

Batterer Intervention: Program Approaches and Criminal Justice Strategies

Batterer intervention programs are an integral part of any comprehensive approach to domestic violence. However, because intervention programs are relatively new, there is a need for increased communication between programming providers and criminal justice professionals. The latest publication in NIJ's Issues and Practices series, *Batterer Intervention: Program Approaches and Criminal Justice Strategies* provides judges, prosecutors, and probation officers with the information they need to better understand batterer intervention and make appropriate decisions regarding programming.

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Batterer Intervention: Program Approaches and Criminal Justice Strategies

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Issues and Practices in Criminal Justice is a publication series of the National Institute of Justice. Each report presents the program options and management issues in a topic area, based on a review of research and evaluation findings, operational experience, and expert opinion on the subject. The intent is to provide information to make informed choices in planning, implementing, and improving programs and practice in criminal justice.

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Table of Contents

Foreword	vii
Acknowledgements	ix
Executive Summary	xi
Chapter 1: Introduction	1
Key Points	1
The Nature of the Problem	2
What Is Domestic Violence?	3
Who Batters?	5
Who Are the Victims?	7
The Impact of Battering on Victims and Society	8
What Works: Do Interventions Stop Battering?	8
Conclusion	10
Endnotes	10
Chapter 2: The Causes of Domestic Violence: From Theory to Intervention	15
Key Points	15
Overview of Theories and Related Interventions	17
Feminist Approaches: The Social Problem Approach	17
The Family Systems Model	20
Psychological Approaches: A Focus on Individual Problems	21
Compatibility of the Models With Criminal Justice Goals	26
Conclusion: Multidimensional Models Dominate the Field	28
Endnotes	28
Chapter 3: Pioneers in Batterer Intervention: Program Models	33
Key Points	33
Program Procedures	34
Intake and Assessment	34
Victim Contacts	37
Raising Victim Awareness	38
Ongoing Advocacy and Safety Planning	39
Orientation	40
Leaving the Program	43
Program Content: Established Interventions Using Weekly Groups	44
Accountability as the Foremost Goal	45
Cognitive-Behavioral Techniques	46
The Duluth Curriculum: Issues of Power and Control as Primary Targets	47

EMERGE and AMEND: More In-depth Group Counseling	47
Conclusion	53
Endnotes	53
Chapter 4: Current Trends in Batterer Intervention: Innovations From the Field and the Research	
Community	57
Key Points	57
Interventions Based on Batterer Typologies	58
Mounting Evidence of the Need for Typologies	58
Typology in Action: Colorado's 18th Judicial District	61
Cultural Specificity: The Influence of Class, Race, and Subculture	63
Adapting Interventions to Accommodate Differences in Socioeconomic Status	63
Culturally Competent Interventions: Addressing Race, Ethnicity, and Subculture	65
Countering the Specialized Programming Trend: The Compassion Workshop	74
Advantages and Criticisms of the Compassion Workshop Approach	74
Conclusion	76
Endnotes	77
Chapter 5: Criminal Justice Response	79
Key Points	79
Criminal Justice System Issues Affecting Batterer Intervention	84
Enrollment in a Batterer Intervention Should Occur Quickly	84
Centralization Improves Service Delivery	86
Prosecutors and Judges Need Accurate and Complete Defendant Information	89
Intervention Is Needed for All Batterers	90
State Service Provider Standards Help Control Abuses but May Block Program	
Diversity	91
The Key Role of Probation: Batterer Supervision	93
Collaboration Among Community Partners	94
Informal Cooperation Between Probation and Program Staff	95
Local Domestic Violence Coordinating Committees	95
State-Level Domestic Violence Committees and Task Forces	96
Conclusion	96
Endnotes	96
Chapter 6: Sources of Help and Information	97
Key Points	97
Batterer Intervention Training and Materials	97
Criminal Justice Materials and Information	98
National Organizations Concerned With Domestic Violence	99
State Coalitions on Domestic Violence	100
Information Concerning State and Local Standards and Guidelines on Batterer Intervention	103
Individuals	103
Selected Bibliography	110
General Information	110
Resources for Practitioners	110
Criminal Justice Issues	110
Specialized Populations and Intervention Strategies	111

Government Publications Related to Domestic Violence	111
Program Evaluation	111

Exhibits

Exhibit 1-1:	The Power and Control Wheel	4
Exhibit 1-2:	Selected Treatment Outcomes	9
Exhibit 2-1:	Equality Wheel	19
Exhibit 2-2:	A Cognitive Model of Woman Abuse	23
Exhibit 2-3:	Example of an Integrated Feminist/Cognitive-Behavioral Strategy	27
Exhibit 3-1:	The EMERGE Model	51
Exhibit 4-1:	Predictive Classification of Rearrest Among Domestic Violence Divertees/Probationers Entering Treatment in Dade County Domestic Violence Court, 1994–1995	60
Exhibit 4-2:	Compassion Workshop: Various Responses to Internal Injury Inflicted by Attachment Figures	75
Exhibit 5-1:	Domestic Abuse Counseling Center (DACC) Batterer Enrollment and Intervention Timeline/Flowchart	87
Exhibit 5-2:	Information Matrix on Interventions for Batterers	92

Appendixes

Appendix A	State Standards Matrix	113
Appendix B	Program Personnel and Criminal Justice Professionals Interviewed for This Report	139
Appendix C	Results of Program Survey	143
Appendix D	Sample Program Forms	155

Foreword

In the late 1970's, activists working with battered women realized that, although they might help individual victims, no real progress could be made against the problem of domestic violence unless actions were taken to reform perpetrators and challenge the cultural and legal supports for battering. Batterer intervention was initiated as a first step toward changing batterers and raising cultural awareness of the problem. Criminal justice agencies have responded by referring an increasing number of batterers to interventions via pretrial or diversion programs or as part of sentencing. Among the programs contacted for this report, court-mandated batterers accounted for approximately 80 percent of all batterers attending programs.

To be effective, an integrated criminal justice response to battering must include all branches of the criminal justice system, from police to pretrial screeners, prosecutors, judges, victim advocates, and probation officers. This report pro-

vides information that these professionals need to work effectively and knowledgeably with batterer intervention staff and to make informed choices about program referral. Program staff will find information on the responsibilities and concerns of criminal justice personnel who prosecute, sentence, and supervise batterers. The primary goal of the report is to improve the working relationship and mutual understanding between criminal justice personnel and batterer program staff. A secondary goal of the report is to expand the debate about innovative batterer intervention approaches to include criminal justice personnel who work with batterers daily and criminal justice policymakers who are concerned with domestic violence.

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Executive Summary

Requiring batterers to attend intervention programming as a condition of probation or component of pretrial diversion is fast becoming an integral part of many jurisdictions' response to domestic violence, yet many judges and probation officers lack basic information about the goals of and methods used by local batterer programs. The diversity of available programming and the emotionally charged ideological subtext to program choice make understanding and working with program providers potentially difficult for criminal justice professionals. This report is intended to meet the need for increased information exchange between criminal justice professionals and batterer treatment providers. Specifically, this report will help criminal justice personnel—including prosecutors, judges, probation officers, and victim advocates—better understand the issues surrounding batterer intervention and enable them to make appropriate referrals to programs and to communicate effectively with program providers. Program staff will find the report helpful in their efforts to understand the constraints faced by the criminal justice agencies that refer and monitor batterers as well as the underlying goals of the criminal justice system—to protect victims and to deter reoffense—and thus be able to align program practices with criminal justice expectations.

The Nature of the Problem

The legal definition of battering varies from State to State. As defined by many intervention providers, battering is a constellation of physical, sexual, and psychological abuses that may include physical violence, intimidation, threats, emotional abuse, isolation, sexual abuse, manipulation, the using of children, economic coercion, and the assertion of male privilege (such as making all major family decisions, or expecting the woman to perform all household duties). Only some of these behaviors—most commonly assault and sexual assault—are illegal. The majority of batterers arrested are heterosexual men; however, between 5 and 15 percent of those arrested for battering are women. Among females arrested for battering, many are thought to be “self-defending victims” who have been mistakenly arrested as primary or mutual aggressors. A small percentage of those arrested for battering are gay or lesbian. According to the 1992 National Crime Victimization Survey (NCVS), over 1,000,000 women were victimized by intimates (boyfriend,

girlfriend, spouse or ex-spouse) compared to 143,000 men. In murders where the relationship between the victim and the offender was known, 26 percent of female murder victims were killed by intimates while 3 percent of male murder victims were killed by wives or girlfriends. (For the purposes of this report, the term “batterer” is given a masculine pronoun unless female batterers are being discussed.)

The cost of domestic violence to society and to the victims of battering is immense. Battering results in physical and psychological damage to victims, deaths, increased health care costs, prenatal injury to infants, increased homelessness of women and children, physical and psychological damage to children exposed to violence in their homes, and corresponding increases in demand for social, medical, and criminal justice services.

The Causes of Domestic Violence

Three theoretical approaches dominate the field of batterer intervention; however, in practice, most interventions draw on several explanations for domestic violence in their work. Each theory of domestic violence locates the cause of the violence differently.

- **Social and cultural theories** attribute domestic violence to social structures—such as patriarchy—and cultural values that legitimate male control and dominance over their domestic partners. *Feminist* (or “profeminist”) batterer interventions are based on women’s experience of these social and cultural factors, and use education and skills-building to resocialize batterers, emphasizing equality in intimate relationships.
- **Family-based theories** blame violent behaviors on the structure of the family and family interactions rather than on an individual within a family. *Family systems interventions* emphasize building communications skills and may involve the use of couples counseling with the aim of family preservation. Family systems interventions are less common than other types of interventions because many practitioners object to treatments that do not assign blame to the batterer and identify a victim, and because this intervention approach may transfer

some responsibility for the battering to the victim or endanger the victim if not performed conscientiously. As of 1996, 20 States had standards or guidelines that prohibit the use of couples counseling in batterer treatment.

- **Individual-based theories** attribute domestic violence to psychological problems such as personality disorders, the batterer’s childhood experiences, or biological disposition. *Psychotherapeutic, cognitive-behavioral, and attachment abuse* interventions are based on this theory.

Pioneers in Batterer Intervention: Program Models

Most pioneers in batterer intervention established programs based on a feminist educational model. The Duluth model is an example of a feminist educational curriculum. The EMERGE model blends feminist educational approaches with more intensive group work concerning relationships. At AMEND, feminist educational topics are used as a basis for an in-depth intervention addressing batterer psychology and moral development. All program models for batterer intervention discussed in chapter 3 are structurally similar; each proceeds from intake to assessment, victim contact, orientation, group treatment, completion or termination, and follow-up.

Current Trends in Batterer Intervention

A “one-size-fits-all” approach to batterer intervention cannot accommodate the diverse population of batterers entering the criminal justice system. Two new trends reflect the belief that more specialized approaches are needed:

- interventions tailored to a specific type of batterer (based on psychological factors, risk assessment, or substance abuse history); and
- interventions designed to enhance program retention and efficacy with specific populations (based on socio-cultural differences such as poverty, literacy, race, ethnicity, nationality, gender, or sexual orientation).

Criminal Justice Response

Batterer intervention programs cannot be expected to deter domestic violence in isolation: a strong, coordinated criminal justice response is also needed. The combined impact of arrest, incarceration, adjudication, and intensive probation supervision may send as strong—or even stronger—message to batterers about their responsibility for their abusive behavior as batterer programs can. As key actions the criminal justice system can:

- **Expedite Domestic Violence Cases.** Adopt policies to expedite batterers’ trial dates, sentencing, probation contact, and batterer program intake.
- **Use Specialized Units and Centralized Dockets.** Specialized domestic violence prosecution and probation units, and centralized court dockets for battering cases and restraining orders improve services to victims and better coordinate batterer prosecution, sentencing, and supervision.
- **Gather Broad-based Offender Information Quickly.** Create a system to gather complete defendant information for prosecutors and judges, including previous arrests and convictions (for both domestic violence and other crimes), substance abuse, child welfare contacts, and victim information.
- **Take Advantage of Culturally Competent or Specialized Interventions.** Maximize effective use of batterer programming by seeking appropriate interventions for batterers who are indigent, high risk, female, mentally ill, or incarcerated.
- **Coordinate Batterer Intervention with Substance Abuse Treatment.** In cases where the batterer has an alcohol or drug abuse problem, courts should mandate treatment as well as batterer intervention. Probation officers should intensively monitor batterers’ compliance with substance abuse treatment through weekly urine testing.
- **Be Alert to the Risks to Children in Domestically Abusive Households.** Judges and probation officers should be alert to the danger posed by domestic violence to children (even to children who are not themselves physically abused) and coordinate with child protective services and programs that specialize in domestically abusive families to insure that batterers’ children are safe and are receiving appropriate services.

-
- **Create a Continuum of Supports and Protection for Victims.** Victim advocates should be provided to monitor victim safety and to assist victims with the criminal justice system from the time of the assault through trial and/or probation. Victim advocates attached to probation units are particularly important in monitoring the safety of women whose batterers are sentenced to a batterer program.
 - **Encourage Interagency Cooperation.** Organize formal coordinating committees of probation officers, prosecutors, battered women’s advocates, child protection workers, and batterer intervention providers to discuss batterer referral and monitoring policies regularly.

Conscientious supervision by criminal justice agencies (including monitoring by pretrial services, the judiciary, and probation officers) is central to criminal justice policy concerning battering and successful cooperation with batterer interventions.

Sources of Help and Information

There are numerous sources of additional information on batterer intervention, including State and national organizations, reference services, research literature and program manuals, and individuals who are willing to share their expertise with others in the field.

Chapter 1

Introduction

Key Points

- The connection between the criminal justice system and batterer interventions is increasing: on average, 80 percent of clients in batterer programs are referred by probation officers or by court mandate.
- **Judges, probation officers, criminal justice policymakers, and victim advocates** need to understand the issues surrounding batterer intervention so they can make responsible referrals and communicate effectively with program providers.
- **Batterer program providers** need to understand the constraints faced by criminal justice agencies that refer and monitor batterers, as well as the goals of the criminal justice system.
- Battering—or domestic violence—may be defined as a constellation of physical, sexual, and psychological abuses that may include: physical violence, intimidation, threats, isolation, emotional abuse, sexual abuse, manipulation using children, total economic control, and assertion of male privilege (such as making all major family decisions and expecting the woman to perform all household duties).
- The majority of batterers are heterosexual men. Heterosexual women offenders constitute between 5 and 15 percent of those arrested for battering, and a small percentage of arrestees are gay or lesbian.
- Victims of battering come from all races, ethnicities, and socioeconomic groups; however, women with lower socioeconomic status may be at greater risk for abuse.
- Domestic violence inflicts immense damage to society in terms of physical and psychological injury to victims, deaths, health care costs, prenatal damage to infants, and physical and psychological damage to children exposed to violence in their homes.
- Evaluations of batterer interventions often raise methodological concerns and have yielded few generalizable conclusions.
- A broader, systemic examination of batterer intervention that focuses on the criminal justice response as well as program characteristics is needed.

The field of batterer intervention and the criminal justice system are becoming increasingly intertwined. On average, batterer intervention programs surveyed for this report estimated that 80 percent of their referrals were court-man-

dated. As a result, criminal justice personnel and victim advocates need reliable information about the nature and effectiveness of local interventions, while intervention providers need to understand the procedures used and

constraints faced by criminal justice agencies that refer and monitor batterers. Obtaining current and accurate information on batterer interventions is challenging for criminal justice practitioners because programs are extremely diverse in approach and reflect a broad—and often contradictory—range of beliefs about explanations for battering as well as appropriate modes of intervention. In addition, the field is growing and diversifying in terms of the number of programs being offered, staff qualifications, and techniques used. Service providers, criminal justice professionals, mental health workers, and researchers in the field of batterer intervention often have deeply held beliefs concerning “what works” with batterers and what best serves the needs of the victim and the criminal justice system. As a result, debates about batterer intervention may be contentious and personal, grounded in a mix of social philosophy, research findings, personal experience, and self-interest.

To assist courts and probation officers in selecting suitable batterer interventions—that is, programs that emphasize victim safety and have goals consistent with those of the criminal justice system—27 States and the District of Columbia had mandated or supported the development of State-level standards or guidelines for batterer programs, and another 13 States were in the process of developing standards by 1997 (see chapter 5, “Criminal Justice Response,” and appendix A, “State Standards Matrix”). However, even in States where guidelines or standards are in place, community domestic violence coalitions, the judiciary, probation officers, and other criminal justice professionals often retain considerable discretion over program accreditation and referral. Because of the complexity of the field—and the seriousness of the ongoing threat posed to battered women when offenders are mishandled—criminal justice professionals who handle domestic violence cases have increased responsibility to be knowledgeable about the content and structure of batterer programs in their jurisdictions in order to make informed choices among the interventions being offered.

The Nature of the Problem

Domestic violence intersects with the criminal justice system in the form of a number of criminal behaviors: assault and battery, harassment, breaking and entering, telephone misuse, violation of an ex parte or protection order, malicious destruction of property, sexual assault, and stalking as well as a number of other offenses that may not be immediately recognizable as domestic in origin (such as arson, fraud, or embezzlement). The classification of a crime as domestic

About This Publication

The primary audiences for this report are judges handling and prosecutors trying domestic violence cases, probation officers supervising batterers, victim advocates, and batterer intervention providers. The report will also be useful to State and local domestic violence policy planners, domestic violence coordinating committees, and departments of public health and child welfare.

Goals of the Report

The primary goals of the report are to:

- provide current and objective information concerning the range of batterer interventions currently in operation throughout the country;
- review the most critical issues being debated by criminal justice professionals, academics, and service providers in the field;
- review promising criminal justice practices related to batterer intervention; and
- provide examples of coordinated criminal justice responses to battering that include referral to batterer intervention programs.

Program enrollment, completion, and success rates were provided by the programs described in this report. No independent evaluations of the programs were undertaken for the report. However, selected evaluation literature is listed in chapter 6, “Sources of Help and Information,” and evaluation outcomes are discussed briefly in this chapter.

The report’s focus is batterer interventions and their links to the criminal justice system. Because law enforcement commonly has little or no direct contact with batterer interventions, the report does not discuss police responses to domestic violence (e.g., the impact of mandatory arrest or the effectiveness of restraining orders).¹

violence may result in a less serious charge for the batterer despite evidence that “injuries that battered women receive are at least as serious as injuries suffered in 90 percent of violent felony crimes.”² For this reason, judges, prosecutors, and probation officers need a clear sense of what behaviors constitute battering, who batters, who the victims of domestic violence are, and how they may appear in the criminal justice system.

What Is Domestic Violence?

While the origins of domestic violence remain controversial (see chapter 2, “The Causes of Domestic Violence”), the majority of intervention directors interviewed for this report defined domestic violence as *a constellation of physical, sexual, and psychological abuses*.

Anne Ganley, one of the first mental health providers to establish a batterer treatment program in the late 1970’s, defines domestic violence in terms of 1) the relationship of parties to the violence, 2) the perpetrator’s behaviors, and 3) the function these behaviors serve.

Domestic violence is a pattern of assaultive and coercive behaviors, including physical, sexual, and psychological attacks, as well as economic coercion, that adults or adolescents use against their intimate partners.³

Programs reflecting a feminist perspective define domestic violence as coercive behavior aimed at gaining power and control within a relationship (see the discussion of the feminist model in chapter 2). This definition, pioneered by Ellen Pence of Duluth, Minnesota, is summarized in exhibit 1-1, “The Power and Control Wheel” of the Duluth model.⁴

Several Behaviors Batterers Use

Ganley’s and Pence’s work points to the following common abusive behaviors:

- **Physical violence.** Physical abuse may include any unwanted physical behavior against a partner, such as pushing or shoving, throwing objects, hitting or beating, choking, burning, using a weapon, or restraining the partner from leaving. Physical abuse may also include refusing to get help for a partner if he or she is sick or injured. Physical abuse acts as a deterrent to independent action by the victim, including attempts to end a

relationship or cooperate with the criminal justice system. Women are in the most severe danger of physical violence when they try to leave an abusive relationship: 75 percent of emergency room visits and calls to the police by battered women occur after separation.⁵ Half the homicides resulting from domestic violence occur after separation.⁶

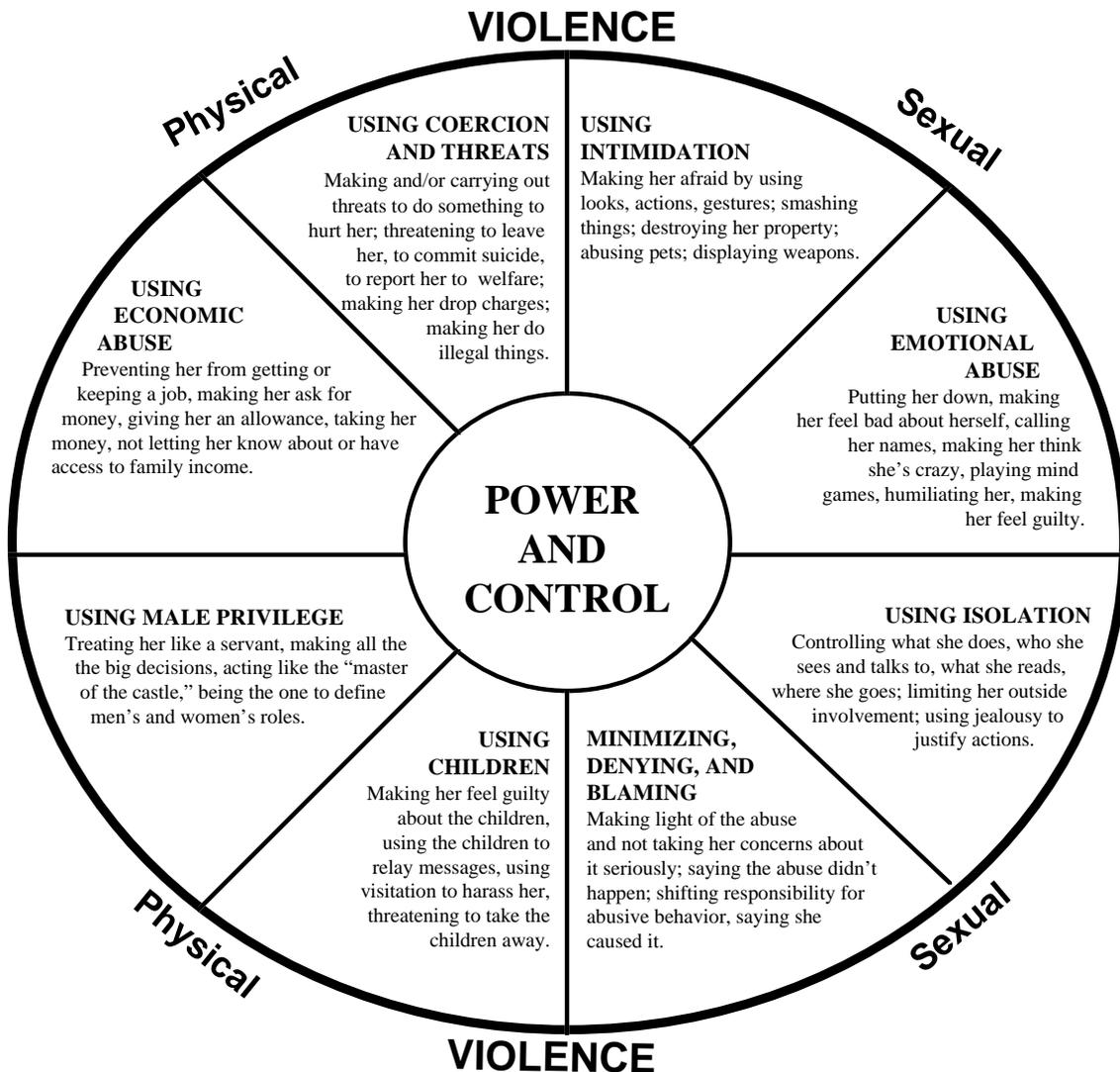
- **Intimidation.** Intimidation includes looks, gestures, and actions that remind the victim of the abuser’s potential for physical violence, such as smashing things, destroying her property, abusing pets, or displaying weapons. Intimidation may also include abandoning a partner in a dangerous place.
- **Threats.** Abusers may threaten to hurt the victim, her family, her children, or her pets. They may also threaten to commit suicide or to cause trouble for the victim with government authorities, employers, family, or friends. Whether credible or not, threats can be as effective as taking action in deterring the victim from seeking help.
- **Isolation.** Isolation includes controlling what the victim does or whom she sees or contacts. The abuser may hold the victim against her will, deny access to a car or telephone, deter her from working or attending school, or alienate her from her family and friends. Isolating the victim destroys the support networks a victim usually needs to end an abusive relationship and makes her more vulnerable to the batterer’s coercion.
- **Emotional abuse.** Verbal insults serve to undermine the victim’s self-confidence, thereby discouraging her from ending the relationship. The abuser may strive to convince the victim that she is unattractive, a bad parent or wife, stupid, unemployable, crazy, incompetent, promiscuous, and the cause of the batterer’s abuse.
- **Sexual abuse.** Between 33 and 46 percent of battered women are subjected to sexual abuse,⁷ such as rape (especially following other physical violence), unwanted sexual practices, sexual mutilation, or forced or coerced prostitution. Other practices that some programs consider sexual abuse include not disclosing a sexually transmitted disease, making degrading sexual statements, accusing the woman of having affairs or attempting to attract other men, forcing her to imitate pornography or pose for pornographic photographs, and comparing her body and sexual behavior to that of other women.⁸

- **Using the children.** A recent study of batterers in Dade County, Florida, found that between 30 and 50 percent of the batterers and victims shared children.⁹ The abuser can control the victim by threats or violence against the children, criticism of her parenting skills, and threats related to child custody. By providing for ongoing contact, joint custody enables the batterer to continue to

intimidate or attack the victim, the children, or both. Some State statutes now prohibit joint custody in the event of domestic violence convictions, and recent research suggests that witnessing domestic violence has a serious long-term psychological impact on children, including increasing the child's own propensity for violence and delinquency.¹⁰

Exhibit 1-1

*The Power and Control Wheel**



*Developed by Minnesota Program Development, Inc. Reproduced with the permission of the Domestic Abuse Intervention Project, 206 West Fourth Street, Duluth, Minnesota (218) 722-4134.

- **Using economic control.** The batterer might keep control over all of the family’s resources, including the victim’s own income if she works, giving her an allowance or forcing her to ask for money for basic necessities. He might keep some sources of family income secret. As a result, many victims of domestic abuse have to live in a shelter or become homeless if they leave the relationship.
- **Using male privilege.** Batterers use “male privilege”—acting like the “master of the castle,” making all important family decisions, expecting the woman to perform all the household duties and to wait on him—to legitimize their control over the victim by placing their own behavior in the context of common sexist norms.

Not all of these abusive behaviors are illegal. However, from the standpoint of many batterer interventions, *all* abusive behaviors must be changed to correct the *pattern* of abuse (see chapter 2, “The Causes of Domestic Violence”). David Adams, program director of EMERGE in Cambridge, Massachusetts, speaks of the need to “hold convicted batterers to a higher standard” than the legal standard because, in the context of a formerly abusive relationship, a perfectly legal shout or insult recalls for the victim her partner’s earlier abuse, the mere recollection of which can revive her terror. Officers point out, however, that legal coercion cannot be used to enforce a standard not specified in the batterer’s sentence. For example, a probationer sentenced to attend a batterer program once a week is not in violation of his probation if program counselors recommend that he attend additional sessions and the batterer does not comply.

Who Batters?

The majority of arrested batterers are heterosexual men. While the 1985 National Family Violence Resurvey found that a similar number of men and women (11.6 percent and 12.4 percent, respectively) admitted engaging in “any violence” against their partner during the previous year, authors of the survey point out that the superior physical strength and greater aggressiveness of men is more likely to result in serious injury to the woman, and that women’s violence is often in retaliation or self-defense.¹¹ A recent study of defendants in domestic violence cases in one jurisdiction found that men were respondents in 90 percent of misdemeanor cases, 85 percent of felony cases, and 75 percent of civil actions.¹² Among the smaller percentage of batterers who are female, four distinct types of offenders are

Sources of Information for This Report

The information in this report comes from the following sources:

- structured telephone interviews with program directors at 22 programs across the country;
- on-site interviews at 13 programs with more than 60 criminal justice professionals, batterer program directors and service providers, battered women’s advocates and domestic violence policymakers in Cambridge and Quincy, Massachusetts; Des Moines, Iowa; Baltimore, Maryland; Denver, Colorado; and Seattle, Washington;
- interviews with academics in the field of batterer treatment and intervention, including Donald Dutton, University of British Columbia; Edward Gondolf, Research Director of the Mid-Atlantic Addiction Training Institute; Kevin Hamberger, Medical College of Wisconsin; Daniel Saunders, University of Michigan; Richard Tolman, University of Michigan; and Oliver Williams, University of Minnesota; and
- a review of books, reports, and journal articles, program evaluations, program materials, and State and local criminal justice protocols.

Site work also included observations: a four-day batterer treatment training program sponsored by EMERGE of Cambridge, Massachusetts; a two-day seminar on intervention with high-risk batterers given by Michael Lindsey, founder of The Third Path and AMEND, for Iowa criminal justice professionals; a domestic violence court docket in Seattle; and State and local coalition meetings concerning batterer intervention and batterer classes and groups. Appendix B lists the names and affiliations of the individuals contacted at each site. Selection criteria for programs are discussed in chapter 3, “Pioneers in Batterer Intervention: Program Models.” Chapter 6, “Sources of Help and Information,” provides a selected bibliography.

identified by program directors, probation officers, and victim advocates. They are lesbian batterers, so-called “female defendants” (battered women arrested for violent acts of self-defense), angry victims who have resorted to violence to preempt further abuse, and a small proportion of women batterers who have been the primary aggressors in an abusive relationship. Researchers have found that the genuinely violent woman is usually a former victim of some type of violence—child abuse, domestic violence, or sexual crimes—and often engages in violent behavior in order to deter future victimization.¹³ (See chapter 4, “Current Trends in Batterer Intervention,” for a discussion of issues surrounding batterer intervention with female offenders. Programs contacted for this report estimate that approximately 5 percent of batterers referred to them by the courts were female. Because the majority of interventions discussed in this report are designed for male batterers, the term “batterer” will be given a male pronoun unless female offenders are being specifically discussed.) Although there are no reliable estimates of prevalence, some gay men also batter their intimate partners and are arrested.¹⁴

According to the 1992 National Crime Victimization Survey (the Victimization Survey), 51 percent of domestic violence victims were attacked by a boyfriend or girlfriend, 34 percent by a spouse, and 15 percent by a former spouse.¹⁵ The backgrounds of incarcerated batterers—the most serious offenders—are similar to those of offenders convicted of assaults against strangers and acquaintances: half grew up living with both parents; 12 percent had lived in a foster home; 22 percent had been physically or sexually abused; 31 percent were the children of substance abusers; and 35 percent had a family member who had been incarcerated.¹⁶ Less is known about the demographic characteristics of low-risk or “typical” batterers, but program staff and probation officers emphasized the cultural and economic diversity of these offenders.

Efforts to identify key demographic, psychological, and criminal characteristics of men who batter have led some researchers to propose batterer profiles or “typologies” to aid criminal justice professionals and batterer interventions in predicting batterers’ dangerousness and potential for reoffending, as well as to match batterers with specialized forms of intervention¹⁷ (see chapter 4, “Current Trends in Batterer Intervention”). Preliminary results from a four-site study directed by Edward Gondolf have yielded a few clues to batterer psychological characteristics; for example, 25 percent were found to have major or severe psychological

syndromes, including paranoia, borderline tendencies, thought disorders, and major depression. In terms of personality traits,

- 25 percent had elevated narcissism scores;
- 15 percent were antisocial; and
- 10 percent were clinically compulsive.

The other 50 percent fell into a broad array of personality types. Gondolf emphasized that no “uniform or simplistic typologies” were emerging from his data.¹⁸

More promising from a criminal justice perspective are typologies based on simple demographic data, criminal records, and substance abuse data. One study by Goldkamp suggests that offenders with prior arrests involving the same victim, prior domestic violence or assault and battery arrests, and drug involvement may be at highest risk for reoffending.¹⁹ Gondolf found that batterers who were drunk once a month reoffended at three times the rate of others in the study.²⁰

The significant role of alcohol and drug abuse in domestic violence—especially in those cases coming to the attention of the criminal justice system—is often downplayed by program staff because they wish to keep their intervention focused on the voluntary nature of domestic abuse and not excuse the batterer’s behavior on the basis of a medical model of addiction. Nonetheless, analyses of domestic abuse cases and restraining orders suggest that between 71 and 85 percent of domestic violence cases involve batterers who are substance abusers.²¹ According to Peter Kosciusko, a substance abuse counselor at the Dudley, Massachusetts, District Court, “While I can’t say drinking is the cause of domestic abuse, it definitely pours gasoline on the fire. If we can get them sober, we have a good chance of not seeing them again.”²²

“While I can’t say drinking is the cause of domestic abuse, it definitely pours gasoline on the fire. If we can get them sober, we have a good chance of not seeing them again.”

—Peter Kosciusko, Substance Abuse Counselor,
Dudley, Massachusetts, District Court

While research findings and most programs contacted for this study agree that there is no “typical” batterer, the National Domestic Violence Hotline cautions victims to be aware of the potential for danger when a partner manifests several key behaviors together:

- demonstrating extreme jealousy or possessiveness;
- switching from charm to anger without warning;
- blaming others for his own negative actions;
- withdrawing love, money, or approval as punishment;
- undermining his partner’s feelings and accomplishments;
- isolating his partner from friends and family; and
- exhibiting problems with drugs or alcohol.²³

Who Are the Victims?

According to the Victimization Survey in 1992, more than 1,000,000 women and 143,000 men were violently victimized by intimates.²⁴ Twenty-six percent of female murder victims and 3 percent of male murder victims were killed by intimates (where the relationship between the victim and the offender is known). Victimization by intimates does not vary significantly by race, ethnicity, or geography. However, some victims of domestic violence are more vulnerable to abuse because of age or economic, educational, or marital status. The Victimization Survey found that the women who are most likely to be victims of domestic violence were between 20 and 34 years of age, had not graduated from college, had annual family incomes under \$10,000, and were divorced or separated.²⁵ A recent analysis of homicide data in New York City revealed that women in the poorest boroughs (the Bronx and Brooklyn) comprised two-thirds of the victims killed by their partners and that 75 percent of women killed by husbands or boyfriends were African-American or Hispanic.²⁶ According to Jeff Fagan, Director of the Center for Violence Research and Prevention, “The myth of the classlessness of domestic violence is one that has persisted since the 1960’s. The truth is, it is a problem of poverty, associated with other characteristics like low marriage rates, high unemployment and social problems.”²⁷ Experts on battering emphasize that teenagers and young women in dating relationships are also at risk for violence and that

battering outside cohabiting relationships should not be minimized or ignored.²⁸

Intervention providers interviewed for this report had the impression that another group of women may be at unusually high risk: women in cross-cultural relationships. Men and women from different cultural backgrounds may have very different expectations about sex roles, acceptable behaviors, and the use of violence within a relationship, and men may use these different perceptions to justify battering. Immigrant women are also especially vulnerable to abuse. Language barriers may prevent these women from seeking assistance from police or victim advocates; their culture may discourage them from asserting their legal rights; and, in the case of undocumented female immigrants, maintaining the relationship with their abuser may be the only way they can gain citizenship or avoid deportation.²⁹

While women from all professions and socioeconomic classes—including businesswomen, lawyers, doctors, and judges—are victims of domestic violence, women with higher incomes and status in the community often have the resources to deal with domestic violence privately without involving the criminal justice system (e.g., by using hotels or private psychological counseling). Women with limited employment options or little economic independence must often rely exclusively on the criminal justice system for protection.³⁰ According to Linda Ferry, who supervises domestic violence prosecutions in the Denver City Attorney’s Office: “Wealthy people have other resources. That victim is not necessarily going to call the police unless she believes her life is in danger. She may, after the battering episode, go to her family, or a hotel, or a private physician who may or may not comply with the law and report it Somebody from a *poorer* neighborhood will probably end up in Denver General, where physicians *will* report it.”³¹

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—Linda Ferry, Domestic Violence Unit, Denver City Attorney’s Office

Another study found that of 11,218 women presenting at a metropolitan emergency department with injuries suffered in domestic violence, 28 percent required admission to the hospital from injuries and 13 percent required major medical treatment. Forty percent had previously required medical care for abuse.³²

The Impact of Battering on Victims and Society

The prevalence, impact, and expense of domestic abuse in terms of injuries and fatalities, medical care, and harm to children is extensive.

- In a 1993 national survey, 7 percent of women in the United States (3.9 million) reported physical abuse by their spouse or partner in the previous year.³³
- Another 1993 study found that 14 percent of women reported having been violently abused by a spouse or boyfriend at some time in their lives.³⁴
- From 1988 to 1991, 42 percent of murdered women had been killed by their partners.³⁵ A study of New York City homicides from 1990 to 1994 found that 49 percent of murdered women had been killed by husbands or boyfriends.³⁶
- In 1994, 250,000 people were treated in emergency rooms for injuries inflicted by an intimate partner—18 percent of all victims of violence admitted to hospital emergency rooms that year.³⁷ In 1989, a study of one emergency ward found that 30 percent of women needing attention were victims of battering.³⁸
- Between 8 and 26 percent of pregnant women in public and private clinics are victims of domestic violence.³⁹ Between 25 and 45 percent of battered women experience abuse during pregnancy.⁴⁰
- In 1992, the cost of medical services to battered women, children, and elderly in Chicago was \$1,633 per person.⁴¹

These statistics reflect only domestic violence cases identified by researchers, reported to the police, or brought to the attention of medical workers; some researchers estimate that as many as six out of seven domestic assaults go unreported.⁴² A 1986 Bureau of Justice Statistics study found that 48 percent of domestic violence incidents reported in

the National Crime Victimization Survey had not been reported to the police.⁴³ Furthermore, females victimized by intimates were six times more likely not to report the crime for fear of reprisal than female victims of violent crimes committed by strangers.⁴⁴ Researchers point out that the National Crime Victimization Survey is likely to record only the most egregious acts of domestic violence because violence not resulting in serious injury or police intervention may not be regarded by the survey respondents as a “crime.”

Finally, children exposed to domestic violence are at greater risk for behavioral and developmental problems, substance abuse, juvenile delinquency, and suicide. Witnessing domestic violence as a child probably contributes to the cycle of violence: many adult batterers witnessed domestic violence in their homes as children.⁴⁵

The severe personal and social costs of domestic violence make helping the victim and her children a moral imperative. However, there can be no lasting progress against domestic violence without deterring and rehabilitating the batterer himself.

What Works: Do Interventions Stop Battering?

While numerous evaluations of batterer interventions have been conducted, domestic violence researchers concur that findings from the majority of these studies are inconclusive because of methodological problems, such as small samples, lack of random assignment or control groups, high attrition rates, short or unrepresentative program curriculums, short follow-up periods, or unreliable or inadequate sources of follow-up data (e.g., only arrest data, only self-reported data, or only data from the original victim).⁴⁶ Among evaluations considered methodologically sound, the majority have found modest but statistically significant reductions in recidivism among men participating in batterer interventions. (See exhibit 1-2, “Selected Treatment Outcomes.”) A notable exception is Adele Harrell’s 1991 methodologically rigorous quasi-experimental evaluation of batterer interventions in Baltimore, conducted for the Urban Institute. Harrell’s study raised particular concern in the field by its unexpected findings that participants in all three batterer interventions recidivated at a higher rate than those in the control group.⁴⁷ Preliminary results from Gondolf’s four-site study sponsored by the Centers for Disease Control are inconclusive: at 12 months, reoffense rates for program graduates are similar to those for batterers who dropped out at intake, and no significant variations exist in outcomes for batterers in

Exhibit 1-2

Selected Treatment Outcomes

Quasi-Experiments	Recidivism		Effect Size
	Treated (%)	Untreated (%)	
Dutton (1986) ^a	4	40	0.946
Chen et al. (1989) ^b	5	10	0.193
Dobash et al. (1996) ^c	7	10	0.108
Average			0.416

True Experiments	Recidivism		Effect Size
	Treated (%)	Untreated (%)	
Palmer et al. (1992) ^d	10	31	0.537
Davis and Taylor (1997) ^e	5	13	0.287
Average			0.412

Source: Davis, R.C. and B.G. Taylor, "Does Batterer Treatment Reduce Violence? A Synthesis of the Literature," Victim Services Research, New York, NY, Unpublished Manuscript, July 1997. (Table 6: Treatment Effect Sizes for Quasi and True Experiments: Comparing Treatment and No Treatment.)

^a Dutton, D.G., "The Outcome of Court-Mandated Treatment for Wife Assault: A Quasi-Experimental Evaluation," *Violence and Victims*, 1(3) (1986): 163–175.

^b Chen, H., C. Bersani, S.C. Myers, and R. Denton, "Evaluating the Effectiveness of a Court-Sponsored Abuser Treatment Program," *Journal of Family Violence*, 4 (1989): 309–322.

^c Dobash, R., R.E. Dobash, K. Cavanagh, and R. Lewis, "Re-education Programs for Violent Men—An Evaluation," *Research Findings*, 46 (1996): 1–4.

^d Palmer, S.E., R.A. Brown, and M.E. Barrera, "Group Treatment Program for Abusive Husbands: Long-term Evaluation," *American Journal of Orthopsychiatry*, 62(2) (1992): 276–283.

^e Davis, R.C. and B.G. Taylor, "A Proactive Response to Family Violence: The Results of a Randomized Experiment," *Criminology*, 35 (2) (1997): 307–333.

programs of varied length and curriculum (although a three-month, pretrial, educational program has shown slightly better outcomes when socioeconomic factors are taken into account).⁴⁸ Frustration with the lack of empirical evidence favoring one curriculum or length of treatment has led some researchers increasingly to look at batterers as a diverse group for whom specially tailored interventions may be the only effective approach. As a result, current research is shifting toward studying which subgroups of batterers respond to which specialized interventions (see chapter 4, “Current Trends in Batterer Intervention”).

At the same time, the question of how to evaluate batterer interventions may need to be reframed to include the broader context of criminal justice support. For example, research suggests that arrest alone is not as effective in reducing recidivism as is arrest as part of a coordinated multiagency response to domestic violence.⁴⁹ These findings point to the need for a broader, systemic examination of the efficacy of batterer intervention. It seems likely that even if research identifies the perfect matches between interventions and offenders, criminal justice and community support for the interventions will have a crucial impact on the effort’s success. Andrew Klein, chief probation officer of the Quincy, Massachusetts, District Court Model Domestic Abuse Program, observed, “You can’t separate batterer treatment from its [criminal justice system] context. You can’t study the effectiveness of treatment without studying the quality of force which supports it.” Research supports this view: “[P]olice visits to the home, combined with an eventual arrest of the perpetrator, which was also followed by court-mandated treatment, were significantly more likely than other combinations of criminal justice actions to end repeat incidents of violence.”⁵⁰ Gondolf’s research also points to the importance of systemwide assessments of batterer intervention. In particular, Gondolf is concerned about the often long delay between arrest and program enrollment: “The lag may be so long that the program may be addressing men about a former life.”⁵¹ Systemwide evaluation could answer the important question of whether the speed of criminal justice response and program enrollment is more important than either program content or length.

In conclusion, Andrew Klein emphasizes that, at a minimum, every intervention must be effective in *monitoring abusive behavior* during the program because victims are more likely to stay with batterers who are in an intervention. In Klein’s opinion, “[B]atterer intervention is a public safety

program, not treatment; you must keep the focus on victim safety. Otherwise, the criminal justice system is only offering the batterer a safe haven to escape the consequences of his offense.”

“Batterer intervention is a public safety program, not treatment; you must keep the focus on victim safety. Otherwise, the criminal justice system is only offering the batterer a safe haven to escape the consequences of his offense.”

—Andrew Klein, Chief Probation Officer,
Quincy, Massachusetts, District Court Model
Domestic Abuse Program

Conclusion

While the criminal justice system is devoting increased attention to domestic violence, many mechanisms and protocols for dealing with batterers are new and still being refined. A number of States are still in the process of writing standards or guidelines for batterer programs. In the absence of conclusive research findings, practitioners and academics continue to debate the appropriate content of batterer interventions. In this dynamic environment, judges who adjudicate and prosecutors who try domestic violence cases, probation officers who supervise batterers, and advocates who serve victims of domestic violence all need to keep informed about new developments in the field of batterer intervention in order to perform their jobs effectively. The remainder of the report provides information on the theoretical debate surrounding domestic violence and batterer intervention (chapter 2); batterer program operation (chapter 3); current trends and refinements of practice in batterer intervention (chapter 4); criminal justice responses to batterer interventions, including community and interagency cooperation (chapter 5); and national and local sources of help and information (chapter 6).

Endnotes

1. For a comprehensive treatment of law enforcement issues, see Buzawa, E. and C. Buzawa, *Do Arrests and Restraining Orders Work?* Thousand Oaks, CA: Sage Publications, 1996.

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