

Findings from Domestic Violence Victim/Survivor Focus Groups

*Responses to Whatcom County
Safety Audit Recommendations:
Law Enforcement Practices*

March 2004

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“It was very empowering, but at the same time it was terrifying.”

“Don’t ask if I want an advocate; assume I need one.”

“If we’re afraid, then our children are going to be afraid.”

“I would not want to answer questions when I am not sure how the information is going to be used.”

History and Purpose:

The Bellingham-Whatcom County Commission Against Domestic Violence published the findings of its first Domestic Violence Safety and Accountability Audit in February 2003. The audit was an in-depth look at domestic violence case processing within What-Comm (911), the Bellingham Police Department, the Whatcom County Sheriff’s Office and the Whatcom County Jail. Case processing was evaluated for victim safety and offender accountability. The audit resulted in 61 recommendations specific to the four systems noted above and 5 overarching recommendations. (A full copy of *A Report from the 2002 Domestic Violence Safety and Accountability Audit* can be found at www.whatcomcounty.us/boards/domestic_violence.jsp.)

“Ground policy and practice in the expertise of domestic violence victims” was one of 5 overarching recommendations in the report. The audit recommended that “As Whatcom County reviews the findings and considers implementation strategies, broad-based involvement by victims/survivors will be important to designing a community response that as much as possible addresses the diversity and complexity of victims’ lives and avoids unintended consequences.” Focus groups were conducted with victims and survivors prior to the audit to learn about their general experiences with the agencies that were participating in the audit, however, none have occurred since the audit recommendations were finalized.

Although implementation of many audit recommendations have already occurred, the Commission determined there was value in conducting focus groups with victims/survivors on a few specific audit recommendations. The Community Projects Committee of the Domestic Violence Commission selected the following four recommendations from the Safety Audit Report for focus group topics. If relevant, the finding that led to the recommendation is also noted.

Finding: Information about the presence and well being of children is frequently missing or incomplete in incident reports. (law enforcement)

Recommendation: Provide training and policy guidance about appropriate techniques for inquiring about children’s presence and welfare.

Finding: Reports are frequently missing victim contact information and witness and suspect statements. (law enforcement)

Recommendation: Apply Safety Audit methodology to further examine whether obtaining written statements from victims benefits victims and should be continued.

Recommendation: Require the names and numbers of at least two people who can always reach the victim (separate from report). Confirm that this information is being collected per policy.

Overarching Recommendation:

Explore ways to provide more immediate victim advocacy, support, and access to community services.

In addition to this report on the focus group findings, the Commission has made a commitment to institutionalize a method by which to consult with victims and survivors of domestic violence when major policy issues are under consideration. Although this can be a time-consuming task, if victim safety is central, then a community response must include the voices of victims and survivors.

Methodology:

Five focus groups were conducted during February and March of 2004. A total of 27 women participated in the groups. The groups were held at five different Whatcom County locations: a domestic violence shelter, two transitional housing programs, a community-based domestic violence service agency, and a community service agency specializing in services to children and parents. Women in four of the groups were all domestic violence victims/survivors. The fifth group was comprised primarily of domestic violence survivors, with a few women who did not clearly identify an experience of abuse by an intimate partner, but rather of their children. Therefore, at least 25 of the 27 focus group participants identified themselves as having experienced domestic violence in an intimate relationship.

All focus group participants were asked if they had had contact with law enforcement within the context of any type of “domestic”, whether there was an arrest or not. Of the 27 focus group participants, 26 responded affirmatively. Contact with law enforcement ranged from local to out of state and from a few weeks ago to many years ago.

Focus group participants were all English speaking and were 89% Caucasian, with no Hispanic, Asian or Pacific Islander representation. Information on the ages of focus group participants was not requested. Based on observation, focus group participants ranged in age from their twenties through sixty years of age.

Support group participation was voluntary and all women were informed ahead of time about the general topic of the focus group discussion.

A facilitator led the focus groups and a recorder took notes. Sue Parrott, the Domestic Violence Commission Director, facilitated all five groups for continuity and consistency.

The following questions were asked of all five groups:

1. In situations of physical family violence, the police and sheriff are trained to ask questions about the presence and safety of children, and sometimes to interview the children. What are your thoughts about this? Do you have any concerns about this? What would you suggest?
2. Another practice of the police and sheriff is to ask a domestic violence victim to fill out and sign a written statement explaining the specific incident that just occurred. This is primarily asked after a physical assault, but sometimes a victim is asked to do this even when there is no arrest. What are your thoughts about this? Do you have any concerns about this? Would you suggest anything else?
3. When there is an arrest following a family violence situation, the police and sheriff are trained to ask victims for contact information on two people who can always reach the victim. This is so that others can reach the victim, such as the jail, victim advocates, follow up investigators, prosecutor's office, etc.. This information is kept separate from the case file as it is considered confidential information. What are your thoughts on this practice? Do you have any concerns about being asked for this information? What would you suggest?

Four out of five focus groups were asked an additional question (n=24). This question was added after the first group had already been conducted.

4. We are interested in your thoughts on the following. Here in Whatcom County, agencies that provide services to domestic violence victims are looking into ways that they might be able to talk with a victim of domestic violence immediately after the police have intervened and made an arrest. The domestic violence programs would like to offer support and services to the victim in those moments right after an arrest. Thinking back to how you felt after the police had been called, or how you might feel if you haven't been in that situation, what are your thoughts on this idea? Do you have any suggestions for how it could work? Do you have any concerns?

Based on availability of time, two groups were given an opportunity to share other experiences with law enforcement in relation to domestic violence.

Limitations:

As with any focus group discussion, the findings come with the caveat that they represent the opinions of the participants involved. These focus group participants all represent women who were safe at the time of the focus group. A few had been separated from the abuser for many years, however, most had been separated anywhere from a few weeks to a year. Although the women in these focus groups generally recounted feelings from the time period when they lived in an abusive relationship, focus group discussions with women *currently* living in an abusive relationship may result in different or additional findings.

As noted earlier, the focus groups did not represent non-English speaking women and any Hispanic, Asian or Pacific Islanders.

Findings:

1. What are your thoughts on law enforcement asking about the presence and welfare of children, including possible interviews with children? (27 participants)

“I would want an officer to work through me and give me a chance to say to my son that it is OK to tell the officer whatever they want to know.”

“Interviewing the child can affect the children’s safety because the abuser can use this as manipulation of the situation, or the child is so frightened that they will say what they think the adult wants to hear.”

“Tell the child, ‘you’re safe; nobody will hurt you.’”

“That was the #1 reason I didn’t call and didn’t get help for a long time (that the system would step in and take control of my children).”

“Children’s safety comes first.”

All focus group participants expressed understanding and concern for the need to consider and check the safety of a child. At the same time, each focus group expressed a number of mixed and strong responses about the extent to which children should be interviewed. Of all the focus group questions, this one drew the strongest response.

Generally, having an officer ask about the presence and welfare of children was acceptable to most women. Some women stated that the officer should visually observe the child in the event some abuse was “hidden”. Other women felt more comfortable with the officer simply asking where the children were and how old they were. If the

children were not involved in witnessing the abuse, women generally did not think that the officer needed to “check on” the children.

When asked for their thoughts on officers interviewing children, the responses varied. A minority of women cited situations where their child had been interviewed and they felt it was handled well. In those cases, the officer had informed them that they wanted to interview the child.

Initially, the majority of women stated that interviewing a child was very problematic. They discussed concerns such as children feeling like they were in the middle and the fear of retaliation by the abuser if the child disclosed they had witnessed abuse. Many women noted that children already feel responsible for abuse, and wondered if an interview would put more pressure on a child and cause them to feel like they “caused” an arrest. Women did not want their children to feel “on the spot” or pressured to respond one way or the other. Women expressed concern that their children might lie in an interview due to fears of consequences from telling the truth.

As the discussion continued, women generally concluded that an interview with a child *might* be appropriate in *certain* situations. (I.e., child was abused, child was involved in the incident) However, they felt that age, maturity and previous experiences and feelings about law enforcement should be considered. Almost all women stated that they should be consulted before their child was interviewed. Some women were adamant that they should be in the interview, others disagreed. Women thought one approach would be to give children the option to be interviewed alone or with them. They suggested that interviews of children should always be done away from the presence of the abuser.

With the exception of one group, there was one woman in each group who discussed a strong fear of the potential involvement of Child Protection Services. These women stated that they were reluctant to call the police as they feared they might lose their children. These women were very concerned about involving children in the interview or report writing process in any way, however, they did not have any suggestions for how to address their fear of CPS involvement.

Women had many suggestions for ways officers could provide support and reassurance to children. Women generally agreed that officers could simply let a child know that the abuse was not their fault and that the police were there to help keep things safe.

If more extensive interviews with children were required (such as suspected sexual abuse), women suggested that this be done at a later time, when an officer was not in uniform, and in the presence of a child advocate or social worker.

2. What are your thoughts on being asked to fill out a written statement describing the assault at the scene of an incident? (27 participants)

“In your mind and in your heart you know that what you have written is what happened.”

“If I thought the abuser would see the written statement, I would leave information out for my safety and fear of later retaliation.”

“It’s hard to write statements immediately because we are afraid and traumatized by what just happened.”

“I knew once I filled out those forms there was no turning back. It was kind of like standing up for myself the first time.”

The majority of women articulated the benefits to written victim statements, however, almost all expressed some concern for how the statement would be used and the potential consequences of its use. Women who had personal experiences with completing a written statement believed it was empowering. They stated that it forced them to come to terms with what had been done to them, and by writing a statement describing an assault, they were aware that it would be difficult to “turn back” and/or recant. “It was like telling my boyfriend, ‘This is what you did – here it is in black and white.’” There were a few women who had completed a written statement that did not share such a strong sense of empowerment; these women focused on the challenges of writing a statement in the immediate moment of the crisis.

Despite the belief that writing a statement was an empowering experience, almost all women discussed the fear that accompanied the action of writing. Some women were aware that this statement would be used in the legal process and would be shared with their abuser. This was frightening to them. Most women were not clear on how the statement would be used, and when they understood that it could be made accessible to their abuser, their concerns for potential retaliation by their abuser increased.

These contrasting feelings of empowerment and fear clearly demonstrate the challenges and barriers facing victims of domestic violence. Speaking the truth does not always come without consequences.

Women discussed whether or not a victim should fill out the written statement immediately at the scene or be given extra time. A few women shared experiences where they were given a few hours to compose themselves and complete the statement. Although women agreed it might be “ideal” to have extra time, they also agreed there was a risk in recanting and not writing the full truth. Women clearly stated that a truthful statement was most likely immediately after the incident.

Women indicated that it would be helpful to know how the written statement would be used. Most reported that the law enforcement officer had not explained the purpose,

although many women had a “sense”. Women said it was helpful to receive prompts from an officer in the process of writing, as they were not always able to think clearly about what had just transpired or how much they should write. One woman appreciated that the officer had written the statement for her as she dictated it to him.

A few women had been arrested in a domestic violence related incident. They expressed concern that their statements had not been helpful in their particular situations.

3. What are your thoughts on asking a victim for contact information on two people who can always reach the victim? (27 participants)

“The officer was careful to ask if it was OK to leave a message at the number they got from me.”

“Not sure what numbers to give and who I could trust.”

“It was helpful, because then I could be part of the process.”

“When I got home from work one day there was a message that he had been released. If I had been asked to give additional numbers I would have wanted to give them my work phone number so that they could contact me right away.”

Focus group participants were split in their response to this topic. A little more than half the respondents expressed negative remarks, and less than half indicated they were glad that law enforcement officers asked for multiple contacts. Interestingly, very few women remembered being asked for contact information, or at least for more than one number.

Concerns shared by the women focused in two areas: one, the difficulty immediately following an assault in the ability to think about who you want to give as a contact person/s or number/s; and two, a concern for who would have access to this information. With the first concern, women talked about situations where they were so isolated they had no contact numbers to give. More commonly, they discussed their reluctance to give names and numbers of people that they did not want “mixed up” with this issue or that they did not completely trust. For example, not wanting to give their mother’s number as the mother was unaware of the extent of the abuse. Not knowing how and if that person would be contacted, they were concerned that their ability to provide the “best” contact number might be limited. In addition, the immediacy of the crisis and assault were viewed as impairing their ability to think clearly and provide names and numbers even if they had no concerns about providing that information.

Regarding the second concern, women stated that they should only be asked for additional contact information out of earshot of the abuser. The officer should tell them why this information is requested and who it will be shared with. Lack of clarity on who has access to the information was viewed as a significant barrier to sharing contact information.

Women who spoke favorably about being asked to provide contact information used words such as “comforting” and “helpful”. These women wanted to stay connected to the activity of their abuser and the progress of their criminal case.

In lieu of providing contact information, all women agreed that victims should receive a card with the case number, at minimum, so they could follow up with the police, jail or prosecutor on their own. Most women did want to be contacted by the jail upon release of the abuser, and some suggested that jail voicemail be made more user-friendly so that they could monitor the abuser’s release.

4. What are your thoughts on offering a victim “on-scene” advocacy by a domestic violence service provider? (24 participants)

“Don’t ask if I want an advocate; assume I need one.”

“I thought, I’m the only one. I felt totally alone.”

“It would have been a godsend to me.”

“If left up to the victim, it is easy to deny what happened and not reach out for help.”

Twenty-three of the twenty-four women who responded to this topic were affirmative in their response. They agreed that contact between a domestic violence advocate and a victim immediately following an arrest, or even at the scene, would be beneficial. The one woman who did not agree stated that she would only want to be offered support if she was ready to accept it and knew that her safety would be guaranteed.

Women were then asked how that contact should be provided; whether it should be offered as a choice or just “presented”. With the exception of two women, including the woman noted above, focus group participants overwhelmingly stated that the advocate should just contact them, even without their permission. Most women said that immediately following an arrest they are already overwhelmed with feelings and decisions; they do not want to make one more decision. Many stated that if asked, they would say, “No, I don’t want or need an advocate”, but would regret it later. They linked this response to feelings of shame, aloneness and denial. “I’m too emotional to make a good decision.” Yet, looking back, they all believed it would have been a benefit to have had someone to talk to immediately after an arrest.

Women thought that either phone or in-person contact would be acceptable. They suggested that the responding law enforcement officer could say something like, “a support person specifically trained to deal with issues like this will be contacting you by phone or in person very shortly.” Women varied in their thoughts on what the advocate, or support person, should offer. Some wanted options and resources, others simply

wanted support and to know they were not alone. Nearly half the women said that they had known nothing about domestic violence resources and services.

Women did not want to tell their story again to the advocate and some suggested that the advocate be present as they gave a statement to law enforcement, or that the officer relay details to the advocate. Women seemed reassured to know that the length and depth of their contact with the advocate would be totally up to them. A few women wanted to make sure that the offender would be in jail prior to the advocate's visit.

The question of providing on-scene advocates in non-arrest situations was brought up in one of the four focus groups. "*The victim is in more danger when police leave without making an arrest than before the police were called.*" Due to safety concerns the women did not think it was appropriate for an advocate to be called, however, they wondered if law enforcement could ask more directly about safety needs when an arrest is not made. The women suggested that if an arrest is not made, the officer should make a point to talk separately to each party and ask if they feel safe and/or need to leave. If possible, the officer should assist with finding safety for the party who does not feel safe staying, and at minimum should provide them with resources and phone numbers.

5. Additional comments on experiences with law enforcement. (11 participants)

Only two of the five focus groups had additional time for women to share other thoughts and experiences with law enforcement responses to domestics. There were numerous examples of problems with jurisdictional issues and service of protection orders. Frustrations were expressed with inconsistent enforcement of protection order violations. One group told multiple stories about victims who were arrested, as well as lack of consistency on when people get arrested. The lack of consistency was sometimes discussed as differences in officers and at other times as differences in law enforcement agencies. Women also shared a few stories where their abuser engaged in activity that did not meet the definition of a crime or violation of a protection order, but nonetheless, was frightening to them.

Conclusions and Recommendations:

Twenty-seven women in five focus groups clearly articulated the challenges and unintended consequences of some of our criminal justice interventions. Through these focus groups we learned that interventions designed to enhance safety for victims and their children *and* to increase accountability for offenders, come with risks for many victims and survivors of domestic violence. Victims weigh these risks along with potential benefits and face difficult decisions at the moment of a law enforcement intervention. Should my child speak to the officer about what they have witnessed? What will happen to my children? Shall I give the officer my sister's phone number when I am not sure I can trust her not to tell my abuser where I am? Shall I write down

everything he just did to me, or will it just make him angrier when he gets out of jail? No, I don't want to talk to anyone else right now, but I feel so alone and scared. It sure would be wonderful to learn where to turn and that I am not the only one who has been abused.

Centralizing victim safety means designing practices and policies that take into account the dynamics of domestic violence *and* the complex levels and kinds of risks that victims face, both from their abuser and from taking certain actions. How can we design interventions that take into account these varied fears, needs and concerns? The Safety Audit provided recommendations for law enforcement; however, even these recommendations come with risks for some women. The findings from the five focus groups provide insight into the risks that victims of domestic violence face and suggest recommendations for how we can integrate their words into practice and action. Recognizing the limitations of this study, the following recommendations are offered in response to these focus group findings.

These recommendations are based on the feedback from victims and survivors. As women had experiences with multiple law enforcement agencies, particularly in Washington State, the recommendations are not “judgments” about whether or not a practice is currently being implemented by one law enforcement agency or another. Many of the following recommendations are already in place. For those agencies that have implemented any of the recommendations, this report should support a continuation of those practices. And for others, this report provides ideas for fine-tuning and improved responses that enhance victim safety.

Law Enforcement:

- **Explain the purpose of an intervention (i.e., asking for contact numbers, taking a written statement), how the information will be used, and who will have access to it.**
- **Always leave information with victims – case number, responding officer, domestic violence resource information, and jail phone number.**
- **Do not express frustration with victims who do not provide contact information or will not fill out a written statement. Explain the purpose, ask about and address concerns, and acknowledge their fears and concerns if they chose not to provide the information.**
- **Give a basic message of reassurance to any children involved in domestics.**
- **Involve victim (or mother) as much as possible in any interviews or interventions related to the children.**
- **When no arrest is made, conduct some type of “safety check” or risk assessment to help establish whether one party is concerned with their safety once law enforcement has left the scene. This could involve talking with the party that has been the primary victim in those cases where there is a history of domestic violence.**

Domestic Violence Service Providers:

- **Expand the capacity to provide 24-hour on-scene advocates to contact victims at (or immediately after) an arrest throughout Whatcom County. Develop clear policies around confidentiality and clarify roles and relationships between law enforcement and domestic violence service providers.**
- **Ensure that domestic violence advocates are well educated on the law enforcement response to domestic violence calls in order to ensure that the advocates provide accurate information to victims for decision making.**

Multiple Stakeholders (Law Enforcement, Child Protective Services, Domestic Violence Service Providers):

- **Carefully explore the issues related to children and domestic violence, such as: interviewing children in domestics, law enforcement referral process to Child Protective Services, and ways to address victim fears of Child Protective Services involvement.**