

Understanding Domestic Violence

Dawn M. Hughes

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Victims of Intimate Partner Violence and the Courtroom: Striving for Understanding

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DAWN M. HUGHES, PH.D., ABPP
CLINICAL & FORENSIC PSYCHOLOGIST

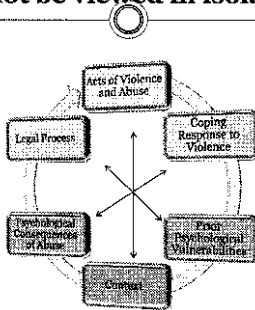
Why is this important?

- Many victims of intimate partner violence experience varying degrees of psychological consequences.
- The myriad traumatic and psychological consequences of repeated victimization invariably influence a victim's participation in the legal process.
- We can increase our sensitivity to how individuals who have been victimized and traumatized tell their story.

Identifying Intimate Partner Abuse

- I. Analysis of the Dynamics of the Abusive Relationship
 - Physical Abuse
 - Psychological Abuse
 - Sexual Abuse
 - Coercive Control
 - Stalking Behaviors
- II. Victim's Strategic Responses to Abuse
 - What were the effectiveness of those strategies?
- III. Social, Cultural, and Psychological Context in Which the Abuse Occurs
- IV. Psychological Consequences of Abuse

Inextricably related constructs that cannot be viewed in isolation



The FEAR Response

Basic functions involved in protection and survival tend to be activated automatically.



A rapid series of input occurs that is not fully thought out.



The resulting response is influenced by predisposition, learning experience, and memory.

Chronic Threat and Anxiety

When anxiety is chronic and the threat is ongoing, an individual remains in a state of constant preparation.

Very easy, therefore, to trigger a psychological and physiological fear response from a seemingly low-level threat.

One major effect is the shift of attention toward the source of the threat, interfering with attention, concentration, cognitive reasoning, consequences.

Have we moved beyond
the question...

“Why didn’t she just take
her kids and leave?”

What about leaving?

- Leaving represents only ONE strategic response to IPV
- Remaining in an abusive relationship is often embedded within a series of efforts to stop the violence
- Leaving or ending an abusive relationship does not necessarily stop the violence or the pattern of coercive control
- Women still are at great risk for serious and/or lethal domestic violence at the time of separation
- Leaving does not erase the psychological consequences of victimization

Reframe that question to....

These are all the things that she did do...
(strategic responses to violence)

to escape from the abuse
to protect herself from the abuse
to resist the violence
to prevent the abuse
to cope with the abuse

Strategic Responses to Violence

- Formal Help-Seeking
- Legal Strategies
- Compliance with and Anticipation of Demands
- Escape / Avoidance
- Passive and Active Self-Defense

- Personal Strategies
 - Talking to partner about abuse
 - Get him to promise to stop
 - Threatened him with nonviolent action (divorce, calling the police)
 - Hope for change
 - Relish the times of nonviolence
 - Tried not to think about it

Remember....

The goal is not to merely list the strategies that she did use, but to analyze the relative effectiveness of those strategies in stopping the violence.

As the risk of violence increases, she utilizes more strategies. Not learned helplessness, but.....

....in spite of her efforts, the threat of violence continues.

Only the batterer can stop his use of violence and coercive control.

What about claims of mutual violence?

Mutual Battering

High-Conflict Relationship

Volatile Marriage

Violent Partnership

Couple Violence

Do women use violence?

YES.

Does her use of violence
automatically negate the
presence of domestic violence?

NO

The measurement of violent acts alone do not adequately characterize intimate partner violence.

Examine the motives, contexts and consequences of her use of aggression.

What is the motivation behind her use of violence?

- Self-defense?
- Frustration?
- To get him to take her seriously?
- Anger?
- Attention?
- To control?

What are the consequences of her use of violence?

- Physical injury?
- Psychological damage?
- Fear?
- Intimidation?
- Future control?

Consequences of IPV are different for men and women

- Men use more serious forms of violence
 - Women are 2-3x more likely to report that their partner threw something at them that could hurt, pushed, shoved or grabbed them
 - Women are 7-14x more likely to report that their partner beat them up, choked them, threatened or actually used a gun on them
- Women are more likely to be injured during partner assault (41% vs. 19% of men)
- Women are more likely to be stalked (8% vs. 2%)

Violence Against Women Study/NIJ & CDC / Tjaden & Thoennes (1998)

What about coercive control?

COERCIVE CONTROL

- Expectations and demands are a normal part of relationships.
- It is the threatened *negative consequences for non-compliance* that makes the demands coercive.
- Demands and threats can be implicit or explicit.
- A partner who has demonstrated not only the *ability*, but the *willingness*, to use physical violence has "set the stage" for coercive control. Threats and demands thereby become more salient.

COERCIVE CONTROL

- Potentially distinct from physical abuse, psychological abuse, sexual abuse and stalking
- Psychometric measure of coercive control in development (Dutton & Goodman, *Sex Roles* 2005)

Sexual Abuse and Sexual Coercion

- Another manifestation of coercive control
- The research has suggested that women who are exposed to physical and sexual abuse in an intimate relationship are at risk for *more severe* psychological and traumatic symptomatology.

Are there gender differences in sexual abuse and coercion?

YES

RAPE

- 85.8 % women
- 14.2 % men

Who were the perpetrators?

- For women: 99.6% were male
- For men: 85.2 % were male

NIJ & CDC / Tjaden & Thoennes (2006)

Gender Differences in Adult Sexual Abuse

Female victims are *significantly more likely*

.....to be raped by a current or former intimate partner

.....to be injured

.....to suffer psychological consequences than male victims.

Gender Differences in Adult Sexual Abuse Perpetrator Characteristics	
WOMEN • 16.7 % stranger • 20.2 % spouse or ex-spouse • 21.5 % current or former date, boyfriend or girlfriend • 4.3 % current or former co-habiting partner	MEN • 22.8% stranger • 4.1 % spouse or ex-spouse • 2.7 % current or former date, boyfriend or girlfriend • 3.7 % current or former co-habiting partner

SEXUAL COERCION AND ABUSE
• Unwanted sexual activity. • Implicit and explicit threats to engage in sexual activity. • Women who are involved in violent relationships often report that they felt unable to say "no" to their partner because of the violence perpetrated against them. • They also reported fearing the consequences for not succumbing to their partner's demands. • Sexual abuse and coercion is another expression of coercive control in interpersonal violent relationships. • Women also report that they have been physically forced and explicitly threatened with force to engage in sexual acts against their will and without their consent.

RISK FACTORS
• Coercive Control is associated with high risk for lethal domestic violence • Sexual Assault in an intimate relationship has also been associated with high risk for lethal domestic violence

Implications for the Legal Process

Psychological Consequences of Intimate Partner Violence

• Depression • Anxiety • Substance Abuse • Posttraumatic Stress Disorder (PTSD) • Fear • Avoidance and Numbing • Disconnection • Somatic complaints • Health Concerns	• Trust Difficulties • Relationship Difficulties • Diminished self-esteem • Concentration Difficulties • Sleep Difficulties • Anger / Rage • Guilt • Suicidality • Shame
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Traumatized Individuals

- Are trapped between feeling too much and feeling too little
- Give the appearance of competency
- Have decreased capacity for analyzing and planning
- Feel the need to control and free themselves from trauma triggers – to avoid the unavoidable sensations associated with fear and helplessness
- Have much difficulty describing this inner struggle

Implications for the Legal Process

- Avoidance
 - Does not want to talk about the abuse – does not want to confront the past acts
 - May want to get through questions quickly and succinctly to prevent physiological arousal
 - May avoid court appointments to avoid exposure to her partner, which invariably, is a trauma trigger
 - Is consciousness or unconsciously trying to prevent from becoming emotionally deregulated
 - Avoids seeking help – lives in denial and minimization to cope with ongoing intimate abuse

Implications for the Legal Process

- Physiological Hyperarousal / Anxiety
 - Attention and concentration difficulties
 - May become hyperaroused while testifying and be unable to concentrate and track questions
 - May display anger or irritability
- Re-experiencing Symptoms
 - Intense emotionality upon being forced to detail the abusive relationship which trigger hyperarousal
 - Internal disregulation upon seeing abuser

Implications for the Legal Process

- Numbing of Responsiveness
 - May appear disinterested or unaffected
 - May express no emotions while testifying
 - Numbing of responses - Trying to keep it together internally
- Trust Difficulties
 - May not trust the legal system to effectively stop him
 - May not trust you – trust is a privilege that needs to be earned (return calls, show up, do as you promise)

Implications for the Legal Process

- Memory
 - May not provide complete, thorough, exhaustive account of account of details of abuse.
 - Her coping has been directed forgetting, denying, not thinking about it
 - Memory for repeated and chronic events can be fragmented and disorganized. Most people recall the larger traumatic context, but the details become merged and less discreet.

Implications for the Legal Process

- Depression
 - Lack of motivation
 - Cognitive slowing
 - Attention + Concentration Impairment
 - Hopelessness
- Potential Ongoing Distress
 - Poor overall quality of life
 - Impairments in functioning (social, occupational, family)
 - Disorganized life of which the abuser and this legal process is but one part. Hierarchy of needs.

Asking About Abuse

Asking about Abuse

- Interview the victim alone. Victims often still feel much shame and embarrassment and asking questions by groups or in front of other may hinder disclosure
- Be gentle, sensitive and non-judgmental.
- Look the person in the eye, even if they don't look back.
- Don't fidget. Sit still. Be focused.

Asking about Abuse

- Ask behavioral and descriptive questions – avoid labels (e.g., DON'T SAY *Does your boyfriend abuse you?* or *Have you been raped?*)
- Ask, "what happened next?" Don't assume.
- Be confident in your questioning, but not condescending. Use a respectful tone of voice.
- Offer reassurance.

Asking About Abuse

- In my job, I have an opportunity to meet and talk to many women. They tell me many private things. Sometimes they are scared or embarrassed to talk to me. I want you to know that you can talk to me and tell me things. I would like to understand you better and help you.
- I am concerned that some of your medical and emotional difficulties may be as a result of someone hurting you.

Asking About Abuse

- How do you fight in your house?
- Are there things that happen in your house that make you feel scared or not particularly safe? Are you ever afraid?
- Have you ever felt scared during a fight?
- Has your partner ever pressured you to have sex? Do you feel that you can say no to sex?
- Do you have guns in your home?

CONTACT INFORMATION

Dawn M. Hughes, Ph.D., ABPP
Clinical and Forensic Psychologist
274 Madison Avenue - Suite 604
New York, New York 10016

Tel: (212) 481-7044
Email: hughes@drdawnhughes.com
