Dabby: In rural remote areas, homicide is not classified as related to IPV.

Response by André Rosay: We looked at the reporting system, but that data system is not a reliable indicator.

Comment by Mieko Yoshihama: Of 13 shelters in Los Angeles, 12 had increases in hotline calls during the time around the O.J. Simpson trial. (Only the shelter for Asian immigrants did not.) So there's intersection with what happens in society. Heightened awareness affects willingness to seek help.

Area 2. Practitioner Response

Jennifer Long, *AEquitas: The Prosecutor's Resource on Violence Against Women*

"If you've met one prosecutor, you've met one prosecutor." They dedicate their lives to this work but can still make mistakes and bad decisions because they're busy or under-resourced, or their decisions are not based on research. Old issues continue to crop up. Some questions/gaps in research:

- How do we sustain a good program? How to institutionalize knowledge despite changes in administration with different priorities and turnover in the department?
- What are practical ways to improve not based on more resources? Or perhaps business people or engineers can analyze how money is spent. Bringing people who know how to run things together with researchers and practitioners could help ensure effective use of resources.
- What is "justice" in domestic violence cases, and how do we measure "success"? There are times when what the victims want and what the prosecutor wants diverge. Sometimes the best we can do is listen

to the victim's perspective and make decisions based on that perspective when possible. When this isn't possible, explain to the victim, and go forward in a way that is consistent with victim safety and public safety.

- What are best practices? Is there research so prosecutors can craft better arguments? We have some ideas of promising practices, but no evidence of what works. Some research gaps:
 - Use of general expert testimony on victim behavior. We rely on U.K. studies.
 - How relevant is the sexual history of the victim and perpetrator? Can it come in as an exception to the rule of evidence that usually protects against it?
 - How to balance privacy and evidence (e.g., use of body cameras).
 - Impacts of race, disability, and other demographic factors that cause bias.

Responses to Discussion Question 1

Given your expertise and knowledge, what are the gaps in the empirical literature regarding the response to IPV victims?

- *Referral/arrest.*
 - *William Wells:* If IPV is reported to Alaska state troopers, arrest is almost a given. But in Houston, police won't arrest without calling the prosecution first. Variation across sites is worthwhile to study.
 - *Margaret Hobart:* We need to test the theory that more arrests and prosecution is what is better. Is it a desirable outcome in an average agency (not led by a champion)? What are the consequences for offenders and victims in terms of job stability, education access, child custody, etc.? We might not find the result we think.
- *Plea bargaining.*
 - *Margaret Hobart:* How often do plea bargains happen, and what are their impacts on victim outcome and safety and the offender's perception of wrongdoing? How are plea bargains used, and how are they processed?
- *Impact of technology.*
 - *Gretta Gardner:* How does technology impact how prosecutors go forward with a case when the law is antiquated? For example, use of drones to follow the victim—anecdotally, prosecutors not knowing how to deal with such a case will drop charges.
- *Diversion.*
 - *Gretta Gardner:* Is diversion good, bad, or indifferent? Why does it happen to some people and not others? What role do race or class play?
- *Speedy trials.*
 - *Gretta Gardner:* Waiving a speedy trial [results in] victims languishing and perceived as not participating. We need policies to make adjudication faster.
- *Prosecutor decision-making.*
 - *Liberty Aldrich:* Are prosecutors making charging decisions based on evidence (police/medical report) or on community safety? When does evidence collection lead in one direction or the other? Also, how are cultural norms established on whether cases are worth pursuing, and what is that impact? Cultural norms vary across communities.
 - *Chris Maxwell:* We have some data on observing police, but no studies on social observations of prosecutors using codes for everything they do and following prosecutors every day to find out what processes, what evidence they use to make decisions.
 - *Jill Messing:* What data in police reports point to the prosecution's decision?

- *Helping victims.*
 - *Jennifer Long:* When victims are engaged, how can we be effective in not leaving them hanging when they expect the system to help them?
- *Risk assessments.*
 - *Jill Messing:* How are risk assessments used at different stages, and what risk assessments are being used? For example, are they used in pretrial decisions (bail, pretrial detention)? Are tools not specific to domestic violence being used to determine IPV cases?
 - *David LaBahn:* What's a risk, and how can the system help? If there's a good tool, we can stay away from criminogenic [risk factors].
- *Crimes classified as felonies.*
 - *Jill Messing:* From a prosecutor's point of view, what does the trend to make some crimes felonies in some states (e.g., strangulation or domestic violence in front of children) do? Is it helpful or not?

Responses to Discussion Question 2

Given your expertise and knowledge, what are the gaps in the empirical literature regarding the revictimization of IPV victims?

- *Smart justice/Justice Reinvestment Initiative.*
 - *André Rosay:* How do smart justice initiatives impact victim safety? (For example, moving from felony to misdemeanor, bail decisions and conditions, weapons decisions.)
- *Victim engagement.*
 - *Courtney Ahrens:* Compare places that have high and low rates of victim engagements. What makes some victims more willing to stay engaged? For example, what are the impacts of having a needs assessment, one point of contact, counselor presence, witness prep?
 - *Liberty Aldrich:* What is the impact of warrants on complainants and witnesses? They might lead to more "engagement" but not score well on procedural justice.
 - *Jennifer Long:* Perhaps a reinvestigation of arresting victims to compel them to participate in a trial and barriers to participation.
- *Language access issues.*
 - *Liberty Aldrich:* How do prosecutor offices achieve better language access and outcome? What are victims' perceptions, and is their willingness to engage based on access?
- *Pairing prosecutors and civil legal services.*
 - *Gretta Gardner:* This allows more "successful" participation in terms of victim empowerment. It's a great example of what works and ends up paying for itself (e.g., the Stearns County Attorney's Office in St. Cloud, MN).
- *Capturing "paper abuse."*
 - *Joanne Belknap:* Referring to Susan Miller's work, is there a way to capture the revictimization done by abusers who keep dragging victims into court for frivolous things?

Responses to Discussion Questions 3 and 4

Are there specific populations, circumstances, or subtopics that might need further in-depth research development? In thinking about the overall discussion thus far, what intersections of IPV (not yet mentioned) are critical to explore, such as race and ethnicity, co-occurring victimization, gender, religion, immigration status, ability status, and socioeconomic status?

- *Pet owners.*
 - *David LaBahn:* If shelters don't accept pets, domestic violence victims who have pets won't go.

- *Tribal populations.*
 - *André Rosay:* Evaluation is needed for tribal populations with expanded jurisdiction.
- *Elders/seniors.*
 - *Chic Dabby:* What particular issues affect elders/seniors?
 - *Carrie Mulford:* There is an intersection between elder abuse and domestic violence; various resources aren't set up, or staff don't understand elders' cognitive issues that they're dealing with.
 - *Jennifer Long:* Integrate research on elder abuse rather than silo it, so prosecutors can be trained to deal with it. There are collateral consequences for elder victims who rely more on their abuser.
 - *Chic Dabby:* What are the family dynamics that pertain to elder abuse cases? (For example, family closes ranks because adult children don't want father investigated for abuse.)
- *Teen dating violence.*
 - *April Pattavina:* How is teen dating violence handled? Is diversion happening? What messages are teens getting as they mature into adulthood?
 - *Carrie Mulford:* There's a lot of discussion regarding what outcomes we want in both teen and elder fields. For teens, bidirectional abuse in relationships is very high.
- *Role of extended family in victim engagement.*
 - *Courtney Ahrens:* In some ethnic groups, it's not an individual decision whether a victim will testify. Other family members are involved (e.g., elder son in Korean families), yet when a prosecutor meets a victim, the family is not present. Informing the family of consequences of moving forward or engaging them in some way—is it possible to bring in a religious leader?
- *Student populations.*
 - *William Petty:* What happens on campus with sexual assault processes? It's a black hole because campus police/administrators respond, not local law enforcement.
 - *Carrie Bettinger-López:* A potential entry point for future research and interventions may be a study with University of Texas campus police [that produced] a toolkit for campus police responding to sexual assault.
 - *Liberty Aldrich:* Also look at school district policies.
- *Victims with disabilities.*
 - *Joanne Belknap:* Women who can't hear or have issues related to head injuries or mental illness. If it wasn't childhood onset, it may be related to domestic violence.
- *Women jailed for sex work.*
 - *Jennifer Long:* Prostituted women may have multiple offenses/felonies or wrongful conviction.

Responses to Discussion Questions 5 and 6

Are there any particularly promising research methods that might be used to address the proposed research questions? Alternatively, are there any ill-advised methods for these questions? Is there anything additional that is missing or should be noted?

- *Mock jury trials.*
 - *David LaBahn:* Prosecution is at the hub of the wheel; prosecutors touch everyone in the process. Mock jury trials should be considered. We took a page from the private bar to run mock jury trials on animal abuse cases, videotaping jury deliberations. It is costly and takes time, but this sophisticated technique could be done with a well-designed study.
- *Systematic social outreach.*
 - *Chris Maxwell:* Deferred prosecution is an area ripe for a deep dive. Does it mean the same thing in all counties? What's going on? What ingredients?

- *Prosecutor decision-making.*
 - *David LaBahn:* Prosecutors are willing to engage [with researchers], especially in big offices. Prosecutors want to be informed on community safety; they are already overworked and not interested in filing more cases. The pressure is to divert cases, but the concern is these are violent crimes. There are two prosecutor roles to test: Deciding to involve a person in the criminal justice system (i.e., do you have evidence?) and deciding to file (which is discretionary). What is deferred prosecution? Is there supervision or monitoring and by whom? What is the definition of IPV? Use shadowing to follow a case. How are misdemeanors handled? Do special units work? Is vertical prosecution (single point of contact) really effective and the best way?
 - *Jennifer Long:* There is unspoken language regarding prosecution discretion. Do we have the right evidence compared with do we have a reasonable likelihood of conviction? Not ethical, but not necessarily malicious. Prosecutors feel guarded. They want to do the right thing, but they've made mistakes. We need to create an environment so they can look at themselves honestly and come to better practice.
 - *Courtney Ahrens:* It's assumed that prosecutors make decisions on how best to use resources, but it's not been shown. A random controlled trial could be used, although expensive.
 - *David LaBahn:* The comparison would be between offices with tighter compared with looser filing standards.
 - *André Rosay:* Prosecutor work is very complex. Two issues not solved are eliminating sample selection effects across decisions prosecutors make and nesting charges within cases. NIJ should develop models.
- *Race/ethnicity blinding.*
 - *David LaBahn:* There was a VERA study on implicit bias but not related to domestic violence. A lot of work and trust are needed when studying racial justice issues. More recently, there was a VERA study in Manhattan that screened cases. One prospective study looked at DUI cases and the decision to file and case disposition.
- *Randomized study.*
 - *Chris Maxwell:* In a randomized experiment from 1990, prosecutors in Indianapolis gave a choice to half of a group of victims and no choice in the decision to the other half. Those with a choice reported lower rates of revictimization; victim empowerment was viewed as a positive outcome.
- *Impact of prosecutor decisions and behavior.*
 - *Mieko Yoshihama:* What is the impact of prosecutor action on victims, perpetrators, the community, and the system over a long period of time?
 - *Chris Maxwell:* We have a meta-analysis of 45 studies that looked at recidivism. The effect of incarceration compared with probation is significant—a 25-percent increase in recidivism with incarceration.
 - *Mieko Yoshihama:* Expand the indicators of well-being beyond recidivism (e.g., if a woman had to relocate, her well-being might not be as good as where she was well connected), and also look at indicators of community safety and how prosecutor decisions and policies affect staff morale. Looking at outcomes on multiple levels is important.
- *Prosecutor performance and conviction rates.*
 - *Jennifer Long:* Study whether prosecutor performance is linked to conviction rates, and work to remove fear of taking harder cases.
- *Victims with criminal history.*
 - *Jill Messing:* How often does it occur that domestic violence victims are charged in cases where they fought back or did something else criminal? Is it a big issue? What can be done?

- *Joanne Belknap*: A toolkit by Chris Sullivan and Sheryl Kubiak is very good (see <http://www.thehotline.org/wp-content/uploads/2015/09/NDVH-2015-Law-Enforcement-Survey-Report.pdf>).
- *Comparing IPV decisions with other crimes.*
 - *TK Logan*: Document biases in IPV cases compared with sexual assault cases and differences in how they were handled.
 - *[Unknown:]* Compare decision-making in prosecuting gang violence (where there is a lot of witness intimidation); how much does the process differ, and where does it differ?
- *Mixed methods.*
 - *Joanne Belknap*: Mixed methods are important (e.g., obtaining court transcripts and interviewing attorneys and judges).
- *Cultural value of women.*
 - *Gretta Gardner*: How do we measure how we feel about women? About women who are mothers and are expected to sacrifice their best interests for their children? How serious do prosecutors and judges feel these crimes are? Risk factors: “Is she worth the trouble to go forward with the case?”

Discussion of the Types of Potential Meeting Products

Bethany Backes, National Institute of Justice

In thinking through the topics of this meeting, what types of products could be produced (short term and long term)? For example, a round-table discussion at a conference, white paper, blog, special issue of a journal, book or book chapter, etc.

- *Aviva Kurash*: *Police Chief* magazine is accessible for law enforcement research to get information into the field.
- *David LaBahn*: Same on the prosecution side. An article is helpful. We [Association of Prosecuting Attorneys] have a major meeting in the summer with an opportunity to talk to larger offices. Be direct in what you want them to do, and listen to where they are.
- *Jennifer Long*: Identify what’s relevant in current research to make it more accessible.
- *Jill Messing*: Borrow the “grand challenges” framework from social work. What are the grand challenges in terms of violence against women research or in ending violence against women?
- *Liberty Aldrich*: We may need to set priorities before we can conceptualize products, but we do want to have talking points about priorities that we agree to.

Area 3. Court/Judiciary Response

Revictimization: The Court System and Criminal Orders of Protection

Tami Sullivan, Yale University

This NIJ-funded, retrospective, mixed-methods study on criminal protective orders is still in the active data collection phase, so results presented here are preliminary only. Criminal protective orders are used in most states and differ from civil protective orders in that they are often issued by a judge without input from the victim. How and to what extent does their use impact outcomes? We have a victim advocacy supervisor and a representative from offender services as collaborators on the research team; having strong support within the criminal justice system greatly helps access to data.

- Aim to recruit 300 women victims of domestic violence by a male partner arraigned within the past 12 to 15 months.

- Data collected by self-report during an interview that takes place 12 to 15 months after arraignment. Women are asked to report about two time periods: 1. The present (i.e., 30 days before participation in the study interview) and 2. Before the incident for which the partner was arraigned 12-15 months ago (i.e, approximately 13-16 months ago).
- Study will assess impact of orders on well-being, offender behavior, and child contact with offending fathers.

To date, the study has 216 participants with demographics similar to other studies of women victims in this area, although the generalizability of the data is unknown. Average length of relationship is 6.34 years, with 24 percent still with the offending partner. However, 48 percent have face-to-face contact with the offending partner and 19 percent have other contact with the offending partner.

In Connecticut, if arrested, arraignment happens within one business day. At arraignment, the offender is assessed by a court worker and maybe a victim advocate. No cases were dropped at this point, and every case got one of three kinds of criminal protective order issued:

1. **No abuse.** Basically a finger-wagging, which orders the offender not to abuse the victim again (20 percent).
2. **Partial order.** Stay away from residence in addition to finger-wagging (22 percent).
3. **Full no-contact order** (58 percent).

What happens when an order is issued that is more restrictive than the victim wants? We're not sure yet, but 68 percent of victims requested that no criminal order be issued. (However, it is possible that some of them truly did want an order but didn't think it wise to formally request one.) "No abuse" order doesn't change the victim's circumstances, but the other two kinds of criminal orders may introduce additional challenges into the victim's life (e.g., ability to pay rent or have child care if the offenders no longer is allowed to stay in/go to the home), and the victim may not have even been the person who called the police.

Is victimization in the 30 days prior to arraignment related to current relationship status? Victims no longer with their partners reported higher sexual and psychological IPV and fear prior to the incident. What is unclear is why there are high abuse scores in couples that aren't still together at the time of interview? We know abuse still happens even with protective orders in place. Later we will match with recidivism data.

Women reported both negative and positive experiences of the court system, but the mean leans toward a positive direction. Likewise, the mean leans toward a positive response in reports of feeling validated by the judge, prosecutor, and victim advocate.

Predictors of court experience:

- If victim called police, she is more likely to report positive experience with court.
- Victims who requested a protective order were more likely to report fear of partner related to court process.
- No significant difference in experiences with the court by the level of protective order issued, although data is preliminary and analysis incomplete.

Outcomes of court experience:

- Better relationship with victim advocate is related to lower level of physical and sexual victimization.
- Feeling more validated by court is generally related to lower levels of psychological victimization.
- Positive experiences are related to increased openness to use the system again in the future; negative experience is related to decreased intention.
- No differences in racial/ethnic group in the level of order issued, experience with court, or future likelihood to use the system, but we don't know yet if these relationships are moderated by race/ethnicity.

Additional work in this study will look at such areas as how more restrictive orders affect victim well-being and financial and residential stability; full offender criminal history; victim-perceived stress levels; how people react to a victim's disclosure (more severe IPV has a stronger association to negative reactions); and co-parenting and visitation. Future studies are needed to replicate this in courts where not every case is issued a protective order or where judges are trained in domestic violence issues. Future research also should follow cases prospectively and find out more about what factors contribute to positive/negative experiences. We have a lot of qualitative data and will share the qualitative questions.

Questions/Comments

Question: Do you know which cases still have orders in place at the time of the interview?

Response by Tami Sullivan: Not yet.

Question: Did the sample have only criminal protective orders or also civil?

Response by Tami Sullivan: We are interested in crossover between civil and criminal protective orders. Some did have both, but we will have data later. Criminal protective orders usually end with adjudication (rarely lifelong), and multiple orders can co-occur.

Question: Do civil and criminal protective orders conflict (e.g., in provisions for child visitation)?

Response by Tami Sullivan: Don't know the extent that happens.

Question: Do you have socioeconomic breakdown?

Response by Tami Sullivan: Not yet.

Question: In your demographics, you listed black/African-American. So would someone born in the Caribbean be black?

Response by Tami Sullivan: We tried to use the more inclusive classification.

Question: Were all English speaking?

Response by Tami Sullivan: No, the study was in English and Spanish.

Question: On violation of criminal orders, what is the enforcement in Connecticut? In North Carolina prior to 2004, we had to petition the court if violated.

Response by Tami Sullivan: My understanding is there is a range of sanctions that vary tremendously.

Comment/question: Your data showed that 27 percent of women had been explicitly threatened with a gun, but just leaving a gun on the pillow at night can also be coercive. Also, is there any education of both parties after the order is issued to help them understand it and whether it is violated?

Response by Tami Sullivan: Victim advocates give great information, and about two-thirds of women meet with them. The remaining one-third of the women receive the order in the mail. The extent to which the offender is told about the order depends on the attorney.

Area 3. Practitioner Response

Liberty Aldrich, Center for Court Innovation

I agree that criminal protective orders are under-researched. Some things happening in courts that could be topics for research or could learn from research include:

- **Mentor court program**, which OVW has funded in six sites. Some are integrated domestic violence courts that bring together criminal and civil cases to coordinate overlap better; some are purely criminal (St. Cloud, Dallas).

- St. Cloud and Dallas take a high-risk approach, with dedicated court resources providing intensive supervision to ensure defendants are compliant with the protective order.
- Integrated courts have various models to provide better support to survivors and their children. Child support is not generally addressed by court, yet it is what survivors care about and greatly impacts their willingness to participate. So a hypothesis is, if victims' actual needs are met by the system (e.g., housing, child care, basic needs), it will impact the outcome of the criminal process.
- **Probation group review.** New models of probation supervision aim to improve offender accountability and provide them with services.
- **The MacArthur Foundation's demo sites on jail reduction.** The MacArthur sites are collecting a lot of data but have no domestic violence team members, so a domestic violence lens could be brought to the data.

All the topics mentioned previously are also relevant in the court area: effectiveness of training, credibility, racial/ethnic imbalances, etc. A few things to focus specifically on:

- **Teasing out the meaning of "court."** If the prosecution is likened to the hub of a wheel, the court is a sponge. "Court" could mean prosecution, cops, judge, clerk, security, or any number of things from a victim's perspective, but pulling out the interactions of victims with three parts of the criminal court—judge, court staff, and court security—can have a huge impact on safety and court experience.
- **Should the victim speak directly to the court?** If so, what kind of interaction and timing are most effective? This has not been tested. Trainers have told judges not to ask a victim if she wants an order, but because of victim autonomy concerns, that is changing; yet, no one knows if it's better.

Questions/Comments

Comment by Aviva Kurash: We should fund studies on pretrial release specific to domestic violence offenders and/or the safety of victims.

Comment: Prosecutors can always move to raise bail.

Response by Liberty Aldrich: But it's a court decision, so it's helpful as a research question to tease out what's the court and what's the prosecutor. Generally, you have to look at both to determine what the prosecution asked for and what the court did.

Comment by Chris Maxwell: Regarding victims speaking to court, there was a randomized control trial in 1990.

Response by Liberty Aldrich: It seems that there is variability in whether and when courts seek information and input from the victim, especially around terms and conditions of protection orders, bail, etc.

Comment by David LaBahn: It depends on victims' rights. Some allow the victim to have a voice.

Response by Liberty Aldrich: But also have to follow rules of evidence. In any case, there are safety concerns with putting a decision in the victim's hands in open court, with the offender standing there.

Comment by John Guard: In some states, rules of evidence do not apply in bond hearings (as opposed to trials), so hearsay can come in when setting bond and conditions. So advocates and victims can give opinions at such opportunities.

Responses to Discussion Questions 1–3

Given your expertise and knowledge, what are the gaps in the empirical literature regarding the response to IPV victims and the revictimization of IPV victims? Are there specific populations, circumstances, or subtopics that might need further in-depth research development?

- *Firearm possession/removal.*
 - *Liberty Aldrich:* More research is needed in this area. I'd like to know if the firearms in Tami Sullivan's research were licensed or unlicensed. In New York, every protective order contains Federal language about firearms prohibition (all states are supposed to), but New York also has a checkbox that

requires firearms removal that is checked in only about one-third of the cases, and last year, there was exactly one firearm removal in New York City.

- *Tami Sullivan*: I won't have access to information on whether there was a permit for the firearm. I don't have information on whether there was an attempt at removal either. But maybe possible if going through property database.
- *David LaBahn*: This is an outstanding research issue. There are two different models: In California and Kentucky, some sheriffs can go get guns immediately; in the Bronx, you'd have to ask what's in the house. We call it "dispossession," not "seizure." Is it making victims safer?
- *Bethany Backes*: NIJ is studying the issue of gun removal enforcement in civil/criminal protective orders in California and hopes to learn from that research.
- *Liberty Aldrich*: Only five states have legislation enforcing removal in domestic violence cases. So it's a natural experiment.
- *Bond violation*.
 - *John Guard*: Prior to 2004 [in North Carolina], if an offender violated the order and went to the victim's home, enforcement was petition to the court and a hearing. After 2004, it was arrest with revocation of bond. Now we have a system accessible in the field, which helps with enforcement. Maybe that's a research question.
- *Victim advocates*.
 - *Tami Sullivan*: Although preliminary, we know from research that when victim advocates provide strong support, there are positive outcomes. Given a lack of resources everywhere and that domestic violence victim advocates are not paid well, how can we enhance their capacity to improve outcomes over time? I was thinking of court-based victim advocates, but does type of victim advocate make a difference?
 - *Margaret Hobart*: Other variables might be how the process and identity of those advocates are set up. In King County, domestic violence survivors get an advocate employed by the court. They are identified as advocates, not an arm of the court. But advocates in community-based organizations differ in their approach and service provision. Also, what are the processes around supervision and training of advocates? What allows advocates to stay focused on a survivor-centered, victim-autonomy ethic, and what advocacy skills allow them to be effective? Where does it work well, and what structures are in place to help it work well?
 - *April Pattavina*: Basic logistics can help women stay engaged. Multiple trips can be serious challenges to victims, so to what extent does communication with community-based or court advocates take place in one location?
 - *Jennifer Long*: Both system- and community-based advocates help, but confidentiality differs. One has discovery obligations. If confidentiality and privilege can't be breached, they could provide better support for the victim.
- *Judicial empathy*
 - *Gretta Gardner*: There was a study that found judges with daughters are more compassionate, but it was silent on female judges. How do we better understand gender differences among judges and judicial empathy? Are they triggered because of their own experiences?
 - *Liberty Aldrich*: The "Just World" theory overlaps with domestic violence ("what happened to her is what she deserves").
- *Training for interpreters*.
 - *Chic Dabby*: Interpreters are asking for training on sexual assault, trafficking, domestic violence, and vicarious trauma. One investigation could be: Is the quality of interpretation improving/changing when interpreters are trained on these issues? Interpreters are assumed to be neutral parties, but if they understand the context of domestic violence, will they stop being neutral?
 - *Liberty Aldrich*: Interpreter services within court administration have been ignored.

- *David LaBahn*: If interpreters are instructed in the dynamics of domestic violence, there will be a defense attack that now they are not translating.
- *Types of courts.*
 - *David LaBahn*: How does court consolidation work with regard to victim satisfaction (e.g., is it better to have more community courts or a family justice center)?
 - *Courtney Ahrens*: What is necessary to help with the sustainability of specialized courts? In our city, it seemed that what would have predicted success wasn't the court itself but leadership. How true is that across the board? What components could help these courts survive?
- *Judges' length of time on bench.*
 - *Gretta Gardner*: What is a good amount of time for a [special court] judge to be on the bench to account for burnout? One year before rotating in a pool? Or 15 to 20 years?
- *Negotiations.*
 - *Gretta Gardner*: How does victim safety get negotiated away in both civil and criminal courts (e.g., dropping criminal charges if she gets the house, mediators negotiating the conditions of the orders)? What is the impact on criminal cases if there is no civil finding of family violence?
 - *Bethany Backes*: NIJ is currently studying the mediation process in Washington, DC, courts now with victim and perpetrator follow up.
 - *Chris Maxwell*: We are trying to capture domestic violence homicide from arrest until probation ends, prospectively. But all the negotiations make it complicated to model. We won't get qualitative data to help us understand why/how transactions take place. We don't even know the quantitative stuff and can't separate effects (e.g., are these high-risk people all along, or is the process itself criminogenic?). We need qualitative processes to illustrate the dynamic of multilevel decision process going back and forth.
- *Criminal no-contact orders.*
 - *Jennifer Long*: Why are no-contact orders used? Possibly the prosecutor's intent is to get more accountability.
- *Alternative measures of fear.*
 - *Jennifer Long*: We've been trained that victims report factors that put them at risk well, but they are poor reporters of fear (they underestimate). Can fear be measured against other things, such as guns?
- *Value of arrest/messaging.*
 - *Chris Maxwell*: We have some evidence that arrest is beneficial, but as an offender works through the criminal justice system, the benefit gets smaller, and with incarceration, [negative consequences] actually escalate. Where do we lose the value of arrest? Maybe bail, pretrial release?
 - *Margaret Hobart*: Arrest impact may fall off because the consequences of reoffending are not clearly communicated (e.g., lose rights with children). What messages are abusers getting in the court process?
 - *Chris Maxwell*: Quite a bit of data exist on offenders and their perceptions, but most of it is unanalyzed.
 - *Liberty Aldrich*: How do we track the impact of the underlying value of community messaging regarding what's acceptable behavior? Victims have this goal, too, in what they're looking for from the system. (General deterrence and specific deterrence.)
- *Court outcomes.*
 - *Jill Messing*: What are good court outcomes? (What are we looking for?) Then, to move forward, what are good court outcomes with marginalized populations or any intersectionality? Are they the same across different populations?

Responses to Discussion Question 4

In thinking about the overall discussion thus far, what intersections of IPV (not yet mentioned) are critical to explore, such as race and ethnicity, co-occurring victimization, gender, religion, immigration status, ability status, and socioeconomic status?

- *Immigrant women.*
 - *Chic Dabby:* If visa certification is done by the police department, would that increase participation in the criminal justice system?
 - *Liberty Aldrich:* Does immigration status impact a victim's likelihood of participation?
 - *Jill Messing:* Or court outcomes?
 - *André Rosay:* Or long-term outcomes?
 - *Courtney Ahrens:* Asylum seekers may come in with experiences of violence that will impact their willingness to participate, plus the stress of relocating.
- *Intersections of class and race.*
 - *Hillary Potter:* For example, how do experiences of middle-class Latinas and middle-class black women intersect? Important to capture the different levels. Some information is anecdotal.
- *Restorative justice.*
 - *Courtney Ahrens:* What can we borrow from restorative justice systems that would work well to help populations that won't use the criminal justice system?
 - *André Rosay:* Alaska Native traditions work well in domestic violence cases. Also circle sentencing.
 - *David LaBahn:* Compare models of states and tribes.
- *Defense-initiated victim outreach (DIVO).*
 - *William Petty:* An update on DIVO. It's touted as a method to tamp down the adversarial nature of criminal court proceedings by giving victims what they need; in practice, it may reduce outcomes for defendants. Because it is initiated by the defense, some courts elect to pay for it. Now it is used mostly in capital cases, but if it is gaining in popularity, we should get ahead by learning the current state of DIVO where it is used, so that better decisions can be made about applying it to IPV.
- *Juries.*
 - *Gretta Gardner:* Is there research that discusses if judges or juries are more likely to convict in domestic violence cases?
 - *Chris Maxwell:* BJA had a program that tracked cases from arraignment through disposition, including judge/jury decision, so a data set exists.
 - *Liberty Aldrich:* How closely do actual jury trials track the common pleas outcomes?
 - *April Pattavina:* What kind of criteria are used to exclude jury members in the selection process? The problem is when juries are expected not to know anyone who was a victim of sexual assault in those cases—is it the same for domestic violence? Also, feedback from jury members about the process would be helpful (i.e., what processes did they go through to reach their verdicts, what did they consider?).
 - *Chris Maxwell:* How many cases get to a jury? Most cases are charged as misdemeanors, but some get bumped to felonies. We don't know much about the transactions that go on in that period to even get to jury selection.
 - *Joanne Belknap:* How does the number of jury cases vary by jurisdiction?
 - *Mieko Yoshihama:* What is the impact, if any, of the jurors' race, gender, education? Their personalities also play a role when deliberating. Whose opinions are more persuasive?

- *Downstream orientation.*
 - *William Wells:* Is downstream orientation stronger in some places than others? (A multisite study to measure strength of downstream orientations.) What are decision-makers (prosecutors, judges) thinking about when they file, set continuances, set bail, etc.
 - *Angela Moore:* Downstream decisions could affect how victims decide whether to continue the process. How do they come into the process, when do they drop out, and what factors impact staying in/falling out?
 - *William Wells:* You would need to track dates like crime labs do. Measure time lag in court cases, and beyond a certain time lag, maybe victims lose engagement.
- *Perceptions.*
 - *April Pattavina:* Courtroom actors may have shortcuts in perceptions of what they think about culpability and offenders that may be dictated by outside factors. Learn from that perspective and how these cases get processed.
- *Victim testimony.*
 - *Courtney Ahrens:* Research suggests victim testimony can be negative for some, powerful for others. What are predictors? Are there alternative models for victim testimony (e.g., open court, in chambers, on video)?
 - *Chic Dabby:* Victim testimony data would be helpful because [advocates] working with immigrant women assume that speaking out in court is empowering, but if their English skills are limited, it could be deleterious to the case, especially if they don't understand and there is no interpreter.
 - *Liberty Aldrich:* What are victim perceptions of the criminal justice system and the relationship of that to outcomes and satisfaction? Also, how might the criminal justice system from an immigrant's home country apply to subgroups in the United States?
- *Victimless prosecutions.*
 - *Jennifer Long:* What is the impact of victimless prosecutions in domestic violence cases compared with sexual assault cases? Are there methods that reduce confrontation while still preserving it?
- *Expert testimony, private defense attorneys.*
 - *Joanne Belknap:* How often are expert witnesses called? Do abusers use a public defender, or do they hire an attorney? Is this class based? What is the impact?
 - *Jennifer Long:* There is research in the U.K. on expert testimony related to sexual violence. Compare different uses of it?
 - *Chic Dabby:* Also expert witnesses for cultural differences.
- *Violations of protective orders.*
 - *Tami Sullivan:* What happens when a protective order is violated, and what are the outcomes when brought to court, whether it's a felony or not (e.g., defendant accidentally calls the victim)?
 - *Liberty Aldrich:* We compared perceptions of outcomes among advocates, prosecutors, and judges—they were not at all similar!
- *Modifications.*
 - *Tami Sullivan:* When issued, what is the modification, and how does that affect recidivism?
 - *Liberty Aldrich:* Modifications based on what was said earlier in jurisdictions where they issue full stay-away orders automatically, they have whole calendars that are modification dockets.
- *Notifications.*
 - *Gretta Gardner:* How are victims notified (e.g., that offender is released)?

- *Same-sex cases.*
 - *Joanne Belknap:* How often do they make it to court? What different things happen? In my research, same-sex charges never made it to court. A lot of research focuses on female victims and male abusers.
- *Misarrests.*
 - *Jennifer Long:* What are different conditions under which arrest occurs, including misarrests? Does this happen more for victims of certain race/ethnicity/sexual orientation? We've covered the arrest of victims for things such as violating protective orders if they initiated contact.
- *Revictimization.*
 - *Liberty Aldrich:* Look at the number of times victims come to court and victim satisfaction. In some places, victims don't necessarily come to court that often; in other places, they do. Also track time to deposition. Some revictimization feelings come from extreme delays.
 - *Jennifer Long:* On motions when a victim's private information (e.g., drug history) is marginally relevant to the case, how often is it litigated? How often does it come out favorable to the victim?
 - *TK Logan:* Be sure to look at other ways beyond physical assault that the offender continues to control/ruin a victim's life (e.g., stalking, blackmail).

Responses to Discussion Questions 5 and 6

Are there any particularly promising research methods that might be used to address the proposed research questions? Alternatively, are there any ill-advised methods for these questions?

Is there anything additional that is missing or should be noted?

- *Same methods as for previous areas.*
 - *Tami Sullivan:* A lot of the same methods as for the other areas can be used.
 - *Chris Maxwell:* Court observations.
 - *Mieko Yoshihama:* Longitudinal.
 - *Liberty Aldrich:* Ethnographic approach that involves judges, court. Court observation alone is problematic because it can be hard to tell that some important things are happening.
 - *Hillary Potter:* Nicole Gonzalez Van Cleve did ethnographic work; her book *Crook County: Racism and Injustice in America's Largest Criminal Court* could be a resource for methods.
- *Methods closer to real-time.*
 - *Tami Sullivan:* Getting real-time information if possible—to avoid so much recall bias and memory decay. Multiple arrests can be hard for a victim to keep straight.
- *Qualitative.*
 - *Courtney Ahrens:* Track from the initial police call all the way through over three years, just qualitatively touching base with the survivor.
 - *Jennifer Long:* The prosecutor office has rules, though; you may need to pay someone to redact. You will get a snapshot. Maybe work with that and community advocates will get you to the victim later. Is there a retrospective look, and does that affect decision-making?
- *Mock trials.*
 - *David LaBahn:* Video of jury deliberations would provide opportunity to do observations and test a lot of things we're talking about.
- *Barriers in engaging courts.*
 - *Liberty Aldrich:* One problem researchers have had is they've tended to go to the judge instead of the court administrator. Court administrators control the data. A good strategy would be to develop that relationship.

- *Chris Maxwell*: Access is difficult. We repeatedly spend resources gaining access to data. Better infrastructure needs to be built. Sometimes police chief pledges aren't honored without a city attorney or general counsel signature, people move, etc.
- *Tami Sullivan*: Also timing. It took 13 months to get a memo of understanding (MOU) in place for my research.
- *Angela Moore*: Maybe we can get some people together to talk about how they have successfully navigated issues dealing with MOUs and changes of leadership and what are promising practices.
- *André Rosay*: Consider a survey of court administrators to ask about what kind of data is available, how decisions to share it are made, etc. Understanding that process could be valuable.
- *Margaret Hobart*: Judges have problems pulling up case histories with clunky systems, so a survey to see if infrastructure can hold the weight of traffic.
- *Tami Sullivan*: A survey of a court information system—what does it look like, what information does it contain related to outcomes, etc.
- *Liberty Aldrich*: Many court information systems are privately provided. Some are becoming more automated, but many still have rules about access. Just looking at capacity won't answer what they can do.

To keep the discussion focused, the following tangential topics were recorded in the “parking lot”:

- Batterer-intervention programs
- Replication research (expand beyond campus rapes)—Lisak's work
- Criminal trajectories of IPV perpetrators (offenses other than domestic violence)
- Victim needs assessment
- Wrongful conviction of women sex workers/trafficking victims
- Victims as defendants
- Accusers bringing charges against victims
- Advocacy (capacity, skills, etc.)—community-based
- Abusers/perpetrators' experience with criminal justice system
- Restorative justice models

Breakout Sessions

After brief summaries for each focus area were presented by each moderator (Matthew Johnson, law enforcement; Bethany Backes, prosecution; Carrie Mulford, courts/judiciary), participants rotated in breakout sessions to refine and prioritize items under each focus area.

Prioritization Exercise

Key items under each focus area agreed upon during the breakout sessions were posted around the meeting room. Participants were invited to indicate the top six items they thought should be intermediate/short-term priorities addressed by NIJ within the next 5 years and the top six items they thought should be long-term priorities addressed by NIJ in the next 5 to 10 years. The number of responses is tabulated below.

Table 1. Law Enforcement Response: Top Intermediate/Short-Term Priorities

Votes	Topic
5	Longitudinal studies of law enforcement officer contact with victim—context, development
5	Mandatory arrest policy [effectiveness?] – victim impact
4	Models and methods of officer training (content) on quality of law enforcement processing (interviewing, report writing)

3	Criminal justice system versus noncriminal justice system interventions as predictors of victim outcome
2	How can law enforcement officer “champions” lead to sustained law enforcement agency change?—skills, characteristics
2	Effectiveness of law enforcement officer presence at bail and bond hearing (IPV)
2	Effectiveness of implementing a risk assessment procedure—victim, offender, law enforcement officer, potential for inappropriate uses
2	Descriptive study of visa certification for IPV victims
2	Effects of “predominant aggressor arrest” policies—other-sex and same-sex couples
2	Predictors (law enforcement officer) of victim engagement—at initial contact; with offender interactions
1	How to prevent and treat secondary law enforcement officer trauma (burnout), including moderating effects of primary trauma
1	Evaluation of IPV-specific law enforcement units (including victim services)
1	Model outcome (IPV victim) comparison between various models of justice
1	Use implicit bias methods in law enforcement officer/IPV—basic research, intervention
1	Effectiveness of trauma-informed law enforcement officer training on IPV outcomes
1	Correlation of amount and mix of law enforcement agency resources devoted to IPV with IPV outcomes
1	Law enforcement officer efforts to prevent and intervene with witness intimidation
1	Outcomes of law enforcement officer use of child protective services
1	Rural versus urban law enforcement response
0	Operationalizing and testing DOJ law enforcement agency guidance
0	IPV victim relationship with law enforcement officer is moderated by law enforcement relationship with community

Table 2. Law Enforcement Response: Top Long-Term Priorities

Votes	Topic
6	Longitudinal studies of law enforcement officer contact with victim—content, development
5	Models and methods of officer training (content) on quality of law enforcement processing (interviewing, report writing)
5	Criminal justice system versus noncriminal justice system interventions as predictors of victim outcome
4	How can law enforcement officer “champions” lead to sustained law enforcement agency change?—skills, characteristics
4	How to prevent and treat secondary law enforcement officer trauma (burnout), including moderating effects of primary trauma
4	Evaluation of IPV-specific law enforcement units (including victim services)
2	Effectiveness of law enforcement officer presence at bail and bond hearing (IPV)
2	Model outcome (IPV victim) comparison between various models of justice
2	Use of implicit bias methods in law enforcement officer/IPV—basic research, intervention
2	Effectiveness of trauma-informed law enforcement officer training on IPV outcomes
2	Operationalizing and testing DOJ law enforcement agency guidance

1	Effectiveness of implementing a risk assessment procedure—victim, offender, law enforcement officer, off-label uses
1	Descriptive study of [can't read] visa certification for IPV victims
1	Correlation of amount and mix of law enforcement agency resources devoted to IPV with IPV outcomes
1	Law enforcement officer efforts to prevent and intervene with witness intimidation
0	Effects of “predominant aggressor arrest” policies—other-sex and same-sex couples
0	Predictors (law enforcement officer) of victim engagement—at initial contact; with offender interactions
0	Outcomes of law enforcement officer use of child protective services
0	Rural versus urban law enforcement response
0	Mandatory arrest policy [effectiveness?]—victim impact
0	IPV victim relationship with law enforcement officer is moderated by law enforcement relationship with community

Table 3. Prosecutorial Response: Top Intermediate/Short-Term Priorities

Votes	Topic
10	Prosecutor decision-making post-filing through disposition—internal and external influences
6	Issues/factors influencing victim participation in prosecution (e.g., witness intimidation, language access, level of advocacy)
3	What does a model prosecution unit look like?
3	Impact of expert testimony and disparate use across cases
3	How are risk assessments being used to make decisions about domestic violence?
2	Examination of case attrition of domestic violence cases (starting at report)
2	Impact of deferred prosecution, alternative sentences, pleas, pre-trial services
2	Examining different ways victims are engaged and remain engaged/disengaged (e.g., bench warrants, advocacy)
2	Prosecution methods: vertical, victimless, etc.—outcomes for victims
2	Procedural justice
1	Evaluating victim-witness staff/offices within prosecutor’s office
1	How are risk assessments impacting victims and victim outcomes?
1	Does charging and prosecuting misdemeanor domestic violence protect victims against escalation of violence?
1	Impact of political changes and turnover
0	Victim assessment of prosecution
0	Disparate decision-making at key points creating a discriminatory effect
0	Bail and bond practices: domestic violence versus other crimes
0	Prosecutor decision-making looking at violence against women crimes versus other crimes
0	Impact of SMART and other justice initiatives and adaptation of models for domestic violence
0	How do victim wants/needs align with prosecutor decisions?
0	Use and context of victim cooperation

Table 4. Prosecutorial Response: Top Long-Term Priorities

Votes	Topic
6	Does charging and prosecuting misdemeanor domestic violence protect victims against escalation of violence?
5	How are risk assessments being used to make decisions about domestic violence?
4	Issues/factors influencing victim participation in prosecution (e.g., witness intimidation, language access, level of advocacy)
4	Examination of case attrition of domestic violence cases (starting at report)
4	Procedural justice
3	Impact of SMART and other justice initiatives and adaptation of models for domestic violence
3	Prosecutor decision-making post-filing through disposition—internal and external influences
2	Impact of political changes and turnover
2	Impact of deferred prosecution, alternative sentences, pleas, pre-trial services
2	Examining different ways victims are engaged and remain engaged/disengaged (e.g., bench warrants, advocacy)
2	Evaluating victim-witness staff/offices within prosecutor’s office
2	Prosecution methods: vertical, victimless, etc.—outcomes for victims
2	How are risk assessments impacting victims and victim outcomes?
1	Disparate decision-making at key points creating a discriminatory effect
1	Bail and bond practices: domestic violence versus other crimes
1	How do victim wants/needs align with prosecutor decisions?
0	Prosecutor decision-making looking at violence against women crimes versus other crimes
0	Victim assessment of prosecution
0	Impact of expert testimony and disparate use across cases
0	What does a model prosecution unit look like?
0	Use and context of victim cooperation

Table 5. Court/Judiciary Response: Top Intermediate/Short-Term Priorities

Votes	Topic
10	Factors affecting victim involvement/participation in court process—advocates, timing/delays, witness intimidation/tampering, coercion by court system, immigration status, felony/misdemeanor (consideration of injury), addressing victim needs (e.g., housing, child support), involvement with civil system
5	How do the dimensions of procedural justice affect victim participation and offender compliance?
5	Are criminal protective orders getting into the system? Are they being used to remove firearms or sanction offenders?
3	What are predictors and outcomes of violations of protective orders? Also for modifications of orders?
3	What is the impact of the victim having legal representation in the criminal justice system? Is she more likely to have standing? Satisfaction, etc.?
3	Identifying “good” court outcomes for victims—self-efficacy, psychological, felt heard, understood process, willingness to help-seek/recontact system, satisfaction with sentencing, long-term impacts
3	Victim advocates effectiveness: system versus community-based (connection/identification with a field), confidentiality and privilege, characteristics of advocate, single advocate flow through system, alliance between victim and advocate
2	What is impact of restorative justice and alternative models (positive/negative)
1	What are effective ways for judges to elicit victim input?
1	Factors: victim participation—intersectionality with race/ethnicity, AIAN, perceptions of criminal justice system, past history with criminal justice system, length of relationship status, children, translators/interpreters
1	Whether criminal protective order requested/not by victim (replicate)
1	What is an effective type of court for domestic violence cases (e.g., specialized court, therapeutic versus accountability, restorative justice)
0	Use of mock juries to test risk assessment, expert witnesses, proceeding without victim, demographic characteristics of victims/jurors/offenders
0	What factors influence judges in domestic violence cases? (e.g., training, empathy, length of time on bench, assigned/requested/elected)
0	How effective is judicial training?
0	“Evidence-based”/victimless prosecution—satisfaction/outcome for victim
0	Jury selection, instruction, factors affecting jury behavior (effect of positionality)
0	Informed/trained court to make good decisions
0	What is the role of public versus private counsel on domestic violence cases and victim participation? (intersectionality)
0	Are courts allowing expert testimony in domestic violence cases (victim and offender conduct)? What is the outcome of that testimony?

Table 6. Court/Judiciary Response: Top Long-Term Priorities

Votes	Topic
5	Victim advocates effectiveness: system versus community-based (connection/identification with a field), confidentiality and privilege, characteristics of advocate, single advocate flow through system, alliance between victim and advocate
4	What factors influence judges in domestic violence cases? (e.g., training, empathy, length of time on bench, assigned/requested/elected)
3	What are predictors and outcomes of violations of protective orders? Also for modifications of orders?
3	Are criminal protective orders getting into the system? Are they being used to remove firearms or sanction offenders?
2	How effective is judicial training?
2	Use of mock juries to test risk assessment, expert witnesses, proceeding without victim, demographic characteristics of victims/jurors/offenders
2	Identifying “good” court outcomes for victims—self-efficacy, psychological, felt heard, understood process, willingness to help-seek/recontact system, satisfaction with sentencing, long-term impacts
2	What is impact of restorative justice and alternative models (positive/negative)
2	What is an effective type of court for domestic violence cases (e.g., specialized court, therapeutic versus accountability, restorative justice)
1	Factors affecting victim involvement/participation in court process – advocates, timing/delays, witness intimidation/tampering, coercion by court system, immigration status, felony/misdemeanor (consideration of injury), addressing victim needs (e.g., housing, child support), involvement with civil system
1	What are effective ways for judges to elicit victim input?
1	How do the dimensions of procedural justice affect victim participation and offender compliance?
1	“Evidence-based”/victimless prosecution—satisfaction/outcome for victim
1	Are courts allowing expert testimony in domestic violence cases (victim and offender conduct)? What is the outcome of that testimony?
0	What is the impact of the victim having legal representation in the criminal justice system? Is she more likely to have standing? Satisfaction, etc.?
0	Factors: victim participation—intersectionality with race/ethnicity, AIAN, perceptions of criminal justice system, past history with criminal justice system, length of relationship status, children, translators/interpreters
0	Informed/trained court to make good decisions
0	Whether criminal protective order requested/not by victim (replicate)
0	Jury selection, instruction, factors affecting jury behavior (effect of positionality)
0	What is the role of public versus private counsel on domestic violence cases and victim participation? (intersectionality)

Review of Priorities

Angela Moore summarized by listing the major topics that the participants indicated they most wanted to see research done on in either the short-term or long-term or both. For law enforcement response, the topics most often selected included:

- Criminal justice and noncriminal justice interventions and outcomes (both short-term and long-term)
- Models and methods of training (both short-term and long-term)
- Longitudinal studies of law enforcement contact and outcomes (both short-term and long-term)
- Law enforcement “champions” as related to sustainability (long-term)
- Mandatory arrest policies (short-term)

For prosecutorial response, the topics selected most frequently included:

- Risk assessment (long-term)
- Prosecutor decision-making (both short-term and long-term)
- Procedural justice (both short-term and long-term)
- Charging and whether prosecution protects victims against escalation of violence (long-term)
- Victim engagement (both short-term and long-term)

For court/judiciary response, top priorities included:

- Factors affecting victim participation (short-term)
- A general theme of procedural justice
- Effectiveness of victim advocates as related to courts (long-term)

Revisit: Discussion of Potential Meeting Products

Matthew Johnson explained that although the primary purpose of this meeting is to develop a research agenda going forward, a secondary goal is to have products come out of it. He distributed a questionnaire form for participants to fill out and indicate what type of products they would be interested in working on, which of the three focus areas they can contribute to, what role they could take in developing and disseminating products from this meetings, and so forth. Forms were collected at the end of the meeting.

Next Steps and Concluding Comments

Bethany Backes, National Institute of Justice

NIJ will look at the questionnaire forms participants filled out and the posters from the prioritization exercise. Notes will be shared for feedback to see if all meeting discussion was captured. Thanks for your work over the past two days, especially to those who gave presentations. Our hope is that this is a start to developing an in-depth research approach to domestic violence over the next 20 years. We appreciate you taking part in this initial effort.