

LEARNING FROM THEIR LIVES:  
UNDERSTANDING VICTIMS AND  
PERPETRATORS THROUGH DOMESTIC  
VIOLENCE FATALITY REVIEWS

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# TOPICS

- Recreating the complex lives of victims, perpetrators, and their families
- Elements of effective legal interventions to prevent homicides
  - Orders of protection and extreme risk orders of protection
  - Firearm retrieval
  - Custody arrangements
  - Batterer Intervention Programs
  - Technological innovations
- Special populations (elderly, physically and mentally challenged)
- Multi-disciplinary, coordinated teams

# DOMESTIC VIOLENCE FATALITY REVIEW

[WWW.NDVFRI.ORG](http://WWW.NDVFRI.ORG)



# COMPLEXITY

- New narratives of domestic violence often oversimplify dynamics
- Unraveling complexity requires multiple voices and sources of information
- People's actions in the context of domestic violence may be counterintuitive
- Policy recommendations must incorporate complexity

# WOMEN'S EXPERIENCES OF DOMESTIC VIOLENCE

- Women's perceptions are altered by the experience of physical, sexual and psychological abuse
- Biography, including race/ethnicity, class and culture and the current context of women's lives shape perceptions of alternatives
- Leaving is a process and does not end abuse
- Many women never report abuse, so there's no documentation
- Women fight back and are not passive or helpless
- "battered woman syndrome" does not accurately capture most women's experiences and is not a diagnosis

## COERCIVE CONTROL



A range of acts designed to make a person subordinate and/or dependent by **isolating** them from sources of support, **exploiting** their resources and capacities for personal gain, **depriving** them of the means needed for independence, resistance and escape and **regulating** their everyday behaviour.

**What kind of a welcome home  
will you be getting tonight?**



**1 in 4 people suffer domestic violence and abuse**

If you or someone you know needs help or support, visit [www.adva.org.uk](http://www.adva.org.uk)



Home is where the hurt is



## BEHAVIORS OF VICTIMS AND PERPETRATORS

- Victim/Perpetrator binary problematic - virtuous female protagonist and a one-dimensional male “villain.”
- Unrealistic expectations of both
- Denial: Victims ashamed and will hide abuse, especially the more grievous forms; perpetrators deny responsibility
- Minimization: Perpetrators and victims minimize violence and its impact



## WHY WON'T SHE COOPERATE?

- Appearance of Dishonesty: common. Recanting, requesting dismissal of charges, refusing to testify, testifying for batterers
- Possible reasons: complex trauma, confusion, fear, practical concerns, love/traumatic bonding
- Witness intimidation: many ways, subtle, invisible in plain sight
- The appearance of complicity does not necessarily signify complicity

## COUNTERINTUITIVE BEHAVIOR OF VICTIMS

- Victims won't necessarily report abuse, leave, cooperate with prosecution
- Fear of losing their children to CPS
- Hope for relationship
- Stigma of divorce
- Leaving not easy – safety, having confidence, \$\$
- Abuser threats, gas-lighting, manipulation
- Pressure from other family
- Religion
- Own criminality, negative experiences with cj system

## CHOICES IN CONTEXT OF DV

- Her “indecisiveness” about leaving affected by all kinds of complexities:
- Losing her home, possessions, job, father for the kids, status as wife, a partner who she once (still?) loved, money, family/friends, pets, routines, things-known, children (?)
- Safety – leaving -dangerous, payoffs delayed
- Batterer remorse, begging for forgiveness, promising to change

"Shut up or I'll kill you."

and then 2 minutes later:

"I care more about you than anything in the world. You mean the world to me."

- my abusive

- “Most (male) killers are best understood as untreated traumatized children who inhabit and control the minds, hearts, and bodies of adult men.” (James Garbarino)



## LOSS OF HOPE/LOSS OF CONTROL

- Depression, suicide attempts and homicide suicide
  - Recent losses and/or humiliation
  - Financial problems
  - Perceived or actual separation from victim
- Mental health issues
  - PTSD
  - Impulse control, intermittent explosive disorder,
  - Substance abuse
- US concerns with perpetrator privacy create obstacles absent in Portugal, Western Europe

## TRAUMA HISTORIES

- DISTRUST
- DEPENDENCY ON PARTNER, FEAR OF REJECTION/ABANDONMENT
- LACK OF FAMILIAL SUPPORT
- PHYSICAL AND MENTAL HEALTH IMPACT OF TRAUMA
- LIMITED COMMUNICATION AND RELATIONSHIP SKILLS

# POLYVICTIMIZATION

Multiple forms of victimization by multiple perpetrators beginning early in life

Violence by strangers, family members; family and community violence; accidental injuries and loss

More associated with trauma than repeated victimization of single type

10% suffered 7 or more types of victimization

Mechanisms operating on individual, group, and neighborhood processes increase dysfunction and juvenile and adult criminality

Victimization more a life condition than a life event



## ORDERS OF PROTECTION

- Reviews indicate some victims had order in place at time of homicide
- Some victims had orders but not at time of death due to:
  - Lapse
  - Refusal of judge to grant or renew
- Orders may increase danger due to anger of partner
- Orders require safety planning
- Firearms removal only granted about 50% of the time; removals not successfully implemented

# FIREARMS

- Convicted domestic violence offenders prohibited possessors
- Demonstrated to reduce intimate partner homicides-9% reduction from 1980-2013
  - 23% decrease in states that extend prohibition to any violent misdemeanor offender
- Reluctance to remove guns in US due to 2<sup>nd</sup> amendment rights and gun culture, hunting. Portugal more stringent, up to 5 year prohibition for convicted batterers
- Difficulty of preventing acquisition and removing existing firearms
- Can use other people's guns
- Many homicide offenders are not prohibited possessors

## CHILD CUSTODY

- Often a site of violent contention
- Courts continue to award children's time with abusive parents
- Exchange of children provides point of contact
- Children can be pawns in abuse

## BATTERER INTERVENTION PROGRAMS

- Little evidence of success has led to critique of programs
- Batterers are diverse: nature of abuse, criminal history, motivation, co-occurring problems, socio-demographic and cultural characteristics
- Minority, 20%, intransigent & unlikely to be deterred by treatment only
- There is no “one size”—programs draw from multiple approaches and adapt over time

## NEED FOR NEW APPROACHES

- Need for connection with resources for victims
- Evidence supports assessments and treatments designed for various needs—but no clear evidence re the best approach
- No clear evidence on most effective intervention and barriers to rigorous evaluations are significant
- Using 3 circles of EBP, combine qualitative & quantitative research, practitioner knowledge & community context in standards for programs

## TECHNOLOGICAL INNOVATIONS

- Electronic monitoring:
  - Allows offender to remain in community, maintain employment, reduce negative consequences of incarceration
  - Can be limited to victim zones of safety
  - Requires vigilance from monitors and law enforcement jeopardized by reduced funding
- Telelegal services (tele-assistance in Portugal)
  - Reduces burden on victims to travel
  - Reduces opportunities for witness intimidation
  - Too new to assess

## ELDERLY POPULATION

- Vulnerability to caretaker abuse
- Less comfortable with technology
- Economic and daily task dependence
- Isolated, no routine contacts

## PHYSICALLY CHALLENGED

- May be isolated or invisible to community
- Dependent on partner for care
- Unable to escape, transport self, use phones
- Unable to communicate with helpers while separate from abuser
- Vulnerable to emotional manipulation



## MENTALLY CHALLENGED

- Easily manipulated and intimidated by abuser
- May be unaware of resources
- Inability to function independently
- Viewed as incompetent, unreliable by system
- Vulnerable to custody challenges

## COORDINATION, COLLABORATION, COMMUNICATION

- Somebody always knew of potential for homicide
- Best interventions only work when agencies coordinate, collaborate and communicate
- Increasing "3 Cs" does not necessarily entail funding
- Eg. Of domestic violence high risk teams

# Family: Courts didn't protect her



• **Defenses and supporters of Dorothy Giunta-Cotter say she would be alive today if the court had done more to protect her freedom.**

• **O'Ryan promises not to comment**  
By *Elizabeth Wines*

**WASHINGTON** — The U.S. District Court in New York City has ruled that a 2001 federal court decision "was unconstitutional" and that the federal government should be ordered to release Dorothy Giunta-Cotter.

"The Giunta-Cotter case is a landmark in the history of the federal courts," says a spokeswoman for the court. "It shows that the federal courts are not just a rubber stamp for the executive branch, but that they are a vital part of the American system."

The judge was wrong, she said. She would have been alive today if the court had done more to protect her freedom.

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Dorothy Giunta-Cotter  
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# DOMESTIC VIOLENCE HIGH RISK RESPONSE TEAMS



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