

CRITICAL ISSUES IN **DOMESTIC VIOLENCE**



*A Wilder Research report sponsored by
the Minnesota Department of Public Safety*

DECEMBER
2005

ABOUT THIS REPORT

Critical issues in domestic violence offers Minnesota communities a way to:

- **Gain a good, basic understanding** of crucial trends and issues related to domestic violence in Minnesota.
- **Move it forward** by choosing next steps to prevent domestic violence and remedy the harm it does.

Wilder Research has been asked by the Minnesota Department of Public Safety, Office of Justice Programs, to develop brief reports that “tell the story” of victim services in the state and suggest new directions to forge ahead for the future. In addition to this report on domestic violence, future reports will cover sexual assault, general crime, and child abuse.

This report reflects an analysis of three kinds of data: local and national trends; published research literature; and interviews with 32 expert observers from diverse perspectives in the field of domestic violence. Interview participants included advocates and service providers, judicial and legal staff, survivors of domestic abuse, culturally specific service providers, law enforcement personnel, shelter providers, national and local experts, and health care providers. This report combines insights gained from those interviews with themes from the best available published research.

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December 2005

This report is available for free download at www.wilderresearch.org and www.dps.state.mn.us/ojp

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e offer this publication with the sincere hope that it will accomplish two objectives:

1. Describe, at least in broad outlines, the compelling story of the development of services for victims of domestic violence in Minnesota.
2. Spur conversations and decisions that will result in improved services for victims and better strategies to end domestic violence.

We have collectively been at the business of responding to, and trying to eliminate, domestic violence for 30-plus years. Minnesota has a proud history to build upon. However, we simply cannot be content to sit back and rest on the history of those who have come before. Nor can we assume that what we need is simply to do more of what has been done in the past.

Reading this report gave me a fresh look at an inspiring and innovative Minnesota story. It also made painfully clear the fact that, both nationally and in Minnesota, we have produced little evidence to show what actually works when it comes to serving victims and preventing domestic violence. This is not to say that our efforts have gone without result, but that we have spent too little time and effort demonstrating those results. In fact, we know more about what works in treating abusers than in serving victims. This hinders efforts to obtain the resources needed to address domestic violence. We must find the means and the will to document the impact of our work. One step we've taken is to provide training and individual technical assistance to Office of Justice Programs grantees along with tip sheets on conducting evaluation. We are committed to doing more to strengthen evaluation efforts.

During times of budget restraints, attention naturally turns to the day-to-day struggle of keeping current programming intact. However, advancing the cause demands that we challenge past assumptions, bring forth new ideas, and forge new alliances to address and prevent domestic violence. It is not likely that the funding for domestic violence services will grow significantly in the coming years. Therefore we must look at how resources can be realigned to achieve better results. The times demand that we rigorously challenge each other to do this.

I and my colleagues at the Minnesota Department of Public Safety stand ready to partner with you in these endeavors. We are eager to hear your ideas and priorities – and those of your wider community – for moving forward with this important work.



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BACKGROUND BRIEFING

HOW BIG A PROBLEM IS DOMESTIC VIOLENCE?

- Nearly 25 percent of U.S. women have been raped and/or physically assaulted by an intimate partner at some point in their lives, according to a nationwide survey in 1995-96. (*National Institute of Justice and the U.S. Centers for Disease Control and Prevention*)
- Of that 25 percent, nearly 40 percent had physical injuries as a result.
- Domestic violence remains the leading cause of injury to women age 15 to 44, more common than muggings, motor vehicle crashes, and cancer deaths combined.
- The FBI estimates that a domestic violence crime is committed about once every 15 seconds.
- In 2000, intimate partner homicides accounted for 34 percent of the murders of women in the U.S. and less than 4 percent of the murders for men (*Bureau of Justice Statistics, 2003*).

In Minnesota:

- If we apply the 25 percent national estimate to the Minnesota population, more than 400,000 Minnesota women age 18 and older have been raped or assaulted by a spouse or intimate partner.
- 1,096 Minnesotans received emergency or inpatient hospital care for injuries stemming from domestic violence in 2003. Ninety-five percent were women. (*Minnesota Department of Health*)
- At least 13 women and 10 children were murdered in cases of domestic violence in 2003. (*Minnesota Coalition for Battered Women*)

Children exposed to domestic violence:

- Research suggests that up to one-third of American children witness adult domestic violence.

“There will never be enough shelters and enough advocates to meet the needs of battered women. We need to help communities take a stand against domestic violence.”

– Legal/advocacy service provider

LOADED LABELS

Victim. Survivor. Perpetrator. Abuser. The defining terms in the movement against domestic violence are loaded, and each has its limitations.

Domestic violence describes any deliberate physical, sexual, verbal, or emotional act of violence directed personally at an intimate partner or family member, with the intention of harming or intimidating them.

Domestic abuse implies a repeated pattern, not an isolated incident.

Intimate partner violence is a term preferred by some because the violence does not always take place within the same family or household.

Victim and *abuser* convey clear responsibility in a one-way street of abuse, but *victim* also has a connotation of helplessness or passivity.

Survivor has a sense of strength and overcoming – but not all victims survive.

Batterer and *battered woman (or man)* convey vivid images of violence, but fall short of the full range of domestic violence such as verbal abuse, gun violence, or other “non-battering” forms of harm.

People who have experienced domestic violence is a more inclusive term, but also unwieldy and imprecise – it could mean a victim, an abuser, or a witness.

Perpetrator suggests criminal behavior and prosecution, although literally it simply means “doer.”

This report uses various terms, depending on the context, with acute awareness that all labels have their limitations.

ONE WOMAN'S STORY

For Sara, when her abuser hit her daughter, “That was it for me!” Sara had been with her abusive boyfriend for four years. But when the abuse was aimed at her daughter, that was the last straw. Her neighbors intervened and called the police. At the time (two decades ago), the police told her abuser to “cool off and get along.” This was a recurring theme. Every time the police left, he’d hurt her even more.

Even when Sara filed restraining orders against her abuser, nobody told her that help was available for women in abusive situations. She would often ask that the charges be dropped (which you could do in those days), as he threatened to hurt her even more. Sara was terrified to leave her abusive boyfriend, since he threatened to kill her and her family members if she did so.

Sara’s family was her main source of support when she was trying to leave. After a while, however, they began to get impatient, and assumed that she “must just like that [abuse]!” Through temporary welfare support, Sara was finally able to start toward independence for herself and her children. She then began volunteering, offering support and guidance for other survivors of domestic abuse.

(Names and details have been changed to protect privacy.)

“So much of the shelter movement happened in Minnesota because historically Minnesota has been a progressive and populist state. There is a grass-roots history and an expectation that people should be able to get services they need. Also, there is a history of people going to the legislature to make things happen.”

– Domestic violence community services director

ORIGINS AND TURNING POINTS

While domestic violence has been documented for centuries, the battered women’s movement did not emerge in the United States until the mid- to late 1960s. This emergence was strongly influenced by the civil rights, anti-war, and Black liberation movements.

The movement was also strongly influenced by feminist philosophies. The feminist orientation emphasized the empowerment and active involvement of women in solving the problem of domestic violence.

Minnesota was a leading state in advocating for the safety of domestic violence victims and the accountability of their abusers. One of the nation’s first shelters for battered women was in Saint Paul. The now-pervasive “Duluth model” (*see page 6*) originated here, as did one of the first state laws dealing with domestic violence.

TIMELINE: MINNESOTA AND THE NATION

Early to mid-1970s

- Women’s Advocates opened Minnesota’s first shelter for battered women in Saint Paul (1972).
- Minnesota’s first culture-specific domestic violence agency was founded to serve Latina women.
- Legal services emerged for battered women, especially low-income women.
- Domestic violence cases were transferred from criminal court to family court, where men faced less harsh punishment.

Late 1970s

- The role of police changed from “mediator” to “mandatory duty to arrest” in many states.
- Conferences on domestic violence raised the profile of the issue locally, nationally, and internationally.
- Minnesota became the first state to fund services for victims of domestic violence (1977).
- Communities began offering transitional housing and hotel stays for domestic violence survivors.
- Rape began to be viewed as a form of domestic violence and as a crime, punishable as a felony or misdemeanor.

1980s

- The first national domestic violence awareness week was observed (1981).
- 700 shelters were in operation in the U.S. (1983).
- The U.S. Department of Justice issued a first-ever report on the risks to women – including murder – when they decide to leave an abuser.
- The domestic violence movement began to turn attention toward prevention (especially among children exposed to violence).
- The first battered women’s group for lesbians was established in Seattle.
- The Duluth model for coordinated community response to domestic violence was developed at the Domestic Abuse Intervention Project in the early 1980s.
- The Power and Control Wheel was also developed at the Domestic Abuse Intervention Project in Duluth (*see page 7*).

1990s

- The U.S. Immigration and Naturalization Service began to recognize domestic violence as grounds for asylum in the U.S.
- The U.S. Surgeon General ranked abuse by husbands to be the leading cause of injuries to women age 15 to 44 (1992).
- The United Nations recognized domestic violence as an international human rights issue (1992).
- The American Medical Association published guidelines for physicians to screen women for signs of domestic violence.
- Congress passed the Violence Against Women Act (1994), providing funding to help victims of sexual assault and domestic violence, and training for police and court officials. For the first time, victims were given a federal right to sue an assailant for gender-based violence.
- More awareness, legislative advocacy, and research drew attention to children exposed to violence.
- October was designated Domestic Violence Awareness month (purple ribbon).
- Several major awareness campaigns began, including The Silent Witness Project; Take Back the Night; the Clothesline Project; and Hands are Not for Hitting (Minnesota).
- More than 2,000 organizations nationwide were focused on the issue of domestic violence by the end of the 1990s.
- Day One Services (formerly known as Day One Center), a service to help battered women find shelter with one phone call, became available throughout Minnesota.
- Victim Information and Notification Everyday (VINE), an automated service, began providing registered users with 24-hour information about an offender's custody status, and notifying them automatically of any change in an offender's status.

THE DULUTH MODEL

The Duluth model laid the groundwork for a coordinated community response, including the criminal justice system, to the assault of women. Developed in Duluth in 1981, the model is a system of networks, agreements, planning processes, and principles created by the local shelter movement, criminal justice agencies, and human service programs. Its focus is on providing a collective, coordinated response to domestic violence incidents by the various systems that come into contact with victims, perpetrators, and others exposed to the violence (such as children in the home).

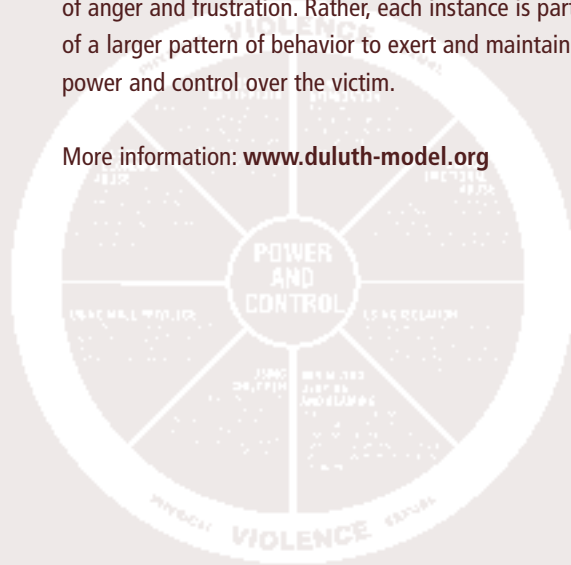
The Duluth model calls for communities to:

- Create a coherent philosophical approach that places victim safety at the center.
- Adopt tested and effective procedures for all agencies involved in assault cases.
- Avoid a piecemeal response by various agencies.
- Collect and monitor information about occurrences and follow-up.
- Ensure that communities have needed resources and supports.
- Intervene directly with abusers to deter violence.
- Help undo the harm to children caused by violence toward women.
- Evaluate the system's effectiveness from the standpoint of the victim.

THE POWER AND CONTROL WHEEL

The “Power and Control Wheel” is a frequently cited, translated, and adapted diagram that describes the dynamics of physical and sexual violence. It evolved out of many discussions with battered women and batterers through the Domestic Abuse Intervention Project in Duluth, Minnesota. The Power and Control Wheel describes common tactics used by a male abuser to maintain power and control over a woman. This model views violent incidents not as isolated instances of lost control, or even cyclical expressions of anger and frustration. Rather, each instance is part of a larger pattern of behavior to exert and maintain power and control over the victim.

More information: www.duluth-model.org



THE VIOLENCE AGAINST WOMEN ACT

A turning point in the handling of domestic violence cases, the Violence Against Women Act was enacted in 1994 as part of the Violent Crime Control and Law Enforcement Act.

The Act created new penalties for gender-related violence and new grant programs for states to address domestic violence, sexual assault, and stalking, including:

- Law enforcement, prosecution and court-related grants to strengthen the criminal justice system’s response to violence against women
- Grants to encourage arrest policies and enforcement of protection orders
- Rural domestic violence and child victimization enforcement grants
- Supervised visitation and safe exchange grants
- Funding for the National Domestic Violence Hotline (800-799-SAFE [7233])
- Legal assistance for victims
- Grants to reduce violence against women on college campuses
- Transitional housing assistance grants
- Training on domestic violence for police and court officials

As of this writing, the U.S. Senate and the House of Representatives had each passed a version of the re-authorization bill. A final, consolidated bill had yet to be presented to the President. More information is available from The Family Violence Prevention Fund (www.endabuse.org).

MINNESOTA’S FIRST SHELTER

Women’s Advocates was founded in the early 1970s by a group of Saint Paul women who were part of a consciousness-raising group and volunteers with the Saint Paul Legal Aid crisis line. They soon realized that many women were unable to leave abusive relationships because they had nowhere to go. With two Vista volunteers arranged through Ramsey County, the women started a crisis line to offer support and legal advice specifically for domestic abuse.

These women opened their own homes to abused women and children, and then bought and restored a large home to use as a shelter. (*Facing page: Original Women’s Advocates shelter in Saint Paul.*)

“To get out of an abusive situation, victims need safe and affordable housing, livable-wage jobs, child care so that they can go to work, and medical care. We are seeing programs in all of these areas being cut.”

— Domestic violence community services director

Realizing that shelter was not enough, they began to work for change at many levels, creating awareness in the community about the causes and effects of domestic violence. They networked with likeminded people working in law enforcement, health care, and social service agencies.

Women’s Advocates worked for the passage of early legislation in Minnesota that set national precedents. The Shelter Appropriation Act provided state financial support for shelters and safe homes, and the Domestic Abuse Act allowed spouses to obtain an order for protection without having to file for a divorce or legal separation.

Women’s Advocates continues to provide emergency shelter, advocacy, counseling, and support services to women and children in the Saint Paul-Minneapolis metropolitan area.

STATE-FUNDED SERVICES IN MINNESOTA

In 2005, all but three counties had services for domestic violence victims, with funding from the Office of Justice Programs, part of the Minnesota Department of Public Safety. The state funds three basic types of domestic violence programs (outlined below). Many organizations receive funding for more than one type of program, in order to meet the varied needs of domestic violence victims.

Shelter Programs (27 shelters, plus 29 hotel/motel or safe home programs)

State funding for Shelter Programs focuses primarily on services to directly assist residents of the shelter. Shelter programs provide general advocacy services, including:

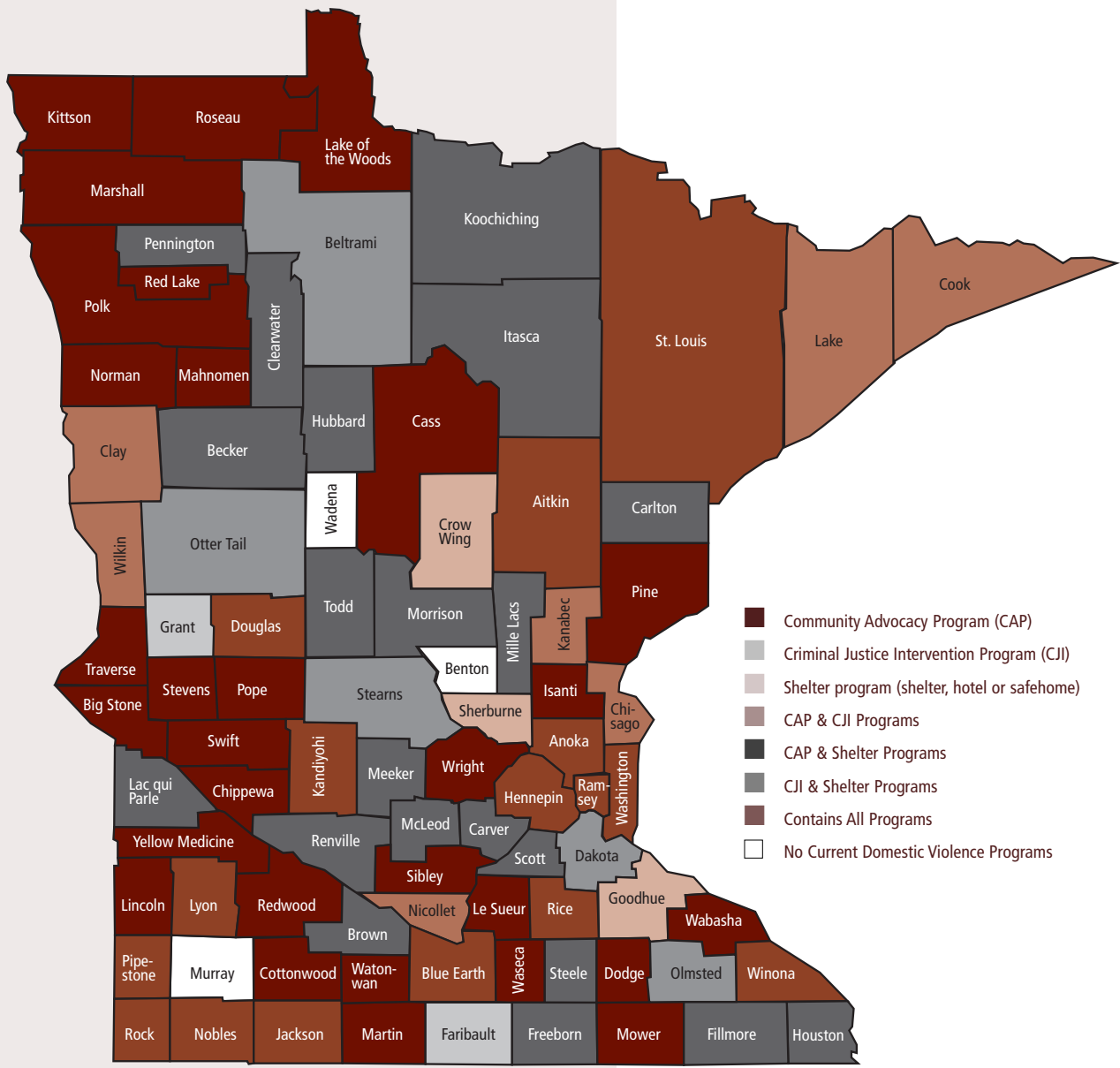
- Emergency housing and transportation to safety
- 24-hour crisis intervention
- Connection with child care, services for children, income support, food, clothing, medical services, transitional housing, and other resources
- Assistance with civil, criminal, and family court or other legal services
- Safety planning
- Accompaniment to appointments, as appropriate
- Support groups

In addition to shelters, a network of safe houses and hotel-motel programs also houses domestic violence victims, especially in rural areas.

Community Advocacy Programs (60 programs, some serving more than one county)

Primarily housed in local nonprofit organizations or local government agencies, these programs work with people in a variety of victimization situations, including those who simply “walk in” looking for help. Community Advocacy Programs provide many of the same services listed above under Shelter Programs, including assisting victims in finding emergency housing if needed. Conducting local education,





Source: Minnesota Department of Public Safety

training, and outreach is also an important aspect of their work.

Criminal Justice Intervention Programs (20 programs)

These programs, housed in local nonprofit organizations, work with victims of domestic violence whose assailants have been arrested or have otherwise entered the criminal justice system. Services include:

- Informing victims about legal options including orders for protection, harassment orders, and civil or criminal remedies
- Training criminal justice professionals to better respond to domestic violence
- Tracking domestic violence cases from the original police call through sentencing
- Helping criminal justice agencies develop and use effective policies and procedures

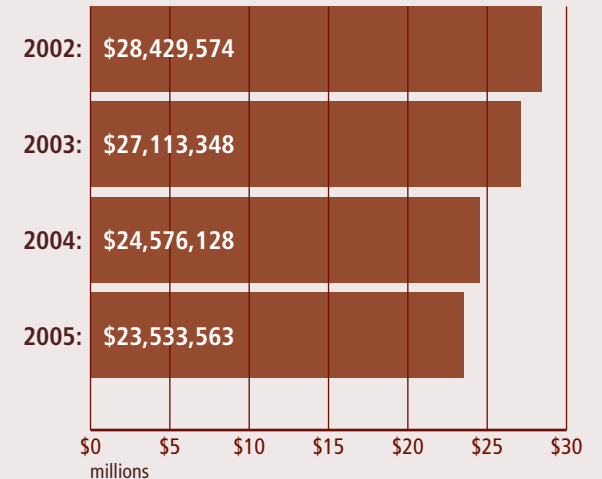
PUBLIC FUNDING DECLINES

While many services are available in Minnesota, an overall decline in funding has cut back some services. The largest State funding source for domestic violence victim services, the shelter grant program (formerly called “per diem”), decreased from about \$18.4 million in 2003 to \$15.4 million in 2005.

FOOD FOR THOUGHT

- When asked to describe the impact of funding cuts, most service providers mention staff reductions. What is the real impact of budget cuts for victims and children? People working directly with victims probably see impacts, but specific examples have been very difficult to document. One commonly suggested factor is that stopgap measures like increased staff workloads are keeping services near previous levels. Are these measures sustainable?
- Another common theme in the interviews for this report was the observation that budget cuts for general social services and economic stability programs have meant that domestic violence victims arrive at shelters with fewer options and greater needs. Since shelter programs have reduced staffing, less personal time and attention is available to help victims piece together the daily necessities in order to leave the shelter and rebuild their lives.
- Since most observers do not expect a return to earlier funding levels, what are the difficult long-range decisions that must be made? What formerly “untouchable” assumptions or approaches need scrutiny? Where are the facts and evidence on which to base such decisions and convince others?
- What portion of the cost of domestic violence services should ideally be state-funded? (Right now it’s about 80 percent.) Should there be a 50-50 match with private funding? One-hundred percent state funding? Why?

TOTAL PUBLIC FUNDS FOR DOMESTIC VIOLENCE SERVICES THROUGH THE MINNESOTA DEPARTMENT OF PUBLIC SAFETY (includes state and federal funding)



Source: Interagency Task Force on Domestic Violence and Sexual Assault Prevention

CRITICAL TRENDS AND ISSUES

ONE WOMAN'S STORY

Dawn's abuser was her husband of 19 years, with whom she had four children. They had gone through years of homelessness, bouncing between homeless shelters, relatives, and friends. When Dawn decided to leave her abusive husband, a Twin Cities battered women's shelter "opened up a different world."

Although they stayed at the shelter for only a month, Dawn said the impact from that stay will last a lifetime for her and her children. She found not only refuge and safety, but help with other pressing needs – applying for temporary welfare support, finding furniture, and getting counseling for herself and her children. The shelter arranged for her children to be picked up from school, so Dawn could focus on seeking employment.

The most critical help in Dawn's eyes, however, was the assistance getting their own apartment. She still remembers how important it was for her children to know they would come home to a home-cooked meal and take a bath in their own home, rather than washing up in a fast food restaurant bathroom.

(Names and details have been changed to protect privacy.)

THE MORE PEOPLE KNOW

COMMUNITY KNOWLEDGE AND NORMS

In just a few decades, public information campaigns brought about major changes in community awareness and a general public rejection of domestic violence. This widespread understanding of the dynamics surrounding domestic violence has greatly reduced the stigma of seeking help, and has promoted a shared belief that household violence is neither normal nor acceptable. In addition, the publicizing of available services has made it easier for victims to find help.

FOOD FOR THOUGHT

- Do people in your community know what's available if their relative, friend, or neighbor asks for help?
- Do social centers like health clubs, libraries, and faith communities know how to help victims find help or abusers find treatment?

IDEAS FOR ACTION

- Broaden the community understanding of domestic violence as everyone's issue, not just a women's issue. Men's voices need to be heard. Men need to step forward and say, "Violence against women is wrong."

- Include domestic violence issues in continuing education for key professions, including medicine, mental health, nursing, social work, criminal justice, and religion.
- Develop education and outreach materials and programs for specific cultural groups and geographic communities. This does not mean simply having those communities represented at the table, although that's a starting point, but really seeking leadership and ownership within those communities to develop services that meet distinct cultural needs.
- Provide workplace training to help supervisors and co-workers recognize signs of domestic abuse and provide appropriate kinds of support. Rather than developing training from scratch, choose the best available training materials and supplement them with your local knowledge.
- Develop awareness for college-age youth about dating violence, since the transition from high school into college is a high-risk period.

“Victims used to perceive law enforcement as a ‘bad guy’ there to keep the peace and stop the victim from complaining. Now they are seen as more on the victim’s side.”

– Police officer

IT’S A CRIME

LAW ENFORCEMENT ISSUES

For several reasons, law enforcement personnel traditionally have been wary of intervening in domestic violence. Calls for assistance with domestic violence are considered particularly risky and volatile. Law enforcement professionals, in interviews for this report, spoke about officers’ common frustration with the behavior of victims as well as perpetrators. And historically, law enforcement personnel tended to view domestic violence situations as being in the realm of relationships, not crime.

Over the past several decades, changes in laws and training have promoted more consistent and victim-centered law enforcement in domestic violence situations, with a greater focus on protecting victims and a stronger partnership between police and community groups that help victims. This does not happen in every community yet, but when it does, things go much better for victims.

Mandatory arrest. Mandatory arrest policies require police to make an arrest at the scene of a domestic assault if there is probable cause (such as damaged property, visible injuries, or distraught victims).

These policies have had a profound influence on those involved in domestic violence. Although the effects have generally been positive, there have been unintended consequences for victims and communities of color.

Mandatory arrest challenged police attitudes that tended to view domestic violence as a private matter best resolved by the persons involved. Several studies have shown that arrest is effective in preventing the escalation of violence and reducing subsequent violence (although other factors such as the judicial process also played an important role). One positive trend in recent years has been better crime scene documentation, providing solid evidence even if the victim decides not to help with prosecution.

However, one of the unintended consequences has been “dual arrest” – where both the perpetrator and the victim are arrested (usually because the victim has struck back in self-defense or retaliation).

FACT

Domestic assault and rape are the crimes least likely to be reported to police in Minnesota. Most of those who experienced these types of assault said they let at least one incident go unreported.

(Safe at home: 2002 Minnesota crime survey)

“Communities of color won’t reach out to law enforcement if they lack trust in law enforcement.”

– Policy advocate

It has also been argued that perpetrators learned how to use this law to further harm the victim: By claiming to have been hit by the victim, the perpetrator could use the mandatory arrest law to force police to arrest the victim. This could not only cause further distress for the victim, but make them less inclined to call for help in the future.

Some critics of the mandatory arrest policy argue that it undermines the empowerment of victims. They view it as a paternalistic approach that assumes women are best protected by the legal system regardless of their own judgment about how to best manage the situation. However, it is critically important that domestic violence is viewed as a crime against society as a whole, not as a private matter.

Others have pointed out that the policy can have biased or negative effects in different cultural communities. While theoretically

mandatory arrest should reduce racial bias (because police are to arrest consistently in the same circumstances), bias – including classism – can influence the way police interpret the stories of victims and determine probable cause. There is also evidence that in cultural groups with lower levels of trust toward police, victims are less likely to report domestic violence. In particular, observers have noted that Black women commonly avoid calling police in order to protect Black men from potential brutality or courtroom bias.

Because so many incidents of domestic violence go unreported, mandatory arrest policies are important but insufficient. Communities also need to increase people’s willingness to report abuse by ensuring that their fears about doing so will not come true (for example, by ensuring equal treatment of all cultural groups and fair implementation of arrest policies).

FOOD FOR THOUGHT

- How well are domestic violence agencies really working with law enforcement in your community?
- What are the biggest success stories and what are the weak spots in that collaboration?
- What steps might lead to working together better?

IDEAS FOR ACTION

- Ensure that your community has a standard procedure for excellent documentation of abuse incidents by police (including photos, audio recordings, and detailed notes) so that prosecution can go forward successfully.

“Advocates deserve a lot of credit for changing the judicial process. They were critically important in educating judges and attorneys about domestic violence and creating more coordinated efforts.”

– Judge

MATTERS OF JUDGMENT

JUDICIAL ISSUES

Will the victim testify? Traditionally, victims’ willingness to testify in court was a deciding factor in whether to prosecute. In domestic violence cases, however, this has gradually been replaced with a broader look at all the evidence in the case. Prosecution can even go forward against the victim’s wishes. Still, efforts to persuade victims to help with the trial remain relatively common, although controversial. While some believe that victim participation in prosecuting the abuser is empowering, others feel that it places an undue burden on victims.

Protecting the victim. Several policies enacted in the late 1970s and early 1980s set up safeguards for victims who go through the judicial process, such as supervised release of accused abusers, notification of victims when the accused person is released, and court orders of no contact between victims and their accused abusers. While these safeguards are important, they are not always sufficient to ensure safety due to difficulty of enforcement and disproportionate impacts on people of different cultural backgrounds and social classes. In addition, while domestic violence

is prosecuted in criminal court, the same persons might be involved in civil or family court. Lack of communication and integration in the court systems can result in contradictory rulings and can jeopardize victims’ safety.

Communication and collaboration between civil and criminal courts appear to be working in Hennepin and Ramsey counties. Where that does not happen, things can more easily fall between the cracks. For example, conflicting orders might be issued regarding parental visitation (family court) and no-contact orders (criminal court).

Inconsistent availability of full criminal history. To decide on the severity of sentencing, judges need to know about previous offenses that might have occurred in another county. That information is not fully available, but the problem should be largely remedied by the CrimNet system currently being developed in Minnesota. The new system promises to link criminal history from different sources to provide a comprehensive picture for each perpetrator.

Plea bargains. Domestic violence cases are often plea-bargained to make it easier for victims to move through the judicial process and to encourage batterers to enter treatment programs.

FACT

In Minnesota, domestic assault felony cases increased from 56 in 2000 to 113 in 2004. More domestic assault cases are being charged as gross misdemeanors than as felonies, and those numbers have risen from 2,170 in 2000 to 2,681 in 2004.

(Minnesota State Court Administrator)

While these benefits are important, plea bargains can also erode the sense of offenders' accountability and diminish the significance of the case in the eyes of judges and other stakeholders.

"Specialty courts" for domestic violence.

Specialty courts create a more holistic process for the victim by linking judge, prosecutor, defender, victim advocate, and social services. Defendants are typically expected to complete a court-ordered or involuntary batterer intervention program and to have no contact with the victim. Compliance is strictly monitored, and judges play a key role: One study concluded that "ongoing judicial monitoring may be the most effective technique" to reduce repeat offenses of domestic violence. The specialty court model has been used with some success for drug-related offenses, and is being used in Hennepin and Ramsey counties for domestic violence cases.

WATCHing the courts. WATCH is a Minnesota organization that trains volunteers to monitor domestic abuse, child abuse, and sexual assault cases as they move through the criminal justice system in Hennepin County. Court

monitors, recognized by their red clipboards, provide a consistent public presence in the courtroom. They observe and record more than 3,500 appearances each year. WATCH uses this information to identify troublesome patterns such as inattention to victim safety, chronic offenders going through the system without serious consequences, or high-risk offenders being released without bail. WATCH then investigates any apparent problems, issues research reports, and also publishes results in a quarterly newsletter. For more information on WATCH, visit www.watchmn.org.

One-stop service centers. At the Domestic Abuse Service Center in downtown Minneapolis, victims of domestic violence can file an order for protection, get help finding temporary housing, meet with an advocate from a community nonprofit organization, meet with a prosecutor, get advice from child protection workers, and more. Any Hennepin County resident who is the victim of actual or threatened violence by an intimate partner can use the center. For more information: www.hennepinattorney.org/domestic.htm.

FOOD FOR THOUGHT

- Is anything holding back the consistent enforcement and rigorous prosecution of domestic violence in your community?

IDEAS FOR ACTION

- Increase the placement of perpetrators in programs that help to break the pattern of abuse.
- Find ways to promote completion of court-ordered programs for perpetrators.
- Use the "one family, one court" model to ensure that criminal, civil, and family cases are coordinated.

“In the mid-1990s, Minnesota’s innovative edge dissolved into a battle about what was ‘philosophically pure.’”

– Shelter and community services director

GRASSROOTS: LOST IN THE FIELD?

A PROFESSIONALIZED MOVEMENT

The evolution of domestic violence work from a grassroots, feminist movement to a professional field has been controversial. While some see professionalism as a path to attract funding, gain broad community support, and improve the effectiveness of services, others see it as a sellout of the original spirit and values of the movement. Another concern is that those who have experienced domestic abuse, but do not have the necessary academic degrees, have difficulty entering the professional field.

Part of the original philosophy was to empower women. As the movement became more professional, and service providers adopted common models of social services, women survivors began to be characterized as “victims” or “clients” in need of care.

This is not just an interesting philosophical difference. It shapes decisions about services, makes or breaks community alliances, and sometimes stands in the way of getting things done that people on all sides of the question actually agree should be done.

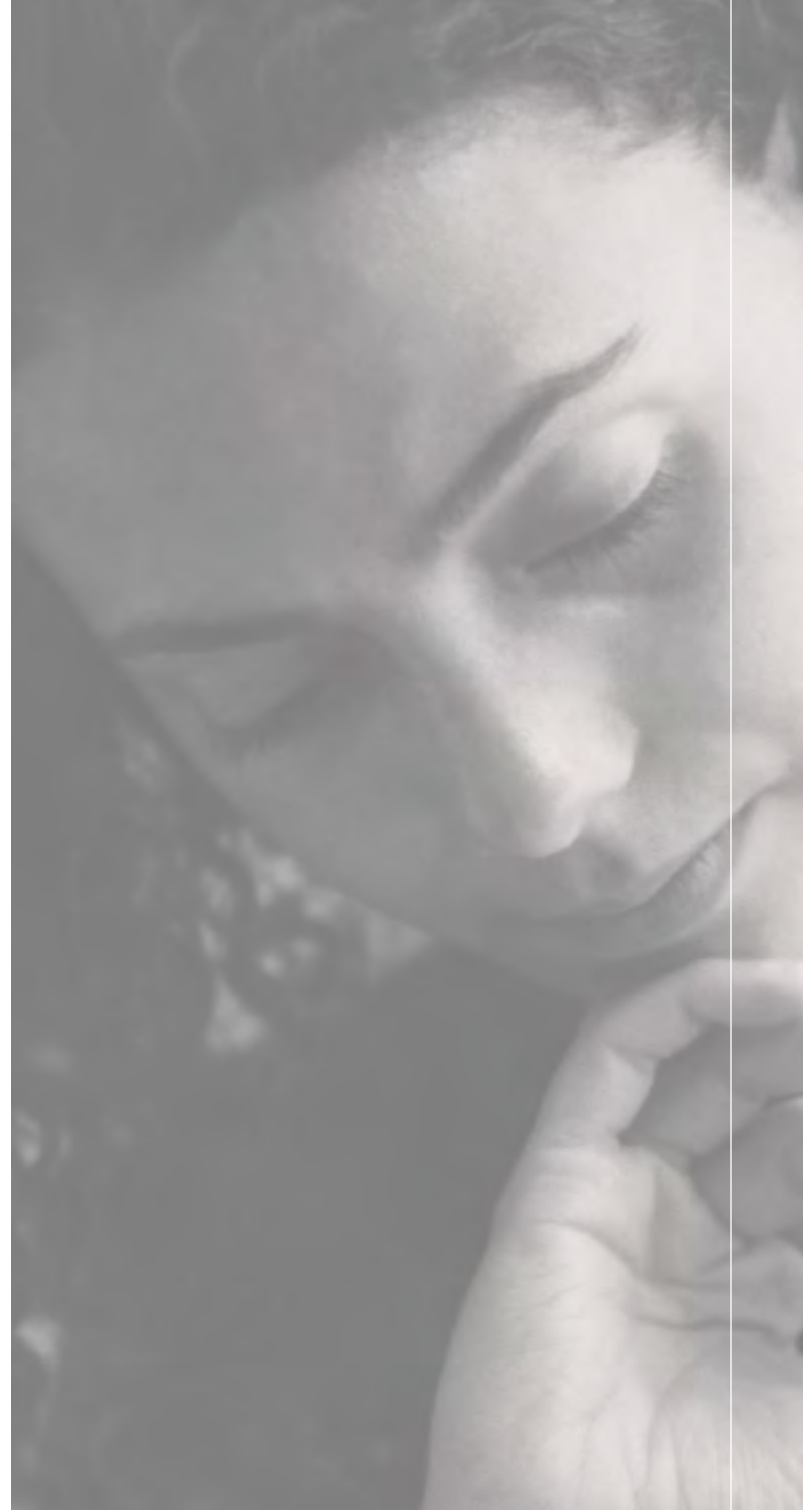
Some also argue that as the movement became more professionalized, it lost its unified front. In

the early years of the movement, Minnesota was a pioneer and leader in the field. The current question is whether Minnesota’s leadership and expertise in dealing with domestic violence is losing ground, and if so, how to get back on track.

The work to end domestic violence and heal its harm will be strengthened if the tenets and strengths of the original movement (empowering women, inventing solutions, and shaking up complacency) can join with the professional values of trained and experienced staff working in sustainable organizations.

FOOD FOR THOUGHT

- Is it actually necessary to forge a truly cohesive spirit of coalition, rather than operating in factions, in order to exert leadership and stimulate innovation?
- What minimum points of agreement would be needed to form a coalition?
- To gain common ground, what about a hard-nosed focus on proving what works – what actually makes the greatest real-life difference for victims, perpetrators, and children? Substantial agreement about what needs to happen can serve as a powerful motivator for disparate interests to strive together, rather than against each other.



“We know violence is learned, but we have been unwilling to financially support prevention. We have the ability to have a profound influence, but all we do is talk about the importance of prevention.”

– Shelter director

WHO QUALIFIES AS A “VICTIM”?

DIVERSITY OF DYNAMICS AND NEEDS

In recent years, conventional thinking has been stretched beyond the notion that domestic violence is always something done by men to women. Acknowledging other groups as genuine victims of domestic violence in need of services sometimes challenges the traditional feminist view of domestic violence as a patriarchal problem of males dominating and controlling females.

Men. Most research studies and services related to domestic violence focus on women, who do make up the majority of victims and receive the most severe injuries. But there are also male victims. While some men may be harmed by women in retaliation or self-defense, this does not explain all female violence against men. Helping male victims poses several challenges, including a lack of appropriate services and greater stigma attached to seeking help.

People in same-sex relationships and transgender persons. Domestic violence within same-sex relationships and involving

transgender individuals is generally not well understood, with disagreement about whether the violence reflects patterns similar to those seen in heterosexual relationships. While there may be some commonalities, there may also be unique dynamics of abuse within same-sex relationships and those involving transgender individuals. Because of this, and because of the traditional gender roles reflected in most current services for both victims and perpetrators, modified services may be necessary. One example: Gay men have few places to go for shelter, while lesbians can enter battered women’s shelters.

Older adults. There is growing awareness of abuse of the elderly. This abuse has typically been under-recognized and it has been more difficult to intervene, due in large part to isolation of the elderly. Strategies to reduce abuse of the elderly typically focus less on empowerment of victims, and more on increasing the ability of others in the community to recognize and stop the abuse. Typical approaches include raising public awareness, training medical professionals and caregivers to recognize and intervene, and enacting stronger legal protection.

IDEAS FOR ACTION

- Conduct solid research into the specific needs for victim services and prevention work among men, people in same-sex relationships, and transgender individuals.
- Promote screening policies and protocols that equip health care providers to recognize and respond to signs of domestic violence with any patient, especially the elderly.
- Develop services specifically for victims who are male, elderly, or in same-sex relationships. Consider innovative approaches such as online support communities.
- Promote education and awareness materials and campaigns, tailored for domestic violence professionals and for community members, about elder abuse, abuse of men, and violence in gay, lesbian, bisexual, and transgender relationships.

PLACES TO TURN

SERVICES FOR VICTIMS

Historically, victims of domestic violence have been most likely to seek help from their friends and family. While informal networks are still often the first line of support, people who experience domestic violence now have substantially more options than just a few decades ago.

The first services for domestic violence victims focused on the immediate crisis need for advice and shelter. These services gradually expanded to encompass a wider range of supportive services (such as legal aid and vocational assistance).

Shelter services. Shelter space is generally more readily available in Minnesota than in other states, but availability varies by region. Some women travel long distances to find a shelter bed. In addition to providing a safe place to stay, many shelters also have gradually added a range of support services, which has presented funding and management challenges.

Housing. The need for a new place to live poses a significant barrier to anyone who attempts to leave a violent relationship. Some shelter providers report that increasing numbers of women appear

to be seeking admittance to a battered women’s shelter not to flee an immediate safety crisis, but to get assistance with housing so they can leave an abusive situation.

Transitional housing or long-term supportive housing (providing services to aid stability) can play a critical role in both providing safety for victims of domestic violence and equipping them to build a new life. However, agencies that work with domestic violence victims have found it increasingly difficult to find stable and affordable housing for people with low income. This can lead to longer stays in shelters, and therefore to fewer openings for women seeking shelter.

Advocacy. Advocates have played a critical role in Minnesota by helping women navigate the legal system and find services; by increasing community awareness; and by training personnel in law enforcement, the courts, and other systems. Some current challenges for advocates:

- Pressure to specialize in one area (such as court, housing, medical care)
- Difficulty working for broad system change while depending on tightly targeted funding
- A perception that they sometimes “drive their agenda” with victims, rather than supporting victims’ own priorities and judgment

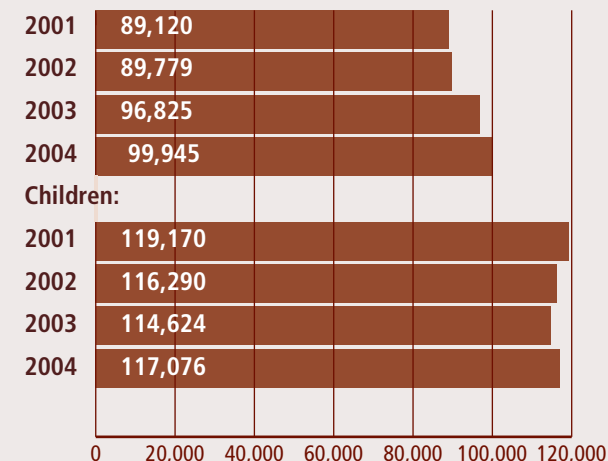
FACT

In 2003, a statewide survey of homelessness found that the most common reason women sought shelter was to flee an abusive partner. Nearly one in three homeless women was homeless because of domestic abuse.

(Wilder Research)

NIGHTS OF SHELTER PROVIDED IN MINNESOTA'S STATE-FUNDED BATTERED WOMEN'S SHELTERS

Women:



Source: Minnesota Department of Public Safety

Note: Years shown are state fiscal years, July 1 to June 30.

VOICES

“Many programs that are ‘culture-specific’ are staffed by people from the culture, but applying the mainstream models instead of starting with the cultural approaches. There is pressure to conform to a Western approach. This is a huge barrier to providing culturally based services.”

– Provider of culture-specific domestic violence services

Mental health and chemical dependency.

This is a sensitive and controversial topic. People who have experienced domestic violence often do experience mental health and chemical dependency problems. At the same time, many in the field hesitate to actively address this need for fear of blaming the victim and equating domestic violence victimization with being personally unstable, weak, or otherwise “flawed.” Yet access to help with mental health and chemical dependency is important for any group of people, including those who have experienced abuse. Rather than skirting the issue because of possible stigma, the real challenge is to meet these needs while framing the issue in a way that avoids stereotyping the victims of domestic violence.

Cultural considerations. With the best of intentions, some service providers and advocates, especially in earlier days, proposed a value of “color blindness,” in which individuals

receive consistent information and support regardless of cultural background. This philosophy, while positive in the sense of providing universal access to help, can limit the effectiveness of services by missing some important dynamics in specific cultural groups. Cultural competency in victim services requires an understanding of how cultural background can influence victims’ reactions to the abuse situation, their acceptance of services, and their understanding of healing processes. For example, in some cultural communities women are more likely to resist leaving the situation; they simply want the abuse to stop.

Culturally competent services must also address pragmatic issues such as language barriers and fear of deportation after any contact with authorities. In addition, victim services must take into account some of the more subtle yet powerful influences in cultural communities, including racial discrimination and institutional bias.

Rural communities. Challenges in rural communities include isolation, limited service options, transportation difficulties, greater stigma due to reduced anonymity, difficulty accessing and enforcing legal protection, and limited police presence. Agencies that serve victims of domestic violence in rural communities may also experience challenges, including reduced access to information and training opportunities and isolation from others working on domestic violence issues. Successful strategies for improving services in rural communities have not yet been established through research. Collaborative, interdisciplinary models may be especially important in rural areas.

VOICES

“In the old days, we were looking at the impact of domestic violence on all women. We couldn’t deal with diversity issues right away. Even the women from diverse populations said that maybe the first thing we need to do is get ourselves established. Once the basic services were out there, then they started targeting where communities of color were living.”

– Former provider of domestic violence services in the African American community

FOOD FOR THOUGHT

- Because of the need for long-term supportive housing for victims of domestic violence, what if all the shelters in a region, or across the state, would get together to retool or even reinvent the shelter system to meet that goal, in collaboration with other providers of temporary and long-term supportive housing?
- Despite the daily stress of trying to provide good service with shrinking budgets, is there a way to get beyond the mentality that “we just need more funding to do everything the same way we do it right now”?
- Can service providers continue to make a strong case for funding the things that are essential, while at the same time giving careful scrutiny to that list of essentials to see if they could be accomplished in any other way?

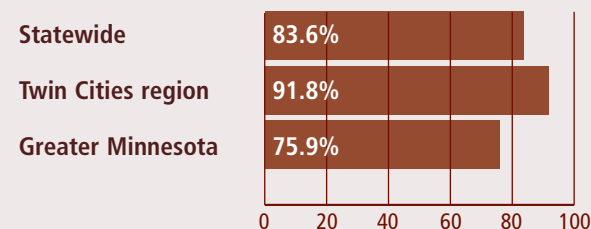
IDEAS FOR ACTION

- Expand funding options, including previously untapped sources, to preserve available shelter services and ensure the safety of victims and children.
- Look for strategic alliances with organizations that provide effective services in transportation,

housing, mental health, employment, child care, etc. Those agencies might already be well-equipped to work with domestic violence victims, or might adapt their services in close collaboration with domestic violence agencies.

- More consistently and effectively use Day One Services to document shelter availability, including the supply of nearby options that are feasible for victims with limited ability to travel to another community.
- Provide increased access to interpreter services in domestic violence programs.
- Promote the capacity of communities (defined by cultural, geographic, or other commonalities) to learn from the domestic violence field while also using their own ability to develop and adapt services.
- Integrate chemical dependency and mental health treatment services into shelter and transitional housing programs, being careful not to label or stigmatize survivors of domestic violence who have these symptoms. Do not necessarily “build” or directly provide these services through shelter programs, but look for new alliances to meet the needs.

OCCUPANCY RATES FOR MINNESOTA BATTERED WOMEN’S SHELTERS (2001-2004 average)



Source: Minnesota Department of Public Safety

AVERAGE LENGTH OF STAY IN MINNESOTA BATTERED WOMEN’S SHELTERS



Sources: Stephen Coleman, *An evaluation of Minnesota’s shelter program for battered women (2001)* for 1983 and 1999 data; Minnesota Office of Crime Victim Services for 2000-2004 data.

ONE CHILD'S STORY

"My sisters and I would go to bed each night with our heads covered by our blankets, our hands over our ears to attempt to not hear our mother's screams. We would quietly cry ourselves to sleep, knowing that in the morning the woman we loved, who had a strong heart, would be hurt, bruised, and battered.

"Then we went to [a shelter for battered women]. I don't know how we got there. I just remember that night, for the first time, my sisters and I all lay in bed with our hands at our sides and our heads uncovered, listening to our mother and the other women talk softly and laugh together, not crying and screaming.

"They were like angels sent to save us."

(A woman who grew up with domestic violence)

A CHILD'S-EYE VIEW

Research has established that children exposed to domestic violence are at greater risk of developing psychiatric disorders, developmental problems, school failure, violence against others, and low self-esteem.

Two examples of Minnesota programs that counter these risks to children:

The Children Exposed to Violence Initiative in central Minnesota is a collaborative effort among child advocates, a therapist, a child psychologist, a child psychiatrist, a public health nurse, and an early childhood educator. This team works with children residing at Anna Marie's, a battered women's shelter, by:

- Screening children for mental health, developmental, and physical problems
- Providing a thorough assessment if screening results indicate a need

- Making referrals or providing services to meet the needs identified in the assessment. The purpose is to help children do better at home, in school, and in the community

Safe and Bright Futures for Children of Ramsey County is a group of service providers developing a continuum of care for children who are victims of domestic violence. The group includes domestic violence advocacy, community-based mental health, and social service agencies; school social workers; the court system, corrections, and probation; child protection; county and city attorneys; law enforcement; and the University of Minnesota. Some of the partner agencies offer culturally specific services and bring their expertise about a particular cultural community to the group. While the majority of the partner agencies are known for intervening after violence has occurred, many also provide secondary and primary prevention services for both children and adults.

VOICES

“Researchers need to focus more on community questions and share results so that the community will understand them. We need to be able to say what works, with whom, and how.”

– Researcher

HALLMARKS OF EFFECTIVE SERVICES FOR VICTIMS

After 30-plus years of extensive work with domestic violence in Minnesota, the lack of evidence about effectiveness stands out as a glaring omission compared to almost any other type of human services.

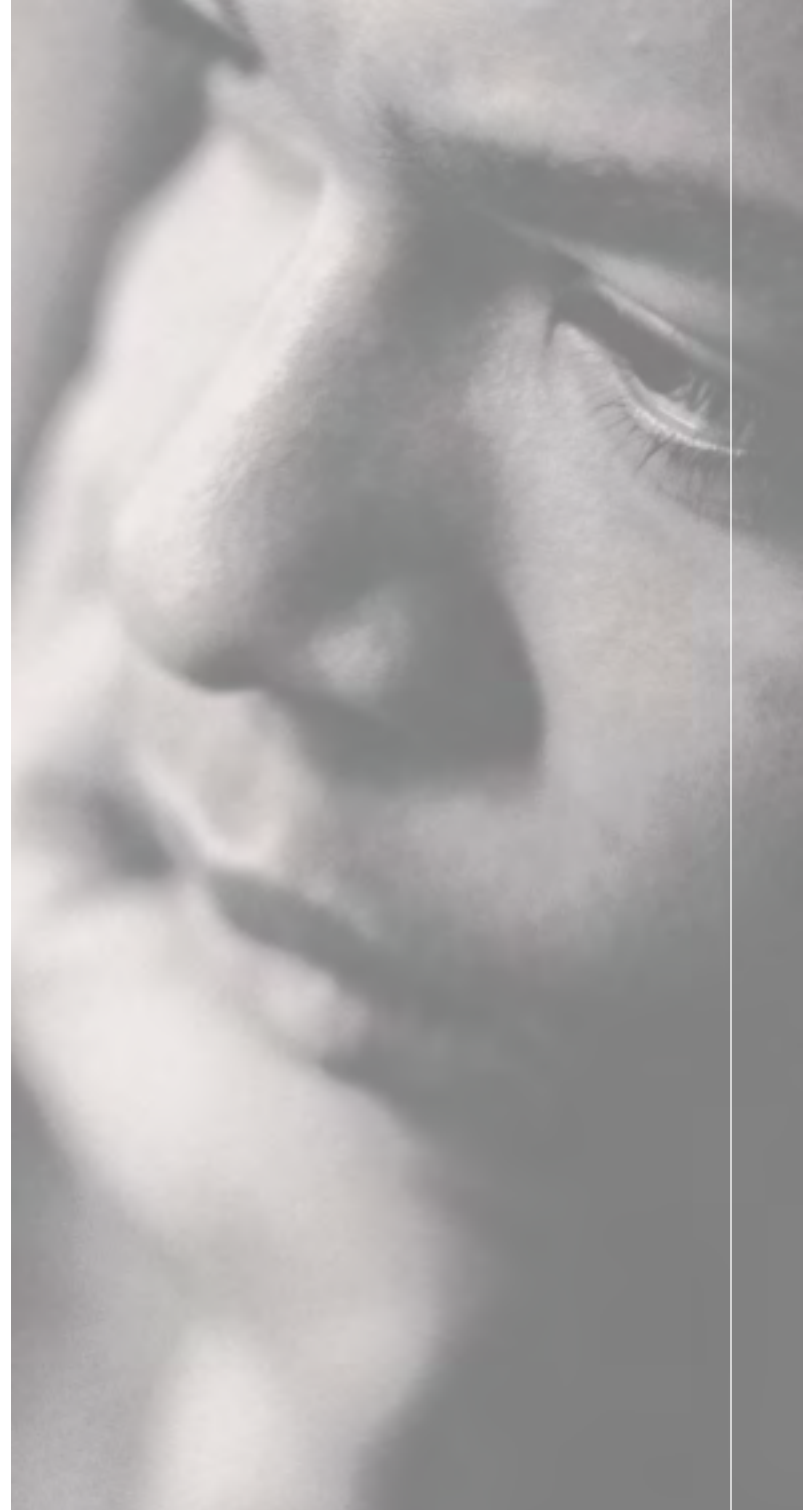
The services offered to help victims recover from domestic violence include counseling, education, and group treatment. While some benefits have been demonstrated, the scarcity of high-quality research and the wide variability in practices make it difficult to make general conclusions about effectiveness.

One practice with rock-solid evidence in the field of domestic violence services for victims is the provision of follow-up or aftercare. This helps domestic violence victims sustain the early benefits they gain from advocacy and other services. Follow-up could range from informal check-ins to a very structured follow-up system that tapers off from weekly to monthly to quarterly, etc. However, aftercare is rarely available in programs serving domestic violence victims.

Rigorous evaluation research must become the norm for Minnesota domestic violence programs and services. Well-designed, long-term studies can provide credible answers to the most critical questions that service providers have about the best ways to work with domestic violence victims. The most-cited reasons for resisting research in this field – cost and safety concerns – are valid but surmountable concerns.

IDEAS FOR ACTION:

- Create partnerships between practitioners and researchers to jointly choose and answer the most important questions about preventing and addressing domestic violence.
- Seek to learn about innovative ideas that are being tried outside of Minnesota, and choose new evidence-based approaches to implement here.
- Increase the availability of follow-up and aftercare services, which are shown to make domestic violence services more effective.



“The judicial system holds accountable wrong behavior, but jail doesn’t convert and heal. It is important to create and fund programs that are not humiliating for the perpetrators.”

– Shelter and community services director

BREAKING THE CYCLE

WORKING WITH PERPETRATORS

While it is important to hold perpetrators accountable, treatment can be an effective way to do that while offering the possibility of changing behavior patterns and reducing the chance of abuse occurring again.

In general, self-motivated treatment is better than coerced treatment, but mandatory treatment (court-ordered, with close monitoring and supervision) is better than no treatment at all.

Many courts now routinely refer offenders to batterer intervention programs, usually as a condition of probation. These programs often involve group treatment at community agencies. Originally most abusers signed themselves up for treatment, but now the majority of participants are there because of a court order.

Group interventions have mainly focused on the underlying cause of the perpetrator’s violence (including childhood family patterns). The educational component teaches batterers

to identify the physical and emotional triggers that push them toward violence, and trains them to use anger management and communication skills. Similarly, cognitive-behavioral approaches teach new patterns of nonviolent thinking and behavior.

Other recent emphases are on increasing batterers’ completion of treatment by using more thorough court monitoring; and using motivational enhancement therapy to increase perpetrators’ resolve to get help before the abuse escalates to arrest or mandatory treatment.

One emerging approach for encouraging abusers to voluntarily seek treatment before it becomes a matter for the courts is called “Stages of Change.” This is essentially the outline of a typical path for major behavior change. For example, physicians sometimes use “Stages of Change” with patients who need to make major changes in their habits. In perpetrator intervention, “Stages of Change” has been used to motivate perpetrators to seek treatment voluntarily. One example is found in the appendix of an online training manual:

<http://nccanch.acf.hhs.gov/pubs/usermanuals/domesticviolence>.

FOOD FOR THOUGHT

- While there is evidence that treatment programs for perpetrators can be effective, much more research is needed to determine the most successful approaches for different perpetrators based on their characteristics, behavior patterns, and motivation to change.

IDEAS FOR ACTION

- Conduct research to test different strategies to promote successful completion of treatment programs.
- Integrate mental health treatment and responsible parenting training into batterer intervention programs.
- Apply “Stages of Change” and other methods for batterers to overcome their resistance to change.
- Document the extent to which court-ordered interventions for domestic violence perpetrators successfully reduce repeat offenses.

STOP IT BEFORE IT STARTS

PREVENTING DOMESTIC VIOLENCE

A problem of the magnitude of domestic violence will not be significantly reduced unless communities move beyond helping victims, to prevent victimization in the first place. However, in a tight funding situation, prevention is often the first to go.

To be successful, prevention services must directly address the underlying risk factors (see sidebar at the right) that put people at higher likelihood of becoming perpetrators or make them more vulnerable to becoming a victim of domestic violence. Prevention work should also strengthen the protective factors that help people avoid becoming abusive.

Prevention has at least three important dimensions:

- Personal – teaching partners how to handle conflict without violence;
- Situational – responding positively to stressful events; and
- Societal – changing norms so that violence is unacceptable in relationships.

FOOD FOR THOUGHT

- In your community, is a clear, public connection being made between the specific concerns of domestic violence and the general issue of violence prevention?

IDEAS FOR ACTION

- Forge new or stronger alliances with anti-violence work already being done in schools and other settings.
- Focus on preventing dating violence among young adults (age 18 to early 20s).
- Actively involve more men in prevention efforts, to influence other men to take responsibility for their behavior and to send a public message that violence against women and domestic violence are not just women’s issues.
- Develop specific prevention strategies for men, women, children, and adolescents.

RISK FACTORS FOR DOMESTIC VIOLENCE

A “risk factor” is anything that increases the likelihood that a person will become involved in domestic violence. Of course, risk factors are not necessarily causes, and not everyone who is “at risk” becomes involved in violence. In this list, risk factors are not necessarily listed in order of importance, and the list is not necessarily exhaustive.

Risk factors for committing domestic violence

- Younger age
- Low self-esteem
- Low income
- Low academic achievement
- Involvement in delinquent behavior as a youth
- Substance abuse (drugs and alcohol)
- Witnessing or experiencing violence as a child
- Lack of social networks and social isolation
- Unemployment
- Emotional dependence and insecurity
- Belief in strict gender roles
- Desire for power and control in relationships
- Exhibiting anger and hostility toward a partner

Vulnerability factors for experiencing domestic violence

- History of physical abuse
- Prior injury from the same partner
- Verbal abuse from the same partner
- Economic stress
- Childhood abuse
- Being under the age of 24

Source: Adapted from U.S. Centers for Disease Control and Prevention, National Center for Injury Prevention and Control (December 2004)

“In collaboration, it can be a challenge not to lose your own identity or focus. You need to find common ground where you can maintain your passion.”

– National domestic violence researcher

NOBODY CAN FIX THIS ALONE

COMMUNITY COLLABORATION AND COORDINATION

Over the past several decades, collaboration has increased and there has been a move toward a more coordinated community response involving police, prosecutors, probation officers, advocates, counselors, and judges. This collaboration, when it works well, not only creates a more effective, timely, and cost-efficient resolution of violence, but can also prevent future incidents of violence.

Challenges to effective collaboration, however, include differences of philosophy or approach, competition for funds and other resources, and the extra time and effort required for effective collaboration.

For example, conflicting interests often surface – with good reason – between those involved in child protection and those working with victims of domestic abuse. There is often tension between the equally valid principles of removing children from potentially violent situations and of helping domestic violence victims keep their families and lives as intact as possible.

One collaborative method is the safety audit, which follows each step in the process to make sure that victim safety and offender accountability

are the central aims. The audit covers not only official policies or procedures, but also “the way things really get done” to make sure that victim safety is the central concern. Safety audits are one way to set aside philosophical differences and focus on achievable results to improve the way domestic abuse incidents are handled in the community.

Another approach gaining attention is “Theory of Change,” a broad system for bringing together entire communities to work on a big issue like domestic violence. It provides a step-by-step method for defining and accomplishing big goals shared by the entire community. More information: www.theoryofchange.org.

COLLABORATION EXAMPLES

- Three agencies in Itasca County – Advocates for Family Peace, Itasca Alliance Against Sexual Assault, and the Victim Assistance Program of the Itasca County Attorney’s Office – have bridged their programs to work more closely and make it easier for victims to get the help they need.
- Collaborating for Safety for Native American Women is a project that coordinates the efforts of tribal leaders, law enforcement, and battered women’s programs with city and county law enforcement and prosecutors on

and around the White Earth and Leech Lake reservations. The collaborative was set up to assess current practices; select and adapt best practices for local needs; set up systems to make those practices standard; monitor how cases are handled; and increase training and networking among the collaborators. Using federal funds administered through the Minnesota Chippewa Tribe, the project was organized by the Minnesota Coalition for Battered Women, the Minnesota Indian Women’s Sexual Assault Coalition, and the Gender Violence Institute.

- The Partnership for Domestic Abuse Services in Ramsey County is developing a single site for all kinds of services for victims of domestic abuse. Partners include domestic violence shelters, community and advocacy services, legal services, law enforcement, schools, and health services.
- The Hennepin County Domestic Abuse Service Center (*see page 15*).
- Ramsey County Safe and Bright Futures (*see page 21*).
- The Children Exposed to Violence Initiative in central Minnesota (*see page 21*).

“We’ve come a long way, but domestic violence is still more prevalent than many people want to accept. There’s so much more that needs to be done in the legal realm, and in the greater community.”

– Policy advocate

FOOD FOR THOUGHT

- People and agencies often think they are collaborating when actually they are just networking, sharing information, or coordinating a few services. To really collaborate, you need to truly ally yourself with others and accept some loss of control over the process and results, while holding on to your core identity and mission. The sacrifices are worthwhile only if the group can accomplish greater things than the partners could do separately.

IDEAS FOR ACTION

- Use collaboration to work toward shared visions and goals, not only to react against funding realities. Continue to build on current partnerships (such as law enforcement and the judicial system) while expanding to include other systems, including faith communities, funders, and employers.
- For more information on what makes collaboration more likely to succeed, visit www.wilderresearch.org and search for: *Collaboration factors inventory*.

- Improve service coordination between the domestic violence and child protection systems, with a focus on securing the safety of all victims of family violence.
- Create opportunities to share resources (like training opportunities and bilingual staff) to mutually strengthen the work of mainstream and culture-specific agencies.
- Conduct coordinated community reviews to ensure that the rights and safety of victims are protected at all stages and in all involved agencies.
- Directly address the potential conflict between child protection and domestic violence victim advocacy.

ONLINE INFORMATION SOURCES

The following web sites contain useful information on domestic abuse topics, and also contain links to other information sources.

Minnesota Center Against Violence and Abuse:
www.mincava.umn.edu

Minnesota Coalition for Battered Women:
www.mcbw.org

Family Violence Prevention Fund:
www.endabuse.org

National Online Resource Center on Violence Against Women:
www.vawnet.org

National Coalition Against Domestic Violence:
www.ncadv.org

National Resource Center on Domestic Violence:
www.nrcdv.org

National Network to End Domestic Violence:
www.nnedv.org

