



# National Institute of Justice

## Research Preview

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# Civil Protection Orders: Victims' Views on Effectiveness

*Summary of a Research Study by Susan L. Keilitz, Courtenay Davis, Hillery S. Efke, Carol Flango, and Paula L. Hannaford of the National Center for State Courts*

Domestic violence has moved into the spotlight in public debate in this country, particularly with the 1994 passage of the Violence Against Women Act. After years of considering domestic violence a "family matter," the criminal justice, legal, and medical communities are now collaborating to protect women and children from abusers.

Previous research has shown that the effectiveness of civil protection orders for victims of family violence depends on how specific and comprehensive the orders are and how well they are enforced. Recent National Institute of Justice (NIJ)-sponsored research, conducted by the National Center for State Courts (NCSC) and involving interviews with women who filed protection orders, concluded that victims' views on the effectiveness of protection orders vary with how accessible the courts are for victims and how well established the links are between public and private services and support resources for victims. In addition, violations of the protection order increase and reported effectiveness decreases as the criminal record of the abuser becomes more serious.

In the majority of cases, victims felt that civil protection orders protected them against repeated incidents of physical and psychological abuse and were valuable in helping them regain a sense of well-being. A protection order alone, however, was not as likely to be effective against abusers with a history of violent offenses; women in these cases were more likely to report a greater number of problems with violations of the protection order. The researchers noted that criminal prosecution of these individuals may be required to curb such behavior.

The study confirmed previous research showing a strong correlation between the severity and duration of abuse—the longer women experience abuse, the more intense the behavior is likely to become and the more likely women are to be severely injured by their abusers. These findings led researchers to suggest:

- Safety planning is of paramount importance at the earliest point of contact with the victim.

- The criminal record of the abuser should be considered in fashioning the protection order.

In addition, researchers called for further research on the interactive aspects of domestic violence, such as:

- Use of criminal history information in crafting orders and counseling victims.
- Effects and enforcement of specific terms of protection orders.
- Actions of police and prosecutors.

### Research design

Initiated in 1994, after a wave of reform across the country had expanded the availability and scope of relief provided in civil protection orders, the project selected for the study three jurisdictions using disparate processes and service models for providing protection orders: the Family Court in Wilmington, Delaware; the County Court in Denver, Colorado; and the District of Columbia Superior Court.

Two primary measures of effectiveness were applied. First was self-reported improvement in quality of life after obtaining the order. Second were the extent and types of problems related to the protection order reported by the women, including repeated physical or psychological abuse and continued attempts by the abuser to contact the women at work or home.

Four data sources were used in the study: telephone interviews conducted with 285 women petitioners for protection orders approximately 1 month after they received a protection order (temporary or permanent), followup interviews with 177 of these same women 6 months later, the civil case records of these women, and criminal history records of men named in the orders.

### Key findings

**Victims.** Before receiving a protection order, study participants experienced abuse ranging from intimidation to injury

with a weapon. Researchers found that 37 percent of the women had been threatened or injured with a weapon; more than half had been beaten or choked; and 99 percent had been intimidated through threats, stalking, and harassment. More than 40 percent experienced severe physical abuse at least every few months, and nearly one-quarter had suffered abusive behavior for more than 5 years.

**Abusers.** Among men named in the protection orders filed by participants, 65 percent had an arrest history. Researchers noted that many of these men appeared to be career criminals, with more than half having four or more arrests. Charges included violent crimes, drug- and alcohol-related crimes, and property, traffic, and miscellaneous offenses. Of the 129 abusers with any history of violent crime, 43 percent had 3 or more prior arrests for violent crimes other than domestic violence.

**Effects of protection orders.** The act of applying for a civil protection order was associated with helping participants to improve their sense of well-being. In the initial interviews, 72 percent of participants reported that their lives had improved. During followup interviews, the proportion reporting life improvement increased to 85 percent, more than 90 percent reported feeling better about themselves, and 80 percent felt safer.

Seventy-two percent of participants in the initial interviews and 65 percent in the followup interviews reported no continuing problems. In several areas, however, the proportion reporting problems rose between the two interviews: calls from the abuser to the participant at home or work (16 percent in the initial interview and 17 in the followup), stalking the victim (4 percent and 7 percent), repeated physical abuse (3 percent and 8 percent), and repeated psychological abuse (4 percent and 13 percent).

**Victim services.** The study also looked at the use of services by participants before and after obtaining a protection order. These were grouped into eight categories: private legal ser-

vices, medical assistance, police protection, assistance from government services, counseling services, moral support and guidance from friends or relatives, support groups, and assistance from private community organizations.

Overall, 78 percent of participants reported they had used at least one type of service. Assistance from friends and relatives was most frequently used, with 46 percent of participants seeking help from people they knew. Next were private community services, such as battered women's shelters and victim advocacy services provided by universities and private agencies (32 percent).

Researchers felt that more could be done to ensure that victims are provided with user-friendly information about available services as well as information regarding protection orders and their enforcement through the contempt process. They suggested that judges and police both make this a priority when dealing with domestic violence victims. In addition, a more centralized court process and direct assistance to petitioners make it more likely that victims will develop safety plans and seek services.

In conclusion, the researchers noted that the Violence Against Women Act offers a pivotal opportunity through changes in current practice to increase awareness of and access to protection orders and to enhance enforcement strategies. They also emphasized, however, that civil protection orders are only one part of the fight against domestic violence.

Susan L. Keilitz, Project Director; Courtenay Davis; Hillery S. Efke; Carol Flango; and Paula L. Hannaford conducted this study at the National Center for State Courts. This research was supported by NIJ grant number 93-IJ-CX-0035.

Points of view in this document do not necessarily reflect the official position of the U.S. Department of Justice.

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