

# Domestic Violence Training Seminar

*for* Child Legal Representatives (CLRs),  
Child and Family Investigators (CFIs), and  
Parental Responsibilities Evaluators (PREs)

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# Overview

- **History of Domestic Violence Legislation**
- **Prevalence and Relevant Statistics**
- **Domestic Violence Conceptualizations & Operational Definitions**
  - Etiology & Definitions of Domestic Violence
  - Vignette 1 – Questions – Small Group Discussion
  - Vignette 2 – Questions – Small Group Discussion
  - General Q & A – Group Discussion

# Overview

- **Sequelae of Trauma for Children Exposed to Domestic Violence**
  - General Q & A – Group Discussion
- **Power & Control Relationship Dynamics within the Cycle of Violence**
  - Coercive Control Tactics
  - The Power & Control Wheel
  - Vignette – Case Study Questions – Small Group Discussion
  - The Cycle of Violence
  - Sequelae of Trauma
  - General Q & A – Group Discussion

# Overview

- **Power & Control Relationship Dynamics within the Cycle of Violence**
  - Coercive Control
  - The Power & Control Wheel
  - The Cycle of Violence
  - Sequelae of Trauma
  - Vignette 1 – Questions – Small Group Discussion
  - Vignette 2 – Questions – Small Group Discussion
  - Q & A – Group Discussion

# Overview

- **Characteristics and Behaviors of Batterers**
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# Overview

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# Overview

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  - Vignette
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# Overview

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  - Parents Who Murder in the Context of Custody Disputes
  - Idealization, Devaluation, Splitting, & Dissociation
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# Overview

- **Implicit and Explicit Bias**
  - Implicit Biases in Domestic Violence
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# Overview

- **Conducting Scientifically Informed Child Custody Evaluations**
  - Common Methodology
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  - Best Interests of the Child Factorial Analysis
  - Reporting Standards of Proof
  - Report Writing
  - Expert Testimony
  - General Q & A – Group Discussion



# History of Domestic Violence Legislation

# Joan of Arc

## 1431 – Joan burned at the stake

Her crimes:

- Dressing as a man which was considered by her male accusers to be “against the modesty of the sex, and which is prohibited by the Divine Law, things abominable to God and man, interdicted on pain of anathema by ecclesiastical censure.”
- Cutting her hair like a man which was also considered to be abominable to God and man as described in her trial transcript: “She was always seen with a cap on her head, her hair cut short and around in the style of a man, putting aside the modesty of her sex, she acted not only against all feminine decency, but attributed all this to the order of God, to the order which had been transmitted to her by the Angels is to blaspheme God.”



# Scolds & Witches

1600-1809

An assertive woman was deemed a scold if her speech was found to be a nuisance. The punishment was public humiliation by dunking her into a body of water strapped to a ducking stool. A variation of this was the **tumbrel** – a chair on two wheels that was pushed into the water. Some women drowned. The ducking stool and the tumbrel were also used to determine if a woman was a witch



# Marital Chastisement

## **“Rule of Love”: Wife Beating as Prerogative and Privacy**

- Anglo-American common law during the 13<sup>th</sup> through 18<sup>th</sup> centuries originally provided that a husband, as master of his household could subject his wife to corporal punishment of “chastisement” so long as he did not inflict permanent injury upon her.
- By the middle of the 19<sup>th</sup> century authorities in the United States declared that a husband no longer had the right to chastise his wife. Yet, for a century after courts repudiated the right of chastisement, the American legal system continued to treat wife beating differently from other cases of assault and battery – which also extended to marital violence in the form of “marital” rape. Men were granted immunity for engaging in marital violence and rape to “protect the privacy of the family and to promote “domestic harmony”

# Marital Chastisement

- In the late 1970s, the feminist movement began to challenge the concept of family privacy that shielded wife abuse, and since then, it has secured many reforms designed to protect women from marital violence. Yet violence in the household persists.  
(Schneider, 1991)
- In 1989 the U.S. Surgeon General reported that:
  - "battering of women by husbands, ex-husbands or lovers is the single largest cause of injury to women in the United States"
  - "roughly 31% of all women murdered in America were killed by their husbands, ex-husbands, or lovers"

Zorza, 1992 citing to Hightower & McManus, 1989

# Marital Chastisement

- Reva Siegel punctuated the state of affairs for battered women being denied justice due to “male privilege” during the 1970s, 80s, and 90s when she commented in her law review article:
  - “The persistence of domestic violence raises important questions about the nature of the legal reforms that abrogated the chastisement prerogative. By examining how regulation of marital violence evolved after the state denied men the privilege of beating their wives, we can learn much about the ways in which civil rights reform changes a body of status law” (Siegel, 1996, p. 2119)

# Marital Chastisement

**1987 Interview of Sean Connery by Barbara Walters**



# Violence Against Women Act

- **1994 – Violence against Women Act (VAWA) –**
  - The first and most comprehensive federal legislation enacted to combat violence against women and provide protection to women who have been or are at risk of being abused.
  - VAWA became law as Title IV of the **Violent Crime Control and Law Enforcement Act of 1994**.
  - It's passage has provided the means for the creation in 1995 of the **Office on Violence Against Women (OVW)** within the [Department of Justice \(DOJ\)](#) which was charged with [implementing](#) the VAWA legislation and, along with the [Department of Health and Human Services \(HHS\)](#), administering grant programs to state and local governments.

# VAWA

- Under VAWA, grants administered by the [DOJ](#) primarily fund work to prevent and address domestic violence and [child abuse](#) and train victim advocates.
- Grants administered by the HHS provide funds for shelters, [rape](#) prevention and education, programs to address and reduce the sexual abuse of runaway and homeless youth, and [community](#) programs to educate on domestic violence.
- The VAWA also [mandates](#) government funding for studies of violence against women which provides important research that informs appropriate Court interventions and better prevention policies and laws.

# VAWA

- The VAWA has reauthorized four times in 2000, 2005, 2013, and 2022.
- Its initial passage and repeated reauthorizations have been spearheaded by groups such as:
  - [National Organization for Women](#)
  - National Task Force to End Sexual and Domestic Violence Against Women
  - Family Violence Prevention Fund
  - State and local organizations.

# VAWA 1994

- Community-coordinated responses that, for the first time, brought together representatives from the criminal legal system, the social services system, and private nonprofit organizations responding to **domestic violence** and **sexual assault**.
- Recognition and support for domestic violence shelters, rape crisis centers, and other community organizations working nationwide to end domestic violence.
- Federal prosecution of interstate domestic violence and sexual assault crimes.
- Federal guarantees of interstate enforcement for protection orders.
- Protections for battered women without citizenship status.
- A new focus on underserved populations and Native American survivors of domestic violence and sexual assault.

# VAWA 2000

- Congress improved on the foundation first established in 1994 by reauthorizing VAWA in 2000 with the following amendments:
  - Identifying dating violence and stalking as related crimes.
  - Creating a much-needed legal assistance program for victims of domestic violence and sexual assault.
  - Promote supervised visitation programs for families experiencing abuse and domestic violence.
  - Further protect immigrants experiencing domestic violence, dating violence, sexual assault, or stalking by establishing U and T visas and focusing on victims of trafficking.

# VAWA 2005

- Congress took a more holistic approach to addressing violence against women in 2005. In addition to enhancing criminal, civil, and community-based responses to violence, the 2005 reauthorization of VAWA created notable new focus areas including:
  - Provisions exclusively aimed at protecting immigrant victims of domestic violence, as well as protections to alleviate violence against immigrant women.
  - Prevention strategies to stop violence before it starts.
  - Protections from unfair eviction due to one's status as a victim of domestic violence or stalking.
  - The first federal funding stream to support rape crisis centers.
  - Culturally and linguistically specific services for various communities.
  - Enhanced programs and services for victims with disabilities.
  - Expansions to VAWA service provisions to include children and teenagers

# VAWA 2013

- President Barack Obama reauthorized the [Violence Against Women Act in 2013](#), with new provisions extending protections for [Native Americans](#) and [LGBTQ+ people](#). These provisions included designated resources to:
  - Assist law enforcement in investigating cases of rape.
  - Give colleges more tools to educate students about dating violence and sexual assault.
  - Empower tribal courts to prosecute people who commit domestic violence on tribal lands, regardless of whether the aggressor is a member of the tribe.
  - Continue allowing relief for immigrant victims of domestic violence.
  - Provide further care and assistance for LGBTQ+ survivors.

# VAWA 2022

- President Biden reauthorized the Violence Against Women Act of 2022 in the fiscal year 2022 omnibus spending package on March 15, 2022. The bipartisan bill includes important provisions that strengthen existing law including:
  - Increased authorization funding levels for housing supports, legal assistance, alternatives to criminal responses and prevention programming
  - A restoration of tribal jurisdiction, allowing tribes to hold non-Native perpetrators accountable for sexual assault, child abuse, stalking, sex trafficking, and assaults on tribal law enforcement
  - Expanded access to emergency and short-term housing protections for survivors, a protected right to report crime and emergencies from one's home, a prohibition on retaliation, and a position at HUD to focus on VAWA implementation

# VAWA 2022 (cont'd)

- Increased investments in culturally specific programs, services, and responses including a new community-based pilot program to support training and programs to provide non-carceral accountability for survivors, and established a **Senior Policy Advisor for Culturally Specific Communities** position within OVW and OJP
- Improved health responses to gender-based violence by increasing training for sexual assault forensic examiners in higher education, strengthening grant programs that allow health care systems to respond to victims of sexual violence, and directing HHS, the CDC, and the Indian Health Service to study the intersection of gender-based violence and maternal mortality.

# VAWA 2022 (cont'd)

- Improved prevention and response to sexual assault by increased support to the **Rape Prevention and Education Program (RPE)** and the **Sexual Assault Services Program (SASP)** as well as enactment of the **Fairness for Rape Kit Backlog Survivors Act**
- Strengthened protections for victims of cybercrimes by supporting State, Tribal, and local governments to improve enforcement of these crimes and creating the **National Resource Center on Cybercrimes Against Individuals** as well as a civil right of action for individuals whose intimate virtual images are shared without their consent

# VAWA 2022 (cont'd)

- Strengthened protections for domestic violence survivors at risk of experiencing gun violence under the **Bipartisan Safer Communities Act (BSCA)**, which narrowed the “boyfriend loophole” by expanding restrictions on firearm purchases by those convicted of misdemeanor crimes of domestic violence to include those convicted of assault in a “**dating relationship.**”

Department of Justice OPA, 2023

# Resources

- The following resources provide insight into Federal and State legislation and policies that are dedicated to protecting those impacted by domestic violence:
  - [Battered Women's Justice Project](#) – Provides technical assistance and training to advocates, court personnel, and law enforcement staff.
  - [Family Violence Prevention & Services Act](#) – the National Network to End Domestic Violence explains legislation dedicated to domestic violence shelters and programs

# Resources

- [Battered Women's Justice Project](#) – Provides technical assistance and training to advocates, court personnel, and law enforcement staff concerning DV.
- [Family Violence Prevention & Services Act](#)  
Explains legislation dedicated to domestic violence shelters and programs
- [Legislation](#) – the National Coalition Against Domestic Violence provides descriptions of the process of how domestic violence legislation and laws are created and passed by Congress

# Resources

- **National Judicial Institute on Domestic Violence**  
Offers various workshops and resources for judges and judicial officers on the topic of domestic violence.
- **Office on Violence Against Women** – part of the U.S. Department of Justice that focuses on strengthening justice and services at the Federal level to domestic violence victims.
- **Civil Protection Orders** – Victim Connect is a website that explains the differences between orders and provides tips on how to file and seek assistance.

Child Welfare Information Gateway ([www.childwelfare.gov](http://www.childwelfare.gov))

# Resources

- [Violence Against Women Act \(VAWA\)](#) – a National Domestic Violence website that illustrates the historical timeline of VAWA
- [WomensLaw.org](#) – Guides individuals through legal questions or concerns regarding domestic violence, sexual violence, and various other topics.

Child Welfare Information Gateway ([www.childwelfare.gov](http://www.childwelfare.gov))



# Prevalence of Domestic Violence



# Prevalence of Domestic Violence

- Approximately one in three women (32.9%) in the United States has experienced physical violence by an intimate partner in her lifetime (Black et al., 2011)
- Johnson (2008) estimates that there are approximately 2 million cases each year of **coercive controlling violence**, whereas **situational couple violence**, the more prevalent of the two, accounts for roughly 6 million cases each year.
- Research on gender differences in perpetration of **intimate partner violence** has found that **coercive controlling violence** is primarily male perpetrated (87-97%; Frye et al., 2006; Johnson, 2008) and reinforced by patriarchal social norms of male dominance over women (Graham-Kevan & Archer, 2003).

Nielsen et al. (2016)



# Prevalence of Domestic Violence

- Situational couple violence is perpetrated roughly equally by men (estimated at 55-56%; Johnson, 2008) and women (estimated at 44-45%; Johnson, 2008).
- Different types of IPV also differ in their characteristics and impacts. Coercive controlling violence is generally more frequent and severe than situational couple violence (Anderson, 2008; Ansara & Hindin, 2010; Graham-Kevan & Archer, 2003; Johnson & Leone, 2005; Kelly & Johnson, 2008).
- Women subjected to coercive controlling violence exhibit more posttraumatic stress disorder (PTSD) symptoms (Anderson, 2008; Johnson & Leone, 2005; Leone, Johnson, & Cohan, 2007) and higher levels of fear (Johnson, 2008) compared with women in relationships with situational couple violence.



# Prevalence of Domestic Violence

- Women who experience coercive controlling violence also engage in more formal protective strategies (Mechanic, Weaver, & Resick, 2008), such as calling the police, seeking shelter, and contacting medical services (Ansara & Hindin, 2010; Krishnan, Hilbert, & VanLeeuwen, 2001), than women who experience situational couple violence.
- Women who leave relationships with coercive controlling violence often remain at risk for stalking, harassment, and physical violence, including lethal violence (Campbell et al., 2003; DeKeseredy, Rogness, & Schwartz, 2004; Johnson, 2006; Nicolaidis et al., 2003), as their former partners attempt to maintain control over them.



# Prevalence of Domestic Violence

- Former spouse contact that is often required as a part of coparenting after separation offers opportunities for these dynamics to continue (Davies, Ford-Gilboe, & Hammerton, 2009; Hardesty & Ganong, 2006; Hardesty, Khaw, Chung, & Martin, 2008). Furthermore, women who have been exposed to coercive controlling violence (intimate partner terrorism) have reported depression and anxiety that persisted years after separation (Adkins & Dush, 2010).
- In contrast, women who experience situational couple violence generally do not report violence continuing after separation (Hardesty & Ganong, 2006; Hardesty et al., 2008; Johnson, 2008); however, it is not known the extent to which high conflict, related to coparenting issues, for example, may give rise to episodes of violence among couples who have a history of situational couple violence.



# Prevalence of Domestic Violence

- As the more common form of IPV, situational couple violence involves a diverse range of experiences (Johnson, 2008). For example, despite being associated with less severe acts of violence, situational couple violence has the potential to escalate to severe and even homicidal acts (Johnson, 2008; Stith et al., 2011)
- Although perpetrated by both men and women, men have been found to use more severe acts of violence (e.g., choking, kicking, and hitting vs. slapping, pushing, and shoving), and women are more likely to experience negative consequences, such as physical injury, fear, and mental health effects (Johnson, 2008; Kimmel, 2002; Ross & Babcock, 2009; Straus, 2011).



# Prevalence of Domestic Violence

- When violence is more severe (Stith et al., 2011) and frequent, the physical and psychological consequences of situational couple violence may appear similar to coercive controlling violence (Johnson & Leone, 2005; Ross & Babcock, 2009).
- Many couples who experience situational couple violence still report relatively high relationship satisfaction (Johnson, 2008; Simpson, Doss, Wheeler, & Christensen, 2007). Research has found that relationships in which situational couple violence is less severe and less frequent are comparable with nonviolent relationships in their psychological and physical effects. For these couples, the violence may not be central to the relationship, and they may not perceive themselves as being in a “violent relationship” (Johnson, 2008).

Nielsen et al. (2016)



# Prevalence of Domestic Violence

- **Nielsen et al. (2016) study:**
  - Variations within situational couple violence among 23 divorcing mothers were examined and compared with mothers who experienced coercive controlling violence and no violence/no control.
  - Situational couple violence had great variability in frequency and severity of violence, fear, harassment, and protective strategies.
  - The researchers found that mothers' experiences with situational couple violence were quite variable, ranging from minor and infrequent to severe and frequent violence during marriage accompanied by low to very high levels of fear. Similarly, depression and PTSD symptoms ranged from none to high scores on both.



# Prevalence of Domestic Violence

- **Nielsen et al. (2016) study (continued):**
  - After separation, 15 mothers were harassed by their former partners to some degree, but 8 were not harassed at all. Most reported no violence or fear after separation. All mothers who reported situational couple violence engaged in protective strategies in the last year of marriage and after separation.
  - Parental responsibility evaluators, child and family investigators, and child legal representatives should be cognizant of how and why situational couple violence is chronic and severe for some but a one-time anomaly for others.

# Prevalence of Domestic Violence

- **Children's Exposure:**
  - Child Maltreatment Report (2021): In 36 reporting states, 115,630 victims (28.2%) have the domestic violence caregiver risk factor.





# Prevalence of Domestic Violence

- **U.S. Dept. of Justice (2020):**
  - A study of a national sample of American children found that almost 40% were direct victims of two or more violent acts, and one in 10 were victims of violence five or more times.
  - Almost 1 in 10 American children saw one family member assault another family member, and more than 25 percent had been exposed to family violence during their life (Finkelhor et al., 2009).
  - Children who do not live with both biological parents are at increased risk of exposure to violence, especially for experiencing physical and sexual assault perpetrated by a family member and witnessing domestic and community violence (Hanson et al., 2006).
  - Risk for exposure to violence and risk of experiencing multiple victimization episodes was higher when family alcohol problems or drug use were present (Stevens et al., 2005; Hanson et al., 2006).



# Prevalence of Domestic Violence

- **Hamby et al. (2011) report from the National Survey of Children's Exposure to Violence (NatSCEV):**
  - More than 1 in 9 (11 percent) were exposed to some form of family violence in the past year, including 1 in 15 (6.6 percent) exposed to IPV between parents (or between a parent and that parent's partner).
  - One in four children (26 percent) were exposed to at least one form of family violence during their lifetimes. Most youth exposed to family violence, including 90 percent of those exposed to IPV, saw the violence, as opposed to hearing it or other indirect forms of exposure.
  - Males were more likely to perpetrate incidents that were witnessed than females, with 68 percent of youth witnessing only violence by males.

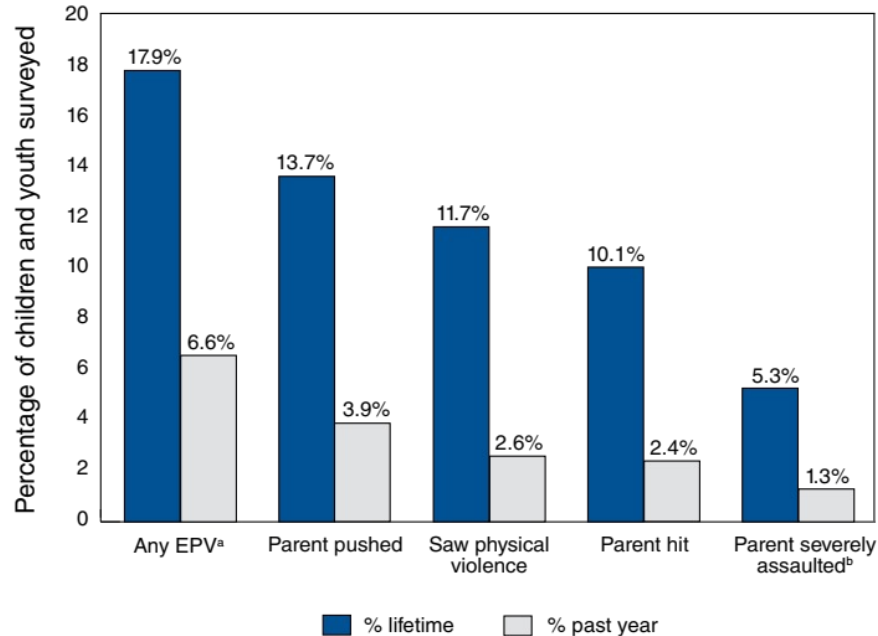


# Prevalence of Domestic Violence

- **Hamby et al. (2011) report from the National Survey of Children's Exposure to Violence (NatSCEV) (continued):**
  - Father figures were the most common perpetrators of family violence, although assaults by mothers and other caregivers were also common.
  - Children often witness family violence, and their needs should be assessed when incidents occur.

# Exposure to Physical Intimate Partner Violence

Figure 1. Exposure to Physical Intimate Partner Violence



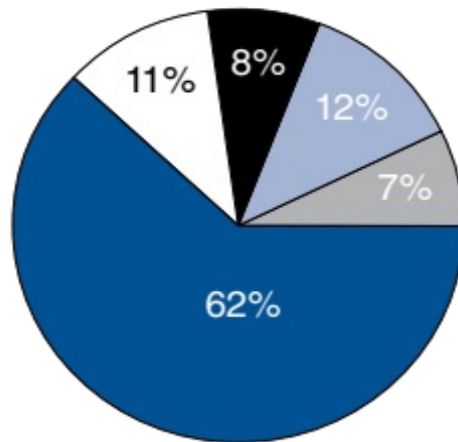
EPV = Exposure to physical violence.

<sup>a</sup> Any EPV included any exposure to physical violence between intimate partners, including seeing, hearing, being told of the violence, or seeing the resulting injuries.

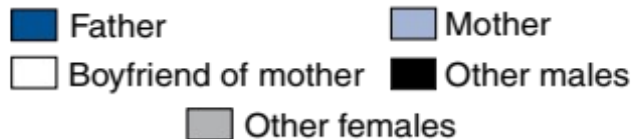
<sup>b</sup> Severe assault included one partner kicking, choking, or beating up the other.

# Perpetrators of Family Violence in Front of Children

**Figure 4. Perpetrators of Family Violence in Front of Children**

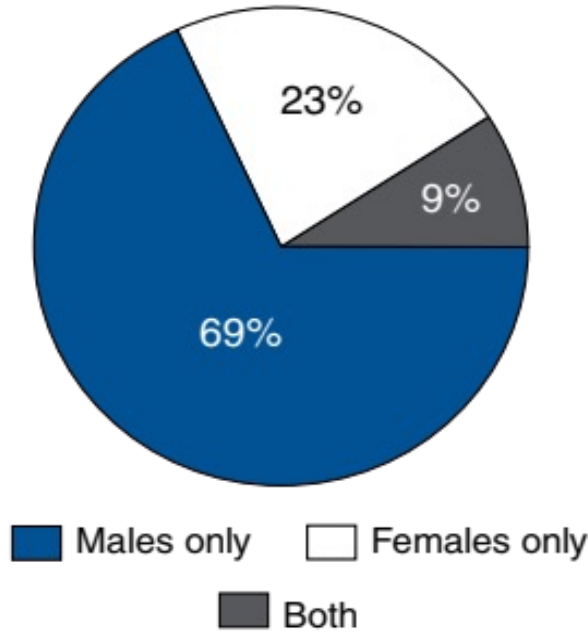


Perpetrator pattern for original Juvenile Victimization Questionnaire item on witnessing intimate partner violence



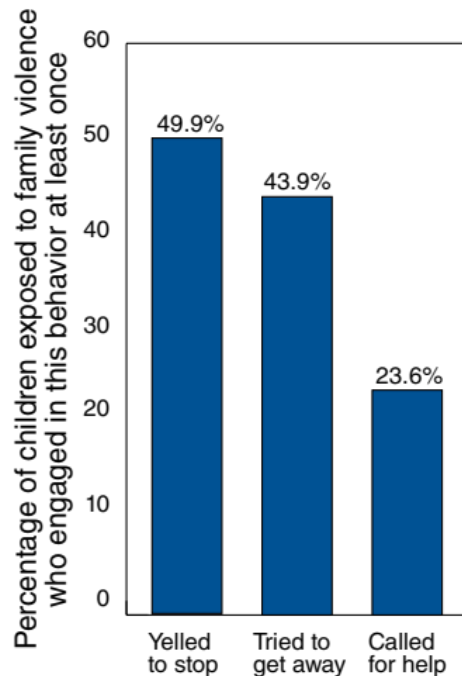
# Perpetrator Patterns by Gender Across All Intimate Partner Violence Incidents

**Figure 5. Perpetrator Patterns by Gender Across All IPV Incidents**

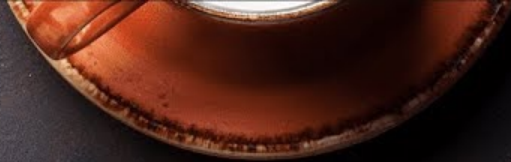


# Children's Immediate Responses to Violence Against Parents

**Figure 6. Children's Immediate Responses to Violence Against Parents**

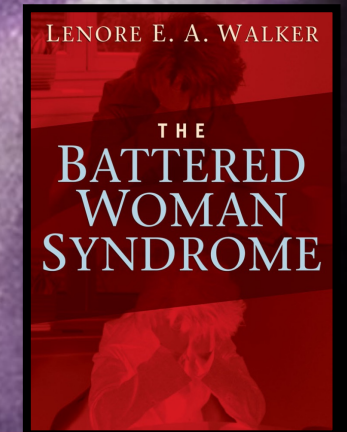
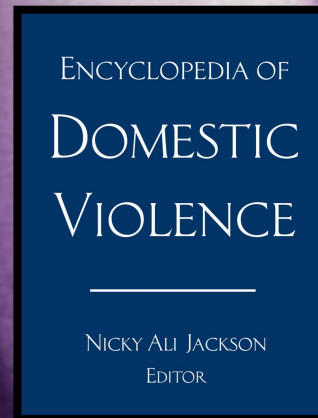
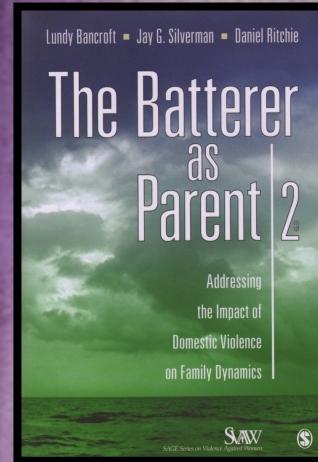


15:00



# Domestic Violence Conceptualizations & Operational Definitions

# DOMESTIC VIOLENCE TREATISES



# Etymology & Definitions

- Domestic Violence ([Ashley, 1973](#))
- Intimate Partner Violence (Johnson & Leone, 2005)
  1. Intimate Partner Terrorism (Johnson & Leone, 2005)
  2. Situational Couple Violence (Johnson & Leone, 2005)
- Coercive Controlling Violence (Hardesty et al., 2015; Kelly & Johnson, 2008)
- Violent Resistance (Kelly & Johnson, 2008)
- Separation-Instigated Violence (Kelly & Johnson, 2008)
- Family Violence (Haselschwerdt et al., 2011; Johnson & Leone, 2005)



# Domestic Violence

In his address to the House of Commons on July 16, 1973, **Mr. Jack Ashley** said:

- “I want to draw the attention of the House to a subject cocooned in prejudice and buried in fear – the problem of wives who are victims of **domestic violence**”
- Prior to this, domestic violence referred to civil unrest. Thus, the term “**Domestic Violence**” since 1973 has come to mean violence committed in a among people in an intimate familial relationship.

# Domestic Violence (HHS)

“Any abusive, violent, coercive, forceful, or threatening act or word inflicted by one member of a family or household on another”

Child Maltreatment 2021 Report



# Domestic Violence (MI)

- **Domestic Violence** means the occurrence of any of the following acts by a person that is not an act of self-defense:
  - Causing or attempting to cause physical or mental harm to a family or household member by placing them in fear of being physically or mentally harmed.
  - Causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force, or duress.
  - Engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

MCL 400.1501(d)

# Domestic Violence (CO)

- “**Domestic violence**” means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship.
  - “**Domestic violence**” also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

Colo. Rev. Stat. § 18-6-800.3.

# Domestic Violence & Child Abuse

- Under Title 19 of the Colorado Children's Code, any act of domestic violence committed by a child's parent towards the child, in the presence of that child, or made known to that child **is a form of child abuse** as suggested by the following:
  - **C.R.S. § 19-1-103** – Any situation in which a child is subjected to **emotional abuse** – including any situation where the violent (either physical or emotional) acts of a parent presents a substantial risk of impairment to the child's intellectual or psychological functioning or development



# Domestic Violence & Child Abuse

**“Emotional Abuse”** means:

- “an identifiable substantial impairment of the child’s intellectual or psychological functioning or development”

*or*

- “a substantial risk of impairment of the child’s intellectual or psychological functioning or development”

Colo. Rev. Stat. § 19-1-103(1)(a)(IV)

# Domestic Violence & Child Abuse

## “Child Psychological Abuse” (DSM-5)

Any “nonaccidental verbal or symbolic acts by a child’s parent or caregiver that result, or have reasonable potential to result, in significant psychological harm to the child.”

- Evidence of behaviors that have already caused harm  
*or*
- Evidence of behaviors that are likely to cause harm  
regardless if harm results

# Intimate Partner Violence

## ➤ Johnson & Leone (2005)

- **Feminist theory** conceptualizes intimate partner violence as a matter of control, rooted in patriarchal traditions of male dominance in heterosexual relationships, especially marriage (Dobash & Dobash, 1979).
- **Family violence theory** sees intimate partner violence as a matter of conflict, rooted in the everyday stresses of family life that produce conflicts that may or may not escalate to violence (Straus et al., 1980). These are best understood “as explanations of two essentially different forms of intimate partner violence: one rooted in an attempt to exert general control over the relationship (intimate terrorism) and the other arising out of particular conflicts (situational couple violence).
- **NOTE:** Reanalysis of the data from the **Frieze’s Pittsburgh** study (Frieze & Browne, 1989) has shown that situational couple violence in a heterosexual relationship is roughly gender symmetric, whereas intimate terrorism is perpetrated almost entirely by men.

# Intimate Partner Violence

## ➤ Johnson & Leone (2005)

- Although these theories have generally been framed as alternative understandings of the same phenomenon, they are better understood as explanations of two essentially different forms of intimate partner violence
  1. One rooted in an attempt to exert general control over the relationship – **Intimate Terrorism** –
  2. The second arising out of particular conflicts – **Situational Couple Violence**.

# Intimate Partner Violence

## ➤ Intimate Partner Terrorism

- Defined by the attempt to dominate one's partner and to exert general control over the relationship, domination that is manifested in the use of a wide range of power and control tactics, including violence.
- The best-known description is embodied in Pence and Paymar's (1993) **Power and Control Wheel**, which includes the following nonviolent control tactics: emotional abuse, isolation, using children, using male privilege, economic, abuse, threats, blaming, denying, and minimizing, intimidation, and blaming" (Johnson & Leone, 2005)

# Intimate Partner Violence

## ➤ Intimate Partner Terrorism (cont'd)

- The core idea of these theories of coercive control is that even the nonviolent control tactics take on a violent meaning that they would not have in the absence of their connection with violence; i.e., the different meaning and emotional impact of an intimidating look from a nonviolent partner and a similar gesture from a partner who has already demonstrated his or her willingness to be violent
  - **NOTE:** It is important to note that the literature and relevant case law reports that many victims of intimate terrorism from a previous relationship can experience terror when confronted with experiences of situational couple violence with a new partner.

# Intimate Partner Violence

## ➤ Situational Couple Violence

- Defined as intimate partner violence that is not embedded in such a general pattern of controlling behaviors
- There is no relationship-wide pattern of controlling behaviors
- This form of intimate partner violence is not rooted in a general pattern of control but occurs when specific conflict situations escalate to violence

Johnson & Leone, 2005

# Intimate Partner Violence

## ➤ Situational Couple Violence (cont'd)

- Situational Couple Violence is probably best understood through the conceptual framework of family conflict theory, in which it assumed that conflict is endemic to family life; that in the American cultural context, some kinds of family violence are considered acceptable under some conditions; and that, therefore, family conflicts will sometimes lead to violence
- This understanding of family violence describes most of the intimate partner violence that is uncovered in general surveys

Johnson & Leone, 2005

# Intimate Partner Violence

## ➤ *Differentiation*

- The two types of intimate partner violence are not defined by the nature or frequency of violent acts but solely in terms of the **relationship-level control context in which they are embedded**
- Intimate terrorism is violence that is embedded in a general pattern of control whereas situational couple violence is not

Johnson & Leone, 2005

# Intimate Partner Violence

➤ A growing body of empirical research has demonstrated that intimate partner violence is not a unitary phenomenon and that types of domestic violence can be differentiated with respect to partner dynamics, context, and consequences. Kelly and Johnson (2008) describe four types:

1. **Coercive Controlling Violence**
2. **Violent Resistance**
3. **Situational Couple Violence**
4. **Separation-Instigated Violence**



# Intimate Partner Violence

- I. **Coercive Controlling Violence** – a use of coercive violence embedded in a highly controlling intimate partner relationship dynamic where the batterer utilizes some, many or all of the tactics in the Power and Control wheel to create and maintain abusive dominion and subjugation of the victim (Kelly & Johnson, 2008). The underlying relationship dynamic has three facets:
  - An implicit or explicit intentionality or goal orientation in the abuser to obtain and maintain control
  - A negative perception of the controlling behavior by the victim
  - The ability of the abuser to obtain control through the deployment of a credible threat (Hamberger et al. 2017)

# Coercive Controlling Violence

**“You think that’s  
fucking funny?”**



**Part 2**



# Intimate Partner Violence

**2. Violent Resistance** – The type of violence used by victims of coercive controlling violence that takes place “as an immediate reaction to an assault and that is intended primarily to protect oneself or others from injury” (Kelly & Johnson, 2008, p. 484)



# Intimate Partner Violence

3. **Situational Couple Violence** – The most common type of physical aggression in the general population of married spouses and cohabiting partners, and is perpetrated by both men and women. It is characterized by the following dynamics:
- An absence of coercive controlling behaviors in the relationship and the context of the violence
  - One or both partners will display a poor willingness and capacity to manage their conflicts and anger without resorting to: minor forms of non-injurious physical violence (such as pushing, shoving, grabbing, and slapping) and/or verbally aggressive behaviors such as cursing, yelling, and name calling.
  - An absence of fear and terror whether perpetrator, mutual combatant, or victim (Kelly & Johnson, 2008)

# Intimate Partner Violence

4. **Separation-Instigated Violence (Kelly & Johnson, 2008)** –
- Observed symmetrically in both men and women, these are unexpected and uncharacteristic acts of violence perpetrated by one or both partners with a history of civilized and contained behavior.
  - Typically, separation-instigated violence is triggered by experiences related to a traumatic separation, allegations of child abuse, or the discovery of the partner cheating.
  - More typically perpetrated by the partner who is being left and is psychologically hurt or humiliated by the divorce action.
  - Incidents include sudden lashing out, throwing objects at the partner, destroying property, brandishing a weapon, and sideswiping or ramming the partner's car or that of his/her lover.

# Family Violence

## Harman, Kruk, & Hines (2018)

- A complex form of aggression that entails a parental figure engaging in the long-term use of a variety of aggressive behaviors to harm the relationship between their child and another parental figure, and/or to hurt the other parental figure directly because of their relationship with their child (See “Using the Children” in the Power & Control Wheel)

# Vignette I

- 38 year old mother presented to a trauma evaluation after experiencing PTSD symptoms, anxiety attacks, and learned helplessness surrounding ongoing parenting time disputes with the father over their 10 year old son whom she had been separated from for 5 years due to a custody reversal order granting the father sole physical and legal custody and the right to deny the mother access based on the wishes of the child.
- The father had engaged in severe acts of intimate partner violence during the marriage that involved the use of intimidation, coercion and threats, physical assaults, denial of responsibility, verbally abusive name calling, and isolation.

# Vignette I

- Father's controlling behaviors increased during custody hearings which falsely portrayed the incidents of domestic violence he committed as being perpetrated by the mother.
- The disempowering nature of the custody reversal and separation from her son aggravated a pre-existing set of terrorizing childhood traumas involving her own victimization from sexual abuse and physical assaults in the context of a dating relationship.
- These circumstances resulted in adult onset of PTSD, depression, heavy drinking, anxiety, and learned helplessness.

# Vignette 1 Questions:

- What type of intimate partner violence seems to be occurring?
- How would you characterize the behavior of the mother?
- How would you characterize the behaviors of the father?
- What effects do you think this had on their son?
- What Best Interests of the Child factors are implicated?

# Vignette 2

- 26 year old mother of three is confronted with her angry 28 year old husband after he lost his job. He berates her nightly and blames her for losing his job. He tells that if she had been working to help support the family he wouldn't have been fired for being late. He throws things at her and threatens to kill her and himself if he does not find a new job.
- One night after coming home drunk from a bar, he starts an argument with her and begins pulling her hair and dragging her into the bedroom. She understands that this is usually followed by a sexual assault. As they enter the bedroom, she breaks free from his grip pulls out a loaded gun from the night stand and shoots him.

# Vignette 2 Questions:

- What type or types of intimate partner violence seem to be occurring?
- How would you characterize the behavior of the mother?
- How would you characterize the behavior of the father?
- What Best Interests of the Child factors are implicated?

# Discussion





**QUESTIONS**

**ANSWERS**



30 MIN.

Time for

lunch

# Sequelae of Trauma from Exposure to Domestic Violence

# Sequelae of Exposure

## “Social Learning Theory”

Bandura et al. (1961). Transmission of aggression through imitation of aggressive models. *Journal of Abnormal and Social Psychology*, 63, 575-582.



# Sequelae of Exposure

**Alfred Bandura Discusses His Experiments**

Albert  
Bandura



# Sequelae of Exposure

**Washington Institute for Learning & Brain Sciences**

Experiment: Children Exposed to Verbal Violence



# Sequelae of Exposure

- Outcomes for children exposed to violence are often overlapping, with children experiencing multiple problems (Saunders, 2003) such as:
  - **Psychological Health Problems** – These include problems associated with depression, anxiety, post-traumatic stress disorder, isolation, shame, fear, guilt, and low self-esteem (Bourassa, 2007; Finkelhor et al., 2009; Johnson et al., 2002; Moylan et al., 2010; Kilpatrick et al., 2003)
  - **Physical Health Problems** – Children exposed to violence are at risk for physical injury and are also more likely than others to have poor overall health, have illnesses requiring medical attention, attempt suicide, or be involved in self-injury (Duke et al., 2010; Finkelhor et al., 2009; Flaherty et al., 2009).

# Sequelae of Exposure

- ***Academic difficulties and failure*** – Exposure to violence increases the risk that children will drop out of school or do more poorly in school (Herrenkohl et al., 2008; Holt et al., 2007)
- ***Behavioral problems*** – Behavioral outcomes may include substance abuse or dependence, teen pregnancy, aggression, conduct disorder, delinquency, and violence, including dating violence and intimate partner violence (Bourassa, 2007; Duke et al., 2010; Ehrensaft et al., 2003; Finkelhor et al., 2009).

# Sequelae of Exposure

- ***Delinquency and offending*** – High rates of victimization are seen in juvenile justice samples. Seventy percent of youth in residential placement had some type of past traumatic experience, with 30 percent having experienced frequent and/or injurious physical and/or sexual abuse (Sedlak & McPherson, 2010).
  - Being the victim of a physical assault increases the likelihood of violent juvenile offending by 3.3 times (Nofzinger & Kurtz, 2005).
  - One study found that, among a sample of intimate partner violence offenders, those who had as a child seen a parent use a weapon were more likely to commit an offense involving a weapon as an adult (Murrell et al., 2005).

# Sequelae of Exposure

- ***Poly-victimization*** – A number of studies have found that exposure to multiple kinds of violence predicts negative outcomes beyond the effects of any specific type of exposure. The range of outcomes includes:
  - Psychological distress (Duke et al., 2010)
  - Teen pregnancy (Richmond et al., 2009)
  - Delinquency (Elliot et al., 2009)
  - Bullying (Holt et al., 2007)
  - Self-directed violence (Flaherty et al., 2009)
  - Physical fighting (Sternberg et al., 2006)
  - Teen dating violence perpetration (Anda et al., 2001; Whitfield et al., 2003)
  - Adult intimate partner violence victimization and perpetration (Spriggs et al., 2009)

# Sequelae of Exposure

## **Martin Teicher Discusses Sequelae of Exposure to Aggression & Violence**

“Exposure to parental verbal abuse specifically targets the brain’s language centers and the pathway interconnecting these language centers, resulting in lower levels of verbal comprehension”





**QUESTIONS**

**ANSWERS**



# Discussion

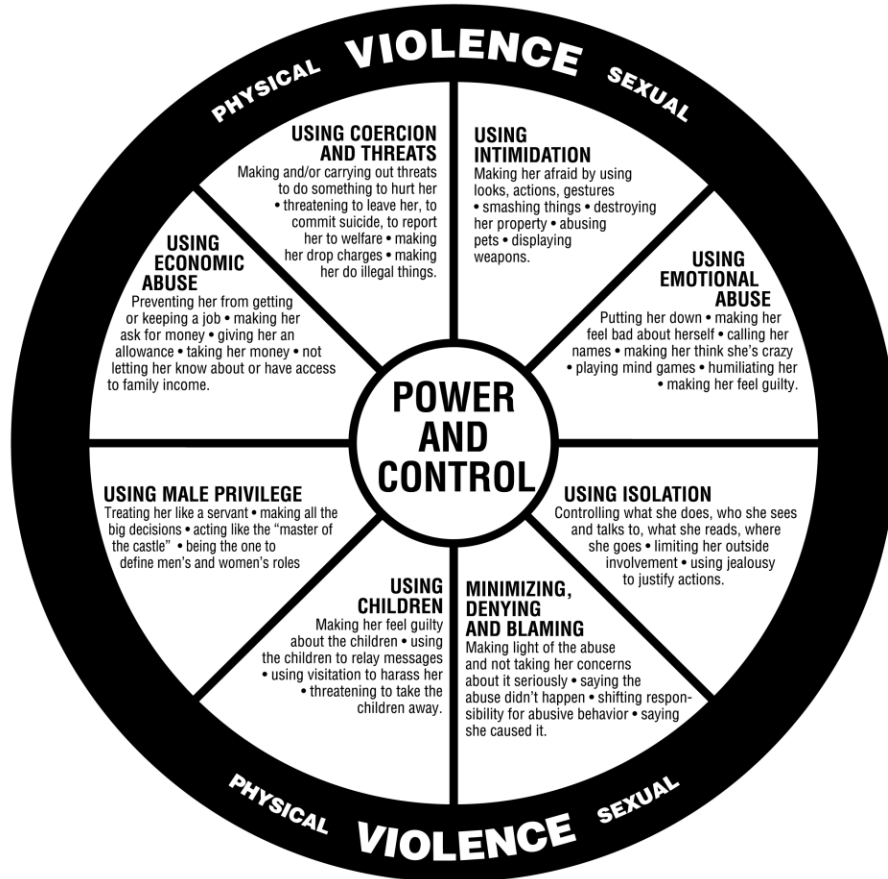
A photograph of a woman with her mouth covered by a man's hand, symbolizing domestic violence. The text is overlaid on the image.

**Power & Control  
Relationship  
Dynamics within the  
Cycle of Violence**

# Coercive Control

- Criminal, family and dependency court responses to domestic violence have routinely failed to protect battered women and children from their batterers (Stark, 2009).
- This is largely due to the conceptualization that domestic violence consists mostly of “**discreet incidents**” (e.g., “*I only hit her once during the 10 years we were married and it was only after she slept with my best friend and tried the kids away from me*”) or “**episodes**” of domestic violence (Katz, 2022).
- The **incidents-of-violence-based** conceptualization of domestic violence disregards the fact that coercive control perpetrators (i.e., those with a documented pattern of intimate partner terroristic behaviors) used many other abusive “**tactics**” beside physical violence – including those that appear on the “**Power and Control Wheel**”

# Coercive Control Tactics



- Intimidation
- Emotional abuse
- Isolation
- Minimizing, obfuscating, denying, and blaming
- Manipulating and corrupting the children
- Using male privilege
- Exercising economic coercive control
- Using coercion and threats

# Coercive Control Tactics

## Intimidation

- Making her afraid by using looks, actions, gestures (finger pointing in the face), or an intimidating tone of voice; smashing things; destroying her property (i.e., cell phone); abusing pets; abusing the children; displaying weapons (DVSN, 2022)



# Coercive Control Tactics

## Emotional Abuse

- Putting her down; making her feel bad about herself; calling her names; making her think she's crazy; playing mind games; humiliating her in front of the children or in public; making her feel guilty. (DVSN, 2022)



# Coercive Control Tactics

## Isolation

Controlling what she does, who she sees and talks to, what she reads, where she goes; limiting her outside involvement; using jealousy to justify his abusive actions (DIAP, 2017)

### DIAP Specialist

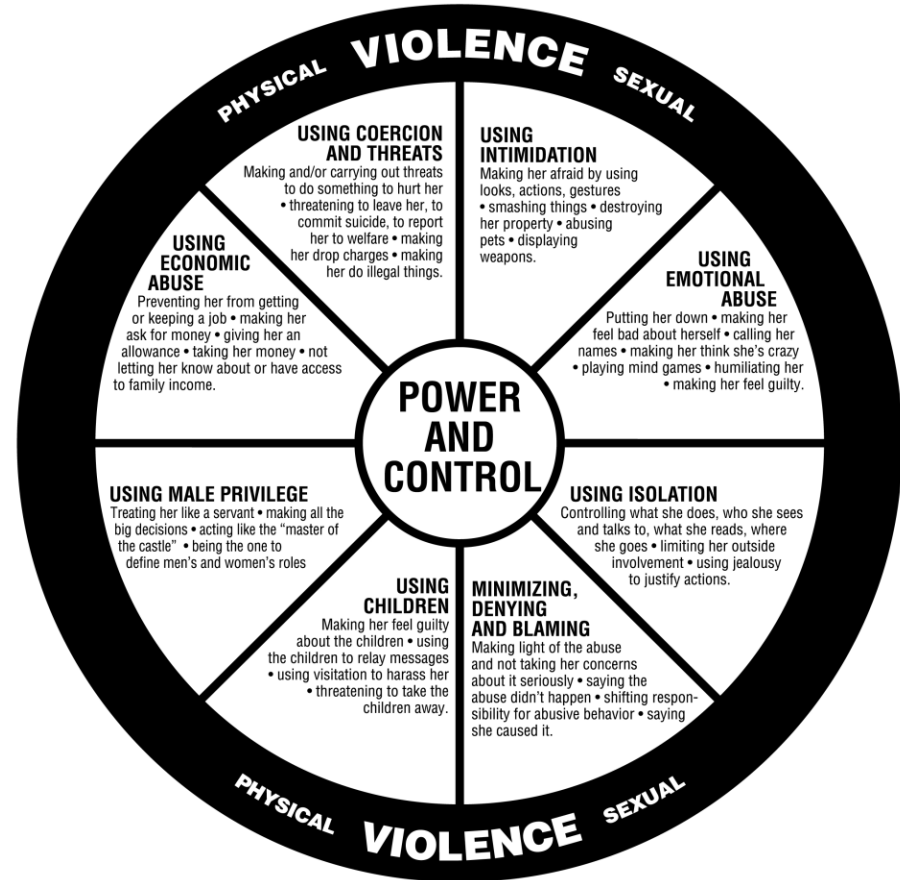


# Coercive Control Tactics

## Minimizing, denying, and blaming

Making light of the abuse and not taking her concerns about it seriously; saying the abuse didn't happen; shifting responsibility for abusive behavior; saying she caused it. (DIAP, 2017)

### DIAP Specialist



# Coercive Control Tactics

## Using Children

Making her feel guilty about the children; using the children to relay messages or spy; using visitation to harass her; threatening to take the children away. (DIAP, 2017)

## DIAP Specialist



# Coercive Control Tactics

## Male Privilege

Treating her like a servant; making all the big decisions; acting like the master of the castle; being the one to define men's and women's roles in the relationship. (DIAP, 2017)

## DIAP Specialist



Scott Miller  
Batterer Intervention Specialist



# Coercive Control Tactics

## Economic Abuse

Preventing her from getting or keeping a job; making her ask for money; giving her an allowance; taking her money; not letting her know about or have access to “family income.” (DIAP, 2017)

## DIAP Specialist



Scott Miller  
Batterer Intervention Specialist



# Coercive Control Tactics

## Coercion/Exploitation and Threats

Making and/or carrying out threats to do something to hurt her physically or emotionally; threatening to leave her; threatening to commit suicide if she leaves; threatening to report her to CPS; making drop charges/allegations of violence; making her do illegal or immoral things (DIAP, 2017)

### DIAP Specialist





**Case study**

# Vignette

- 43 year old mother and 48 year old father of two boys, ages 10 and 8 have separated and the Court ordered a PRE to help determine the children's best interests.
- Mom recently separated from dad when she left the marital home and moved into an apartment.
- The boys primarily live with the dad in the marital home.
- Mom just began a part time job as an executive assistant earning \$25 per hour and has no money of her own from the marriage.
- Dad owns a chain of restaurants which gross 4 million a year of which he pays himself 250-400k annually.
- During the marriage the mother did not work, was a “stay-at-home” mom and dad gave her an “allowance” which she was only allowed to use for things he approved of which excluded personal purchases.

# Vignette

- Dad uses an authoritarian style of parenting with the children while the mother uses primarily a permissive style of parenting.
- Dad treats mom like a servant and often belittles her in front of the children by calling her stupid and a high school dropout. Mom never finished high school but has her GED. She attempted several times to enroll in college to work on obtaining an associates degree but dad told her it was a stupid idea and “only idiots who make no money go to college.”
- Mom reports that she felt extremely isolated during the marriage because dad never liked any of her friends and guilted her into forfeiting time away from him. The children report that they witnessed dad pushing and hitting mom after he accused her of having an affair. Dad told the boys that the reason he was divorcing their mother was due to her cheating on him with another man.

# Vignette

- Mom capitulated to a subservient role during the marriage due to her Christian upbringing and the dad's interpretation of certain biblical passages that command a "Christian" wife to be submissive to her husband in all matters.
- Interviews with dad's collaterals from the church make it appear that dad bad mouthed the mom to church members by portraying her as being un-Christian wife for "breaking up" the family due to her alleged affair and the couple being "unequally yoked" (i.e., mom is not really a good enough Christian for dad who thinks of himself as a "super" Christian)
- Mom reports that dad was very controlling and had installed tracking devices in her car and phone during the last two years of their marriage.

# Case Study Questions:

- Are there any coercive control tactics being used?
- If so, which tactic or tactics seem to be present?
- What evidence do you have to support the presence of coercive control tactics?
- What Best Interests of the Child factors are implicated?

The background features a dark teal color. In the foreground, there are four stylized human figures with grey faces and colored bodies: a woman with red hair and a red top, a man with teal hair and a teal top, a woman with yellow hair and a yellow top, and a man with green hair and a green top. Above them are four speech bubbles in matching colors: a red bubble, a teal bubble, a yellow bubble, and a green bubble. Each bubble contains three small white dots. The text "Small Group Discussion" is centered in a white, sans-serif font.

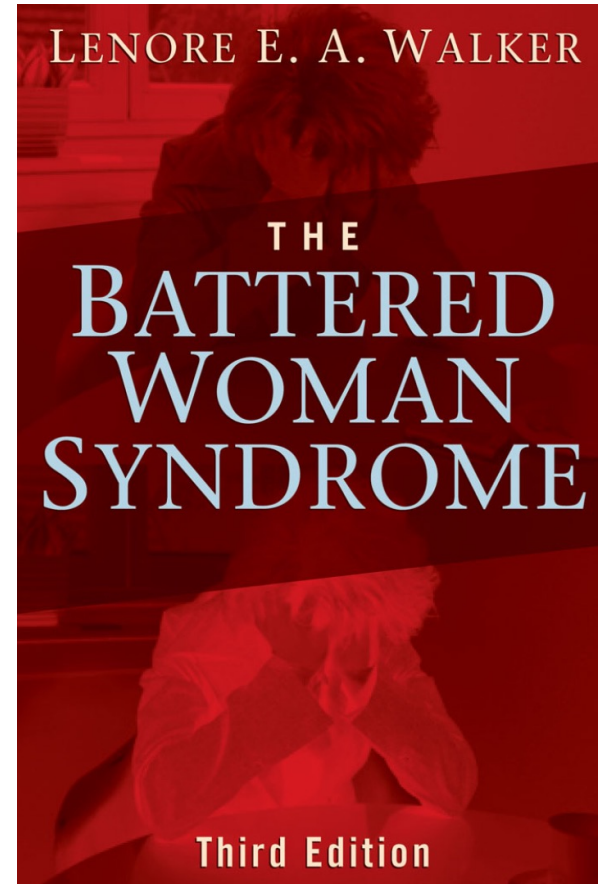
# Small Group Discussion

# Cycle of Violence

# Cycle of Violence

## Walker (2009)

- **“Cycle of Violence”** – a three-phase cycle of violence that is measured through careful analysis of the relationship dynamics between a batterer and his victim.
- Most women who experience intimate partner violence have experienced the three phases in the cycle, *at least some of the time*. Once their own cycle is plotted on a graph, it is possible for the battered woman to break the cycle of violence and no longer be under the abuser’s coercive control.

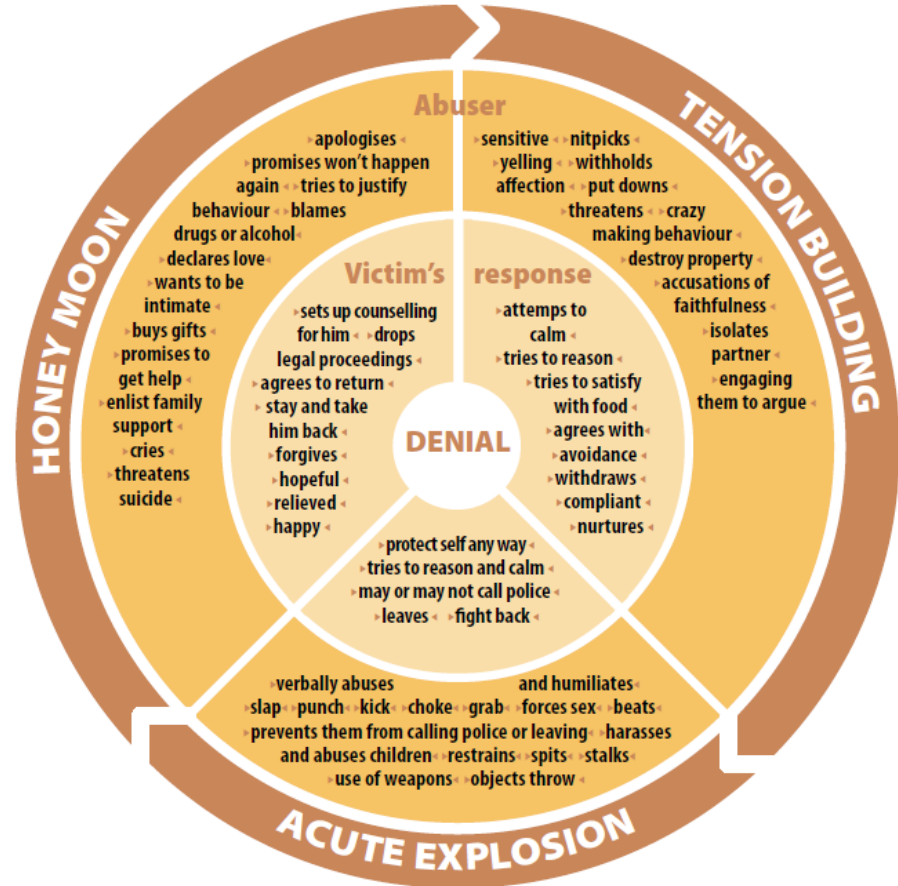


# Cycle of Violence

## Three Phases:

1. **Tension Building**
2. **Acute Battering Incident**
3. **Loving-Contrition (Honey Moon)**

(Walker, 2009)



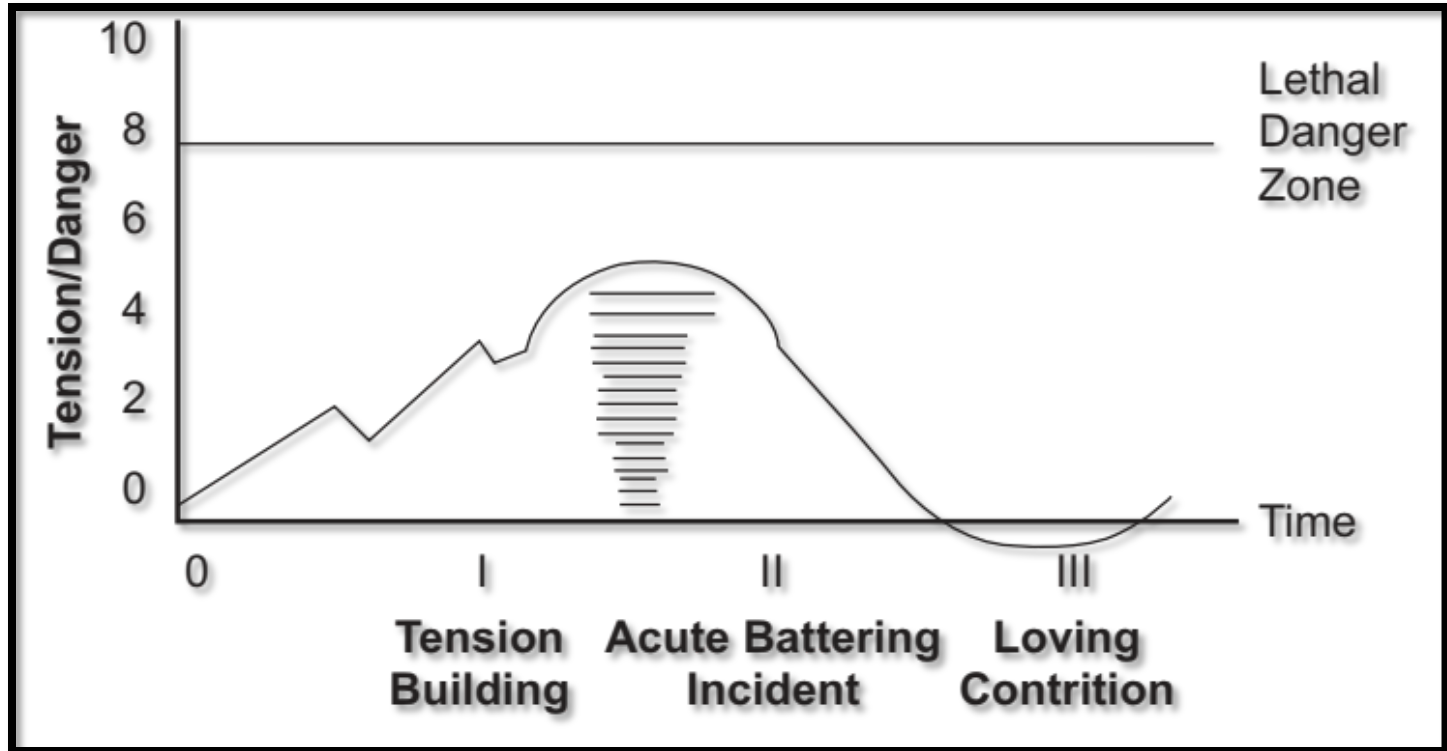
# Cycle of Violence

## Phase I: Tension Building

- During the first phase, there is a gradual escalation of tension displayed by discrete acts causing increased friction such as name-calling, other mean intentional behaviors, and/or physical abuse.
- The batterer expresses dissatisfaction and hostility but not in an extreme or maximally explosive form. The woman attempts to placate the batterer, doing what she thinks might please him, calm him down, or at least, what will not further aggravate him.
- She tries not to respond to his hostile actions and uses general anger reduction techniques. Often she succeeds for a little while which reinforces her unrealistic belief that she can control this man. It also becomes part of the unpredictable non-contingency response/outcome pattern that creates the **learned helplessness**. (Walker, 2009)

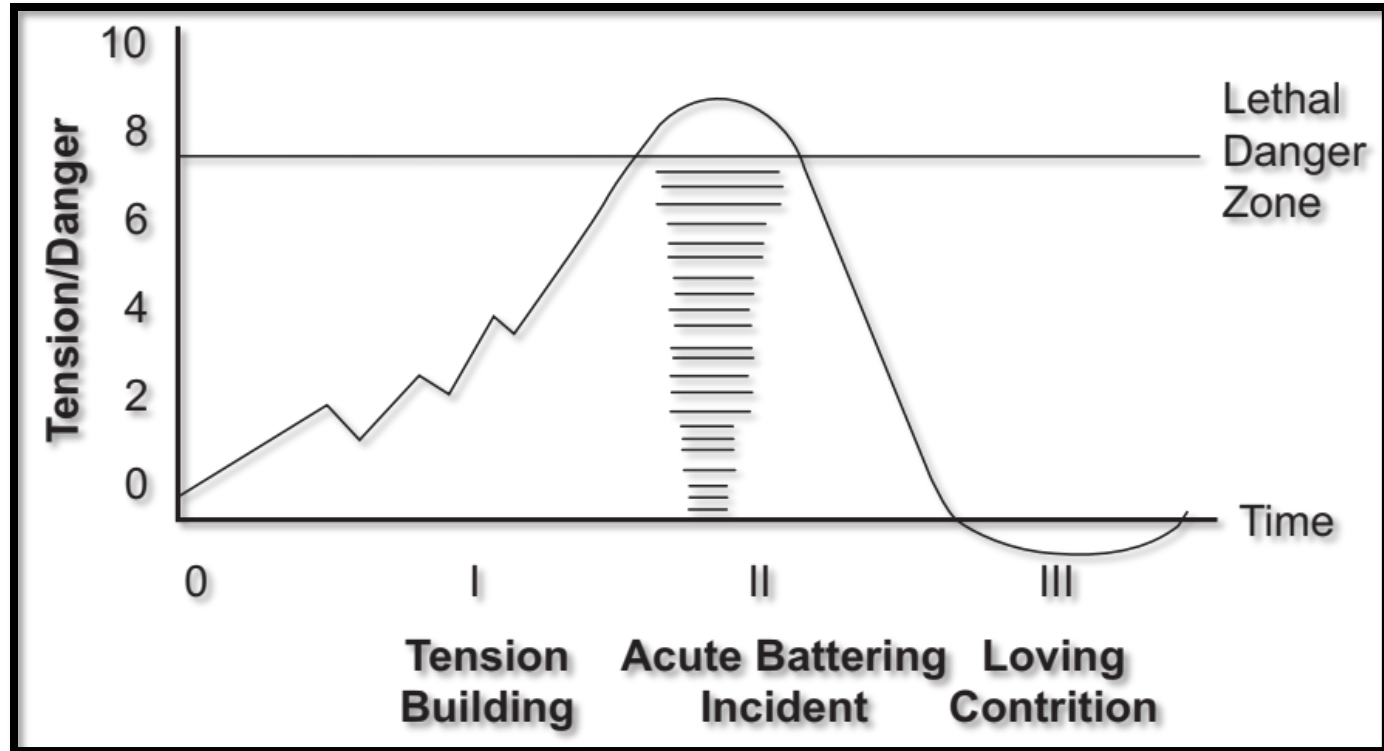
# Cycle of Violence

## *Typical Cycle of Violence (Walker, 2009)*



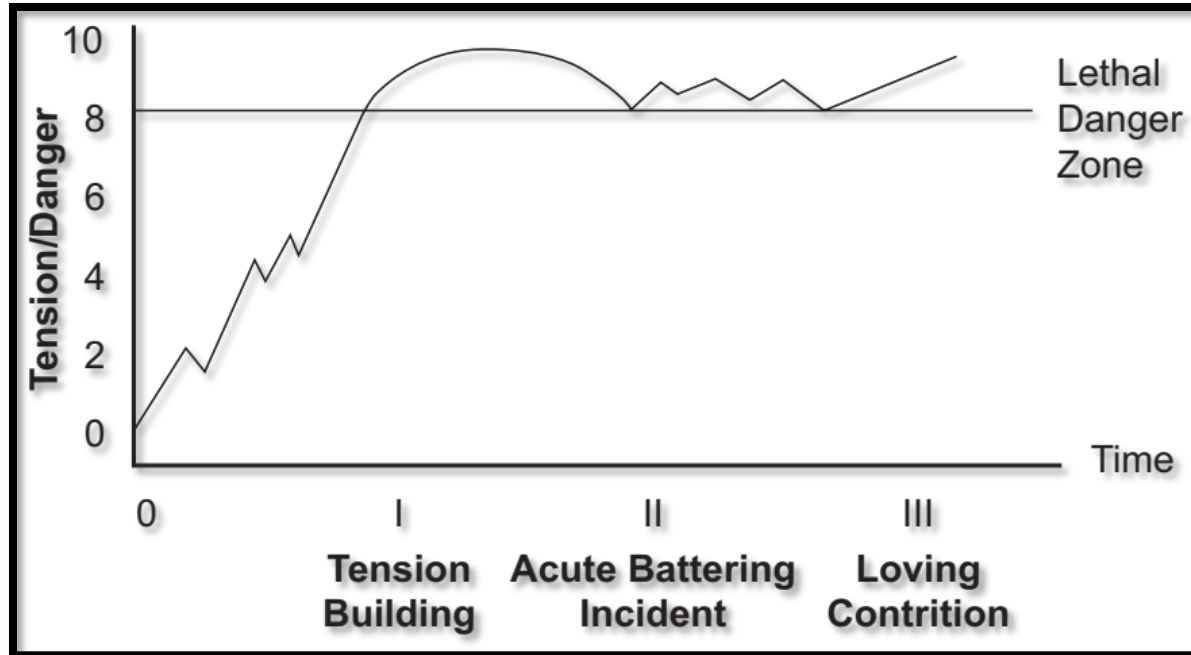
# Cycle of Violence

*Life-Threatening Cycle of Violence (Walker, 2009)*



# Cycle of Violence

*Life-Threatening Cycle of Violence – Fear of Death*  
(Walker, 2009)



# Cycle of Violence

## Phase II: Acute Battering Incident

- The Phase two is characterized by the uncontrollable discharge of the tensions that have built up during phase one.
- This is precipitated by the woman becoming more fearful of impending danger, and eventually she is unable to continue controlling his angry response pattern.
- Exhausted from the constant stress, she withdraws from the batterer, fearing she will inadvertently set off an explosion.
- He begins to move more oppressively toward her as he observes her withdrawal in the same relationship pattern observed in predator-prey aggression (McEllistrem, 2004; Meloy, 2006)

# Cycle of Violence

## Phase III: Loving-Contrition

- During Phase III the batterer may apologize, show remorse, or make promises to never commit an act of violence in the future. The batterer is usually in a state of denial while the woman often develops a false sense of hope that he might change. This latter disposition of the battered woman provides positive reinforcement for her to remain in the relationship even after many cycles of violence have occurred and there is no likelihood the batterer will stop the abuse. Many of the behaviors the batterer used during the courtship period occur again during this “honey moon” / “reconciliation” phase.

# Cycle of Violence

## Phase III: Loving-Contrition

- Phase III can also present as an absence of tension or violence, with no observable loving-contrition behavior, and still act as a reinforcer for the couple to act in ways that perpetuate the cycle of violence and the pathological relationship dynamics.
- Sometimes the perception of tension and danger remains very high and does not return to the baseline or loving-contrition level. This is often an indication that the risk of a lethal incident is very high.

# Sequelae of Trauma

## **Learned Helplessness, PTSD, & Major Depression**

- Learned helplessness is a psychological trait which results from repeated exposure to uncontrollable and traumatic events (Seligman, 1975).
- Learned helplessness involves a substantial decrease in associating action with positive outcome and leads to a marked reduction in the range of responses to external demands (Miller, 1988).
- In battered women, learned helplessness contributes to submissiveness and reluctance to leave an abusive relationship (Aguilar & Nightingale 1994; Walker 1996).
- Learned helplessness often modulates the relationship between violence and mental disorders, particularly PTSD and depression (Burns & Seligman, 1991)

Bargai et al., 2007

# Sequelae of Trauma

- Exposure to partner violence often leaves prolonged psychological sequelae in the form of **trauma related disorders such as PTSD & MDD** (Campbell 2002; Golding 1999) that may perpetuate the distressing effect of violence beyond its actual occurrence (Mertin & Philip 2002).
  - **Posttraumatic Stress Disorder (PTSD)** has been found in a significant percentage of battered women (33-83%), and is the most frequent mental disorder in this population (Bean & Moller 2002; Kubany et al. 1996; Saunders 1994)
  - **Major Depression (MDD)** is another prevalent outcome of domestic violence, which often cooccurs with PTSD (Bean & Moller 2002; Cascardi et al. 1999; Kessler et al. 1995; Kubany et al. 1996)

Bargai et al., 2007

# Sequelae of Trauma

- PTSD symptoms in battered women are associated with cognitions related to learned helplessness, such as expectation of recurrent violence, internal attribution style (Dutton et al. ,1994) and external locus of control (Noon, 1995).
- Evaluation of the contribution of learned helplessness to PTSD and major depression in 102 battered women found:
  - Learned helplessness magnifies the pathogenic effect of domestic violence
  - PTSD symptoms were associated with high levels of learned helplessness
  - Learned helplessness among battered women promotes a multi-generational cycle of female vulnerability to domestic violence victimization

**Bargai et al., 2007**

# Sequelae of Trauma

## Both et al. (2019)

- A small qualitative study of 10 battered women found:
  - Constant violence causes changes in the structural functioning and psychological conflict of the victims:
    - difficulties in mentalization,
    - instability in relationships,
    - emotional dependence,
    - abandonment of her own life for her partners,
    - difficulty in having a sense of identity.
- Victims presented difficulties in making significant changes in daily life to break the cycle of violence



**QUESTIONS**

**ANSWERS**

# Discussion



A medieval manuscript illustration showing a woman in a blue dress and black hat striking a man in a red tunic. The woman is leaning over the man, who is lying on the ground. The background is a red and white checkered pattern. The text "Perpetrator Characteristics & Behavioral Patterns" is overlaid in white.

# Perpetrator Characteristics & Behavioral Patterns

# The Battering Problem

- Domestic violence is perpetrated at higher rates toward mothers than toward women who do not have children (Denham et al., 2007; McDonald et al., 2006).
- Over the past 10 years, the traumatic effects on children of exposure to batterers have increasingly entered the public and professional eye. In the United States, 10% or more of women in relationships experience violence each year (Duffy et al., 1999; Straus & Gelles, 1990).
- A high percentage of these assaults are witnessed by one or more children, leading to an estimated 7 million or more children being exposed to acts of domestic violence per year (McDonald et al., 2006; Fantuzzo & Möhr, 1999).

**Bancroft et al. (2012)**



# The Battering Problem

- Children of battered women have been found to be at increased risk for a broad range of emotional and behavioral difficulties, including suicidality, substance abuse, depression, developmental delays, educational and attention problems, and involvement in violence (Gleason, 1995; Kolbo et al., 1996; Jaffe et al. 1990).
- A study of police arrests in on State over a 12-month period found that children were recorded as present 43% of the time (Berkman et al., 2004).

**Bancroft et al. (2012)**



# The Battering Problem

- Children have been found to be present at nearly half of all police calls for domestic violence (Fantuzzo & Fusco, 2007; Gjelsvik et al., 2003).
- Half or more of children exposed to batterers become directly involved in violence incidents through yelling at their parents during the assault, calling for help, or physically intervening (Edleson et al., 2003).
- In incidents that involve more severe levels of violence and in those involving substance abuse, children are even more likely to be present (Fantuzzo & Fusco, 2007).

**Bancroft et al. (2012)**



# The Battering Problem

- Furthermore, children exposed to batterers are themselves at high risk to become direct targets of physical abuse (McGuigan & Pratt, 2001; Straus, 1990; Suh & Abel, 1990; Bowker et al, 1988) and of sexual abuse (McCloskey et al., 1995; Sirles & Franke, 1989).
- The danger even extends to homicide: One multiyear study found that, in approximately one fifth of domestic violence homicides and attempted homicides, a child of the battered woman is also killed in the process (Langford, Isaac, & Kabat, 1999).

**Bancroft et al. (2012)**



# The Battering Problem

- The presence in the home of a batterer, usually in the role of parent or stepparent, has a wide range of implications for family functioning. Batterers tend to be authoritarian yet neglectful parents, with far higher rates than non-batterers of physically and sexually abusing children.
- Battering changes the nature of children's crucial relationships with their mother through mechanisms that include undermining her authority and interfering with her ability to provide care.
- A batterer's parenting cannot be assessed separately from his entire pattern of abusive behaviors, all of which have implications for his children.

**Bancroft et al. (2012)**

# The Battering Problem

- Batterers are more likely than non-battering men to seek custody of their children in cases of divorce or separation (American Psychological Association Presidential Task Force on Violence and the Family, 1996; McMahon & Pence, 1995; Liss & Stahly, 1993) and can have several advantages over battered women in custody litigation.
- The psychological distress observed in children exposed to domestic violence results not only from their witnessing of periodic acts of violence but also from exposure to a batterer and to his parenting style in everyday life

# What is a Batterer?

## Bancroft et al. (2012):

- “A person who exercises a pattern of coercive control in a partner relationship, punctuated by one or more acts of intimidating physical violence, sexual assault, or credible threat of physical violence. This pattern of control and intimidation may be predominantly psychological, economic, or sexual in nature or may rely primarily on the use of physical violence.”
- **NOTE:** Bancroft et al.’s definition requires a pattern of coercive controlling behavior as well as the threat or use of physical or sexual violence.

# What is a Batterer?

## Chiffriller et al. (2006):

- Early clinical work with batterers identified four types of abusers: (1) the controller, (2) the defender, (3) the approval seeker, and (4) the incorporator as reported and defined by **Elbow (1977)**:
  - **Controller** – seeks autonomy, desiring independence and self-rule
  - **Defender** – enjoys his partner's reliance on him and becomes abusive when she is self-reliant
  - **Approval Seeker** – needs support and constant reinforcement to subdue feelings of inadequacy
  - **Incorporator** – desires verification or validation of his being and demands that his partner fulfill this need for him.

# What is a Batterer?

## **Brisson (1981):**

- Compared batterers on sociological data and suggested two types:
  - **Generally Violent Men** – men who used violence outside the intimate relationship, had more frequent arrests, and a greater degree of alcohol abuse.
  - **Relationship-Specific Violent Men** – men who limited their violence to the intimate relationship

Chiffriker et al., 2006

# What is a Batterer?

## Hamberger and Hastings (1986):

- Analyzed the eight personality characteristics of the **Millon clinical Multiaxial Inventory** and suggested three groups of batterers:
  - ***Schizoid / Borderline***
  - ***Narcissistic / Antisocial***
  - ***Passive dependent / Compulsive***

Chiffrieller et al., 2006

# What is a Batterer?

## Gondolf (1988):

- Defined three different types of battering behavior: **physical**, **verbal**, and **blame after the abuse**, as part of the cycle of violence. Thus, the batterers' abusive behaviors represent what a “**violent personality**” in three variations:
  - ***Typical***
  - ***Sociopathic***
  - ***Antisocial***

Chiffriller et al., 2006

# What is a Batterer?

## Saunders (1992):

- Gathered information regarding generalized violence, childhood victimization, psychological abuse, alcohol use, prior counseling, and arrests for violence from batterers referred for treatment.
- Analysis of the data suggested three groupings of batterers:
  - ***Family-only aggressors***
  - ***Generalized aggressors***
  - ***Emotionally violent aggressors***

Chiffriller et al., 2006

# What is a Batterer?

## Chiffriller et al. (2006)

- These studies by Brisson (1981), Hamberger and Hastings (1986), Gondolf (1988), and Saunders (1992) each investigated select characteristics of batterers and differed in their emphasis on behavioral traits and personality characteristics in an effort to to develop a new or confirm an existing typology of batterers. Yet, according to Chiffriller et al. (2006), the weaknesses and discrepancies in experimental design have made findings difficult to determine, and so an accurate and consistently demonstrated typology remains undeveloped.

# What is a Batterer?

## Chiffriller et al. (2006)

- These researchers conducted a large scale study to help determine whether men who batter their female intimate partners differed significantly from one another in relation to their attachment style, conflict resolution tactics, personality and psychopathology, jealousy, and alcohol abuse history.
- Participants included both a clinical sample, consisting of men identified as batterers receiving treatment from a domestic violence program and non-clinical control samples, consisting of accessible males recruited from the community.

# What is a Batterer?

## Chiffriller et al. (2006)

- Analysis of the data suggested five distinct profiles of men who batter women:
  1. Pathological batterers
  2. Sexually violent batterers
  3. Generally violent batterers
  4. Psychologically violent batterers
  5. Family-only batterers

# What is a Batterer?

## (I) Pathological Batterers (Chiffriller et al., 2006)

- Pathological batterers, with the exception of psychologically violent batterers, were the most psychologically abusive toward their partners. Their use of sexual coercion, using verbal intimidation to force their partner into unwanted sexual acts, exceeded that of both the generally violent and family-only batterers.
- However, they tended to be less physically abusive than these two groups. Pathological batterers often perceived a threat to the relationship, such as another lover, either real or imagined.
- They engaged in investigative and protective behaviors that are associated with jealousy and involve spying on or insulting their partner or the suspected rival.

# What is a Batterer?

## (I) Pathological Batterers (Chiffriller et al., 2006)

- Pathological batterers demonstrated preoccupied attachment more so than generally violent batterers and would feel unsure of themselves and their ability to keep their partner attracted to them. Additionally, pathological batterers were found more fearful than both generally violent and family-only batterers and were therefore less trusting of others.
- Preoccupied and fearful styles of attachment both include a negative internal model of the self, which supports the theory that this negativity causes men to perceive the relationship to be constantly threatened and puts the male at a high risk for partner abuse (Holtsworth-Munroe & Stuart, 1994).
- Pathological batterers had the most experience with violence in their family of origin, suggesting that they may have trauma issues.

# What is a Batterer?

## (2) Sexually Violent Batterers (Chiffriller et al., 2006)

- Sexual batterers use sexual coercion as a maladaptive way to resolve conflict with their partners.
- Their sexual violence includes using threats or force, through hitting, holding down, or using a weapon, to force their partners into anal, oral, or vaginal sex.
- As a group, sexually violent batterers are more jealous than generally violent and family-only batterers and their jealousy is believed to be a manifestation of self-doubt.
- Sexually violent batterers display a greater tendency to devalue themselves than generally violent and family-only batterers.
- It is believed that sexually violent batterers use of sexual abuse is an attempt to avoid feelings of shame by displacing them onto their partners.

# What is a Batterer?

## **(3) Generally Violent Batterers (Chiffriller et al., 2006)**

- Use violence as opposed to verbal conflict resolution tactics in their interpersonal relationships.
- not likely to use compromise to settle a dispute with their partner.
- less prone to use either physical assault tactics or sexual coercion than sexually violent and pathological batterers
- may use their partners to cope with difficulties in relationships outside the intimate relationship. Abuse may be an attempt to displace their anger towards employers, for example, onto their partner.

# What is a Batterer?

## (4) Psychologically Violent Batterers (Chiffriller et al., 2006)

- Utilize psychological aggression tactics involving the destruction of personal belongings and treats to throw things at another person.
- Physical abuse also predominates their battered behavioral patterns when compared to the family-only and generally violent groups. Examples are:
  - Minor – pushing, slapping, twisting arms or hair, and throwing objects
  - Severe – kicking, beating, burning, choking, and slamming against walls.

# What is a Batterer?

## **(5) Family-Only Batterers (Chiffrieller et al., 2006)**

- Similar to generally violent batterers in terms of the degree of behavioral and psychological dysfunctional patterns that may interfere with proper functioning in relationships.
- Distinguished from generally violent batterers by a lack of violence outside the home.
- More troubled by feelings of inadequacy and a negative self-concept.
- Use negotiation more often than generally violent batterers but tend to incorporate psychological aggression.

# How Do Batterers Behave?

- Research suggests that batterers exhibit certain personality characteristics and behaviors, such as:
  - Control
  - Entitlement
  - Self-Centeredness
  - Superiority
  - Possessiveness
  - Manipulativeness
  - Contradictory Statements & Behavior
  - Externalization of Responsibility
  - Denial, Minimization, and Victim Blaming
  - Serial Battering

# Control

- The overarching behavioral characteristic of the batterer is the imposition of a pattern of control over his partner (Lloyd & Emery, 2000; Pence & Paymar, 1993).
- The batterer's control is carried out through a mixture of criticism, verbal abuse, economic control, isolation, cruelty, and an array of other tactics (Bancroft, 2003); (See Power and Control Wheel).
- A batterer usually perceives his controlling behavior as justified and therefore sees his partner's reluctance to be controlled as evidence of her mental instability, volatility, or desire to control him (Pence & Paymar, 1993).

# Control

- In some cases, there is a distinct period of a few months (or even days) when the coercive pattern presents itself. Common points for the onset of this pattern include when the couple first begins living together, when the couple gets married, when the first pregnancy begins, and when the first child is born (Bancroft et al., 2012).
  - The batterer's control often takes the form of undermining his partner's efforts at independence, thus increasing his power and control in the relationship (Bancroft, 2003; D. Dutton, 1995).
  - Subsequently, the woman's efforts to resist these forms of control generally meet with an escalation by the abuser, and thus the pattern of control becomes increasingly coercive over time (Boxall & Lawler, 2021).

# Control

- A recent study sheds light on one of the most crucial aspects of the abuser's entitlement:
  - Neighbors and colleagues (2010) found that male domestic violence perpetrators believe that violence by men against female partners is much more common than it actually is; for example, they believe that beating a partner up, threatening her with a gun, or strangling her are twice as common as they actually are and believe that forcing her to have sex is three times as common as it actually is.
  - These findings reinforce previous research studies that have shown that the belief among batterers that their behavior is normal and defensible is central to the nature of their problem.

# Control

- A primary manifestation of entitlement is that batterers expect family life to center on the meeting of their needs, often to the point of treating their partners like servants. If a batterer's partner attempts to assert her own needs, the batterer often characterizes her as selfish or uncaring (Pence & Paymar, 1993).
- Batterers thus are distinguished partly by their high and unreasonable expectations, including forceful and urgent demands for catering (Bancroft, 2003; Pence & Paymar 1993). They may believe that they are owed services and deference without regard to their own level of contribution or sacrifice (Adams, 1991).

# Control

- Batterers' expectations of service may include physical, emotional, or sexual caretaking. The demands for physical labor can involve:
  - *expecting meals prepared for them in the precise way that they like*
  - *shopping and housecleaning done*
  - *the children looked after and kept quiet*
  - *school meetings attended and the social calendar arranged*
  - *a continuing list of family and household responsibilities.*
- Batterers may retaliate if this work is not done to their satisfaction

# Control

- Equally central to physical needs are a batterer's typical demands for emotional caretaking (Bancroft et al., 2012).
- Entitlement can lead a batterer to have double standards, such as the belief that he can have outside sexual relationships but that it is not acceptable for his partner to do so (Ptacek, 1997).

# Control

- The higher a batterer's level of entitlement, the greater his apparent perceptual tendency to reverse abuse and self-defense (Bancroft et al., 2012). The typical batterer defines his abusive behaviors as efforts to protect his own rights and defines his partner's attempts to protect herself as abuse of him (Jacobson & Gottman, 1998).
  - For example, he tends to interpret occasions when his partner refuses to have sex with him as her efforts to control or manipulate him (Mahoney & Williams, 1998).
  - Batterers therefore often claim to be the victim of the woman's abuse or violence (Pence & Paymar, 1993).

# Entitlement

- **Bancroft et al. (2012):**
  - “The belief that one has special rights and privileges without accompanying reciprocal responsibilities” (See “Male Privilege” in Power and Control Wheel)
  - Batterers tend to have this orientation in specific relationship to their partners and children and do not necessarily carry it over into other context.

# Entitlement

- The batterer's entitlement leads him to feel justified in taking steps to protect his special status, including the use of physical violence or intimidation when he considers it necessary (Bancroft et al., 2012).
- The belief that violence toward a partner can be justified is a strong predictor of which men will batter (Margolin, John, & Foo, 1998; Silverman & Williamson, 1997) and helps to distinguish which boys exposed to domestic violence will grow up to abuse their own partners (O'Keefe, 1998).
- Men who batter have been found to not have a strongly elevated rate of mental health, so it is important for practitioners to understand the role played by entitled and disrespectful attitudes in shaping a batterer's behavior. problems (Gondolf, 1999).

# Self-Centeredness

- Batterers are often preoccupied with their own needs and thus not available to their children (Johnston & Campbell, 1993) yet may expect their children to be always available to them in ways that can interfere with a child's freedom and development (Roy, 1988) See “Parenting Styles of Batterers”.
- The self-referential tendency of batterers, characterized by grandiosity and an unrealistic self-image is inherently narcissistic (Kernberg, 1975; Kernberg, 1998) See “Infantile and Pathological Narcissism.”

# Superiority

- Batterers believe themselves to be superior to their victims (M. Russell & Frohberg, 1995).
- Superiority can sometimes include elements of depersonalization or objectification (Pence & Paymar, 1993).
- In many batterers, attitudes of superiority generalize into hostility toward women in general (Pence & Paymar, 1993), although this outlook may take time to detect (Edleson & Tolman, 1992).

# Superiority

- Children tend to absorb the batterer's negative and corrupting views of their mother over time. For example, children of battered mothers often describe her in terms similar to ones that the batterer would use (i.e., borrowed scenarios), saying that she "nags," that she "doesn't know what she's doing," or that "what she needs is a slap in the face."
- For similar reasons, children can come to see the batterer as the parent who is most knowledgeable, competent, and in charge (Bancroft et al., 2012) See “Corrupting Psychological Maltreatment and Identification with the Aggressor”

# Possessiveness

- One useful way to encapsulate the nature of the batterer's problem is that they perceive their partner as an owned object (Lloyd & Emery, 2000).
- Some studies have shown that men who use violence against their female partners are more likely than other men to be possessive in ways that are psychologically abusive (Adams, 1991; Silverman & Williamson, 1997) .
- Recent studies suggest that this relationship dynamic habituates the victim to a trauma bond with her batterer and a perpetuation of the cycle of violence (Kasassa et al., 2022; Tullio et al., 2021).

# Possessiveness

- A batterer's possessiveness sometimes exhibits itself starkly when a relationship terminates, commonly leading to violence against the woman for her attempts to leave; nearly 90% of intimate partner homicides by men have been shown to involve a documented history of domestic violence, and a majority of these killings take place during or following separation (Websdale, 1999).
- A high level of possessiveness is an established marker of which batterers are more likely to kill (Adams, 2007; Campbell, 2017; Websdale, 1999).



# Possessiveness

- Batterers who go beyond the terrorizing behavior to actually commit a homicide do appear to have elevated rates of mental illness combined with high possessiveness, (Websdale, 1999).
- In attempting to understand the propensity of batterers to kill or to seriously assault partners who attempt to leave them, some researchers have concluded that batterers have an inordinate fear of abandonment or are unusually despondent after separation (See Kernberg, 1975).

# Possessiveness

- Possessiveness in batterers is also a common characteristic among child sexual offenders (Carney et al., 2023) and plays an important role in fostering child sexual abuse and boundary violations (Curti et al., 2019).
- Sexual abusers are notorious for the attitudes of ownership that they exhibit toward children (Salter, 1995), and incest perpetrators sometimes perceive sexual access as a parental privilege (Leberg, 1997; Groth, 1982).



# Manipulativeness

- Immediately following abusive incidents, a batterer may strive to manipulate their partner's perceptions of their actions or to create confusion about the causes or meaning of the incidents, which has been described as a form of mind control (Jacobson & Gottman, 1998).
- The great majority of batterers project a public image that is in sharp contrast to the private reality of their behavior and attitudes (Jacobson & Gottman, 1998).

# Manipulativeness

- Periods of abuse are usually interspersed with times of relative calm, during which the batterer may be loving or friendly with shows of generosity or flexibility in an attempt to regain a partner's trust and to create the hope that they have changed.
  - Given the traumatic effects of a batterer's history of abuse, the respite and sense of hopefulness engendered by “good periods” can cause serious confusion (Bancroft et al., 2012).
  - A batterer thus may be able to reengage their partner over and over again in a way that can be baffling to outsiders who do not understand the deep combined effects of trauma, intimidation, and manipulation, which can form strong *trauma bonds* (D. Dutton, 1995; D. Dutton & Painter, 1993; Herman, 1992).

# Manipulativeness

- Manipulation is in itself a psychological risk to children who are exposed to domestic violence. For example, experts in treating schizophrenia have found that severely contradictory messages from parents, such as “don’t hit your sibling” when the batterer is hitting the mother, appear to play a greater role than overt abuse in engendering children's psychosis (Karon & Vandebos, 1981) See “Corrupting Psychological Maltreatment – Double Bind.”
- When these tactics are combined with the dynamics of domestic violence, the risks to children's mental health increase further (Barnett et al., 2011).



# Contradictory Statements & Behavior

- Assessment of batterers and their impacts on families is further complicated by the contradictions typically present in a batterer's thinking and presentation (Bancroft et al., 2012). The following are examples of contradictory statements and behaviors commonly observed:
  - Batterers state that they oppose any use of violence toward women, that men should treat their partners with respect, that decision making should be 50-50, and that the needs of the children should be the priority.
  - Batterers make forceful, articulate, and appropriate confrontations of other men in their abuser groups while themselves continuing to be abusive and violent at home.



# Contradictory Statements & Behavior

- Evaluating professionals should be cautious not to assess an alleged batterer simply by asking his beliefs, as he will generally be able to tailor his statements to the response that he believes is desired (Bancroft et al., 2012).
- A batterer's destructive attitudes may be revealed better by statements he makes while under confrontation than while being interviewed supportively and, in some cases, are only exposed when he is in private or when he is caught behaving abusively by outsiders (Bancroft et al., 2012).



# Externalization of Responsibility

- Batterers typically hold beliefs that relieve them of responsibility for their abusiveness through self-deception, denial, minimization, and externalization of blame (See Power and Control Wheel), and they exhibit patterns of justifying their actions and making excuses (Dutton, 1995; Edleson & Tolman, 1992).
  - Batterers shift blame to their partners' conduct (e.g., "She really knows how to push my buttons") and to other supposed causes such as stress, substance abuse, issues from childhood, and intolerable emotional states.
  - This belief system leads batterers to make contradictory statements such as "I know you should never hit a woman, but there's only so much a man can take" or "I know I'm responsible for my own actions, but she pushed me too far." (Bancroft et al., 2012).



# Externalization of Responsibility

- The batterer tends similarly to shift responsibility for the *effects* of their actions. For example, if his partner flinches during an argument because she thinks he is about to strike out, he may ridicule her as hypersensitive or theatrical (Bancroft, 2003).
  - If she becomes depressed (which is a common symptom of abuse), he may call her lazy or say, "You just want to live off my hard work." He then may use the effects of his actions as an excuse for further mistreatment of her.
  - Batterers take the same attitude toward the effects on their children of exposure to domestic violence, attributing their difficulties to the mother's poor parenting or to inherently weak character in the children (Bancroft et al., 2012)



# Externalization of Responsibility

- A critical family dynamic observed is that batterers tend to have some success in persuading family members to take on responsibility for their abusive and controlling behaviors.
  - This may be exhibited as children blaming their mothers for the abuse, mothers may blame children, siblings tend to blame each other, and all family members tend periodically to blame themselves.

OR

- Family members may accuse each other of having made the batterer angry by challenging them, failing to cater to them adequately, making too much noise, or other actions that displeased the batterer.



# Externalization of Responsibility

- Bancroft et al. (2012) found that the behavioral and emotional problems of batterers' children often increase over time in a linear relationship with the severity of exposure to domestic violence.
- When a battered woman attempts to end a relationship to escape abuse, the batterer may tell her that she is the one causing harm to the children because she is breaking up the family (Pence & Paymar, 1993).
- In a substantial proportion of batterers, their externalization of responsibility and blame (See "Other Blamers" in Clawar & Rivlin, 2013) extends to their interactions with their children. This tendency is a risk factor for children, as "abusive parents often project responsibility for their abusive behavior onto external factors, including the child" (Milner & Chilamkurti, 1991, p. 352).



# Denial, Minimization, & Victim Blaming

- Batterers rarely disclose their violence fully, even in the face of considerable evidence (Heckert & Gondolf, 2000; Healey et al., 1998).
- Even those men who admit to some portions of their violence typically minimize their history of abuse (Lloyd & Emery, 2000; Healey et al., 1998; D. Dutton, 1995), reporting significantly less violence and threatening behavior than their female partners attribute to them and than is revealed by court and police records (Adams, 2007).



# Denial, Minimization, & Victim Blaming

- In assessment of an alleged or established batterer, minimization by the offender can be more effectively misleading than denial.
- For example, by expressing remorse while simultaneously portraying the victim as provocative and dishonest, a batterer is sometimes able to persuade a professional that they have been wrongly accused or that their efforts to change have not been recognized.
- In another example of minimization, the batterer might say: "I did shove her a couple of times, and one time I hauled off and slapped her when she called my mother a whore, and I really regret it. But now, she's saying I grabbed her by the throat and threatened to kill her, which I would never do, and she knows it."



# Denial, Minimization, & Victim Blaming

- Batterers often characterize their actions as defensive in nature or as being “justified” to prevent more serious harm (see also Lloyd & Emery, 2000; Healey et al., 1998; Pence & Paymar, 1993).
- Researcher has found that the most common explanations that batterers provide when characterizing their actions as defensively justified include:
  - claims that his partner was assaulting him and he injured her when he was warding off her blows,
  - that he was enraged by her frequent assaults against him and "finally decided to show her what it's like,"



# Denial, Minimization, & Victim Blaming

- Common explanations that batterers provide when characterizing their actions as defensively justified (continued):
  - that she was assaulting one of the children and he stepped in to protect the child, and
  - that she was attempting to drive while drunk or to act self-destructively in some other way.



# Denial, Minimization, & Victim Blaming

- Child-abusing batterers exhibit similar patterns of denial, minimizing, and victim blaming regarding their parenting (Bancroft et al., 2012).
- Information regarding reports of abuse from child protective services often contrasts sharply with batterers' minimizations of their violence, threats, or boundary violations toward children.
- Many batterers distort or exaggerate their children's behavior, tending to cast the child as highly troubled or destructive in order to justify their violent behaviors (Bancroft et al., 2012).

# Serial Battering

- Batterers tend to abuse more than one woman over the course of their adult relationships (D. Dutton, 1995; Woffordt, Mihalic, & Menard, 1994).
- Child protective services and family and juvenile courts should avoid operating on the mistaken belief that a batterer's likelihood to assault a female partner can be reduced through the ending of his current relationship.
- The high degree of conflict in his current relationship is probably the result of his abusiveness rather than its cause, and if he replicates these dynamics in his future relationships, his children may be at risk.



**QUESTIONS**

**ANSWERS**

# Discussion



# Misconceptions About Batterers

# Substance Abuse

- Most incidents of domestic violence take place without the use of alcohol by the batterer, and roughly 80% of alcohol-abusing men do not beat their partners (Kantor & Straus, 1990).
- Alcohol and most drugs do not have physiological effects that cause violence, and indeed alcohol is most likely to contribute to violence in those who believe that it will do so (Gelles, 1993).
- A large proportion of batterers, including some who are highly physically violent, show no signs of substance abuse (see also Zubretsky & Digirolamo, 1996), and those batterers who do have addiction problems commit serious acts of abuse even when sober.



# Substance Abuse

- Any increases in violence associated with substance abuse should still be understood as a matter of choice: batterers admit to us that they give themselves more permission to be violent when intoxicated (see also Edleson & Tolman, 1992) and reveal similar attitudes and decision-making processes regarding their violence whether or not they are intoxicated (Bancroft et al., 2012).
- A fairly small but significant number of batterers become more dangerous and dictatorial when they stop abusing the substance, apparently because of their increased irritability and their ability to monitor their partners' behavior more closely (Bancroft et al., 2012).



# Substance Abuse

- A fairly small but significant number of batterers become more dangerous, and recovery alone are rare (Bennett, 1995), and professionals should avoid suggesting to the family members of a batterer or to the batterer himself that his recovery will increase physical or psychological safety in the home.
- Although substance abuse is not causal in domestic violence, it can contribute to a batterer's frequency and severity of violence (Bennett, 1995), and the most dangerous batterers have elevated rates of heavy substance abuse (Campbell, 2007; Websdale, 1999). Substance abuse history is thus one important factor in risk assessment.



# Mental Health Problems

- Available studies suggest that, aside from those who are extremely physically violent, batterers do not appear to have substantially higher rates of psychopathology than do nonbattering men (Gondolf, 1999; O'Leary, 1993; review in Tolman & Bennett, 1990).
- Clinicians have difficulty in reliably assigning batterers to types within a psychological typology (Langhinrichsen-Rohlins, Huss, & Ramsey, 2000), and there is no particular personality disorder or mental illness that batterers show consistently (Langhinrichsen-Rohlins et al., 2000; Gondolf, 1999).



# Mental Health Problems

- There is especially strong evidence of a characteristic absence of psychopathology in those batterers who are not violent outside of the home.

Holtzworth-Munroe & Stuart, 1994



# Mental Health Problems

- Bancroft et al. (2012) described infrequent cases where a batterer's violence did appear to be produced primarily by a mental illness with the following distinguishing characteristics:
  - The men's partners reported that they did not exhibit chronic patterns of controlling behavior or entitled attitudes.
  - The men showed unusually low levels of investment in justifying or rationalizing their violence, even under confrontation.
  - They had higher levels of empathy and lower levels of negative characterization with respect to their victims than did other clients.
  - They had histories of explosive behaviors with non-partners about whom they expressed remorse and embarrassment. Bancroft et al. (2012) estimates that such men have been 1% or fewer of our clients.



# Mental Health Problems

- A second and much larger group of men Bancroft worked exhibited serious indications of mental illness or have already been diagnosed but also exhibit the central characteristics that make up the batterer profile.
- In such cases, the mental health problem should not be seen as the cause of the battering but rather as an important aggravating factor and as an obstacle to efforts at rehabilitation, analogous to the substance abuse of other batterers (see also Edleson & Tolman, 1992).

# Mental Health Problems

- A number of subtler emotional problems that are widely assumed to be causes of battering include: low self-esteem, insecurity, childhood victimization, poor impulse control, and feelings of inadequacy (such problems do not present consistently in all batterers) (Bancroft et al., 2012).
- Psychotherapy appears to have low rates of effectiveness with batterers (Jacobson & Gottman, 1998), which is observed to result from their high entitlement and from their tendencies to manipulate the therapeutic process.
  - Furthermore, Bancroft et al. (2012) found their battering clients to be highly resistant to using psychotropic medication regularly and responsibly.



# Mental Health Problems

- A similar misconception about batterers involves their purported deficiencies in conflict resolution, communication, assertiveness, and anger management skills. However, D. Dutton (1995) himself observed that the batterer's lack of assertiveness was present only in partner relationships and not in other contexts.



# Mental Health Problems

- Another study found that skill differences between batterers and non-batterers were small (Morrison, Van Hasselt, & Bellack, 1987).
- These findings strengthen the clinical observation that batterers are generally not unable to use non-abusive skills but rather are unwilling to do so because of their attitudes.
- Batterer intervention specialists are in wide agreement that the teaching of conflict resolution or anger management skills to batterers is only useful if the clients' underlying attitudes are also confronted (Bancroft et al., 2012).



# Mental Health Problems

- A particularly prevalent misconception about batterers is that they have poor impulse control. However, it is unusual to find an abuser who has a history of lost jobs due to impulsive behavior at work or other indications of low impulse control.
- Moreover, a complete history of a man's abusive and controlling behaviors toward his partner generally reveals some actions that require forethought or even planning.
- Exploration of an abuser's non-partner relationships, the handling of personal finances, and other spheres of life generally reveals no severe history of impulsivity (Bancroft et al., 2012).



# Mental Health Problems

- One mental health diagnosis that should be treated as a special case is antisocial personality disorder, also known as the psychopathic or sociopathic personality (Bancroft et al., 2012).
- Antisocial personality disorder is defined as a condition in which the person lacks a social conscience, leading to manipulative and exploitative behavior, a tendency toward violence and intimidation, and chronic law breaking.
- The male sociopath typically has superficial, dishonest, and abusive relationships with women, including chronic infidelity (American Psychiatric Association, 1994).



# Mental Health Problems

- Although the sociopath and the batterer are similar in their exploitativeness (Jacobson & Gottman, 1998), there are two key differences between the two personalities:
  - The sociopath exhibits his antisocial tendencies with many different people (typically including employers) and not just with intimate partners.
  - The sociopath's behavior pattern begins no later than mid-adolescence, but the batterer's problem emerges more commonly in his late teens or 20s. Antisocial personality disorder is dangerous and highly resistant to treatment, so a man who has both this diagnosis and a history of battering may be a serious risk to his partner, former partners, or children.



# Mental Health Problems

- Antisocial personality disorder is compatible with domestic battering, and the batterer is at a somewhat increased risk to have this diagnosis compared to a non-battering man (Gondolf, 1999).
- Again, though, it should be understood as a co-occurring and exacerbating problem, and not necessarily as a cause.



# Generalized Violence & Criminality

- Studies have concluded that, although batterers do have a higher rate of generalized violence than do non-batterers, the majority of batterers restrict their violence to intimate relationships.

Holtzworth-Munroe & Meehan, 2004; Jacobson & Gottman, 1998;  
Hotaling, Straus, & Lincoln, 1990)



# Generalized Violence & Criminality

- Batterers are not generally perceived as violent in nature by people who interact with them in other contexts; the exception to this is in certain situations where they are confronted about their battering behavior or when they perceive others as interfering with their control over their partners or children.
- In other situations, batterers are known for their self-control: For example, their ability to calm themselves abruptly when police arrive at the home and to behave reasonably and amicably in the presence of the officers is a standard subject of police training on domestic violence.



# Generalized Violence & Criminality

- Class assumptions have played a role in the construction of the societal image of the batterer as a generally violent man who is poor or blue-collar, often allowing batterers who are well educated, successful, and self-assured to escape detection (Bancroft et al., 2012).
- Those batterers who do exhibit generalized violence have been shown to be an increased risk to their partners and children (Campbell, Soeken, McFarlane, & Parker, 1998).



# Characteristics and Behaviors of Battered Women

# Prevalence of DV among mothers

## Heron et al. (2022)

- Domestic violence is perpetrated at higher rates toward mothers than toward women who do not have children (Denham et al., 2007; McDonald et al., 2006).
- Over the past 10 years, the traumatic effects on children of exposure to batterers have increasingly entered the public and professional eye. In the United States, 10% or more of women in relationships experience violence each year (Duffy et al., 1999; Straus & Gelles, 1990).
- A high percentage of these assaults are witnessed by one or more children, leading to an estimated 7 million or more children being exposed to acts of domestic violence per year (McDonald et al., 2006; Fantuzzo & Möhr, 1999).

# Reasons to Stay

- Prior qualitative research has demonstrated that victims' reasons for staying in an abusive relationship include economic, social, emotional, cultural, and legal factors. For example, victims who are financially dependent on their partners often lack resources to be able to leave (Estrellado & Loh, 2014).
- Domestic violence can also lead to job instability and homelessness (Adams et al., 2012) and social isolation (Ondicho, 2013). Therefore, even if victims want to leave, a lack of social support could make it difficult for them to do so (Coohey, 2007; Sichimba et al., 2020).
- A victim of intimate partner violence may also stay because they hope that their partner will change their behavior (Sichimba et al., 2020) or because they are strongly committed to a relationship they have already invested in (Estrellado & Loh, 2014).

# Reasons to Stay

- On the one hand, having children with the abuser may be a barrier to leaving as women may fear losing custody (Stephens & Melton, 2017).
- On the other hand, having children can result in some women being more motivated to leave, as they are concerned about their child's wellbeing (Estrellado & Loh, 2019).
- Victims' concerns for safety may be both a facilitator and barrier to leaving. Attempts to leave may lead to spikes of violence and, in extreme cases, femicide (Ferrara & DelVescovo, 2019).
- Moreover, some consequences of domestic abuse, such as depression and low self-esteem (Loke et al., 2012), further reduce the odds of leaving (Clements et al., 2004)

# Reasons to Stay

- Pioneering research has demonstrated that an ethnic minority/immigrant background may play a unique role in the decision to stay in an abusive relationship. For instance, immigrant women are more often socially isolated and experience language barriers, making it more difficult for them to leave (Oyewuwo-Gassikia, 2016).
- Additionally, immigrants can be reluctant to engage with the police or other legal services as they may fear deportation (Voolma, 2018). Ethnic minority women are also more often than ethnic majority women part of communities that hold beliefs going against divorce and separation (Ondicho, 2013).

# Reasons to Stay

- Therefore, battered women may choose to stay with their abusive partners to avoid bringing shame on their families and being ostracized (Alaggia & Maiter, 2015).
- Ethnic minority women may further be likely to stay if they perceive that the perpetrator shows them some level of respect, e.g., being faithful (Willan et al., 2019).
- Considering the variety of reasons to stay reported by battered women, it becomes clear that the decision to remain in an abusive relationship may sometimes be a carefully thought out decision.

# Reasons to Stay

- Johnson (1992) proposed that the decision to stay in an abusive relationship will be made if the perceived rewards of the relationship significantly outweigh the costs of separating.
- For example, despite the physical harm that a woman endures in an abusive relationship, she would be more likely to return to her abusive partner if he is the sole financial provider. Victims may thus be more likely to make a decision to leave after rationally weighing up the costs against benefits of leaving the abusive partner (Browne & Herbert, 1997)

# Reasons to Stay

- **Heron (2022)** examined reasons for staying in and leaving abusive relationships in an ethnically diverse sample of female domestic violence victims and found:
  - **Investment** – Over two-thirds of women (n= 14; 70% of the sample) indicated that they had invested too much, making it difficult for them to ‘just leave.’ Women stated they stayed because of ‘pregnancy and young children’ (50%), ‘marriage’ (25%), or ‘wanting to keep the family unit together’ (20%)

# Reasons to Stay

- Half of the women (n= 10; 50%) stated that domestic violence commenced or escalated when they were pregnant and carrying a child made it difficult for them to leave.
- Participant 7 demonstrates this as she stated: “He became physically abusive after the first child ... jealousy perhaps ... but then it was difficult to leave. I had invested so much.”
- Participant 8 “feared raising the baby alone” which resulted in her staying. She later miscarried the baby because of physical abuse.

# Reasons to Stay

- **Marriage.** A quarter of the women (n= 5; 25%) expressed that their partners became abusive shortly after marriage and this made it difficult for them to leave because of how much they had invested.
- For instance, participant 18 stated “abuse began after a year of being married, not that easy to get up and leave” and participant 12 stated: “everything was really good until we were married . . . he just changed overnight and that’s when he became violent, but by then it wasn’t that easy to just leave, I had invested so much!”

# Reasons to Stay

## ➤ Keeping the Family Together.

- One in five women (n= 4; 20%) communicated that the desire to keep the family together was another reason why they stayed. They did not want the family to break up and perceived that it was better for their children to have both a mother and a father in the same home.
- Participant 1 stated her reasons for staying were: “Because we had a child together and I believe the best way to bring up a child is in marriage and with a mother and a father.” This point was further supported by participant 7 who said: “My parents split up and I never had a dad. I didn’t want that for my son.”

# Reasons to Stay

## ➤ Love.

- Just under a third of the women (n = 6; 30%) stated that their reasons for staying with their partner was because they loved their partner. Participant 12 remarked, “I felt trapped because I loved him” and participant 14 further supports this as she stated, “I stayed because I loved him; I thought he would change.”
- Thus, women may stay because of the love which they have for their partners and the hope that they will change. The love which these women have for their partners can be quite passionate and intense. Participant 18 described how despite leaving her partner she still had feelings for him: “I still love him even though he tried to kill me . . . we had a very passionate love.”

# Reasons to Stay

- **Entrapment** – Nearly all women (n = 19; 95%) mentioned that they stayed in an abusive relationship due to feeling trapped.
- Five sub-themes were identified under this main theme:
  1. ‘physical entrapment/social isolation’ (60%),
  2. economic dependence’ (45%),
  3. ‘internalized blame’ (35%),
  4. ‘cultural and religious beliefs’ (35%) and
  5. ‘learned helplessness and coping mechanisms’ (20%).

# Entrapment

- Entrapment is considered one of the primary reasons why battered women choose to stay with their abusive partners (Saunders & Browne, 1990).
- Empirical research has shown that battered women often choose to stay because they are **entrapped** in a relationship with a perpetrator who threatens to escalate the violence if the woman attempts to leave (Pagelow, 1984).
- Several studies suggest that separation from the abuser does not terminate the violence; in fact, leaving has been found to be more dangerous than staying for both the woman and her children (Berk, Newton, & Berk, 1986; Harlow, 1991)

# Entrapment

- Entrapment by is reinforced through societal norms, values, policies, available opportunities, and service provision modalities that emphasize patriarchal norms regarding gender roles on the one hand (Bograd, 1984; Dobash & Dobash, 1979; Yllö, 1993), and non-supportive formal and informal social support networks, economic dependency on the male partner, and lack of alternative housing on the other hand (Kalmuss & Straus, 1982; Okun, 1986; Strube, 1988; Sullivan, 1991).

# Entrapment

## LaViolette & Barnett (2012)

- These researchers highlight some of the issues surrounding societal reinforcement of the entrapment issue:
  - The culture permits and encourages male aggression (Cohn, 1991; Maccoby & Jacklin, 1974).
  - Peers exert considerable pressure on males to be masculine, to devalue women, and even to be abusive (DeKeseredy, 1990; Myers, 1995; Price & Byers, 1999; Silverman & Williamson, 1997).
  - Society still values male traits more than female traits. One can go so far as to say that women are actively devalued (see Murphy & Meyer, 1991; Myers, 1995).
  - Television continues to depict masculine characters as much more appealing than feminine characters. This discrepancy reinforces teenage girls' recognition of their subordinate status.

# Sequelae of Trauma

## **Buchbinder & Eisikovits (2003)**

- In this study of 20 battered women shame was found to be the most prevalent sequelae of harm from exposure to intimate partner violence and one of the primary reasons for feeling entrapped.
- Shame traps the battered women, having a pervasive influence on the self, relationships with others, and emotional experiences (shame as emotional abuse), and becomes a barrier in leaving the violence.
- Shame is one of the most profound and long lasting adverse effects of intimate partner violence. Its sequelae also includes recurrent emotions of powerlessness, guilt, helplessness, loneliness, fear, low self-esteem, self-blame, and self-hatred (Denzin, 1984; Mills, 1985; Walker, 1993, 1994).

# Sequelae of Trauma

## **Buchbinder & Eisikovits (2003)**

- Like these other emotions, shame affects the way in which victims cope with violence, including rationalizing it, staying in the abusive relationship, and failing to seek formal help (Browne, 1991; Choice & Lamke, 1997; Follingstad, Neckerman, & Vormbrock, 1988).
- For instance, in the case of traumatic bonding, battered women, influenced by the various manipulative tactics and the physical and emotional terror used by the perpetrator, come to believe that they are shamefully defective and deficient and that only the perpetrator can repair their deficiencies by granting forgiveness and offering emotional support (Dutton & Painter, 1981, 1993).
- Shame has also been described as a major factor in maintaining the secret of being abused (e.g., GilesSims, 1998).

# Sequelae of Trauma

## **Buchbinder & Eisikovits (2003)**

- The victim's sense of shame is enhanced by a sense of inadequacy aroused on the realization that abuse symbolizes the victim's public failure in achieving intimate, romantic, and familial ideals and dreams (Baker, 1997).
- Battered women cope with such loss of ideals by keeping the violence a secret in the hope of avoiding deviant labels and maintaining some sense of order. In obeying the dictum that it is the women's duty to keep the image of a united and happy family, battered women attempt to keep control and harmony, even at the price of shame and self-blame (Barnett & LaViolette, 1993).

# Sequelae of Trauma

## **Buchbinder & Eisikovits (2003)**

- In turn, these efforts to fight against shame increase their vulnerability to further abuse (Fiene, 1995; Richie, 1996).
- Research has revealed shame to be the ultimate escalator to verbal abuse abuse and physical violence (Lansky, 1987; Retzinger, 1991).
- The critical importance of shame was reiterated in a study by Street & Arias (2001) which examined 63 battered women from shelters in an attempt to clarify the relationships between physical and psychological abuse and posttraumatic stress disorder (PTSD). It was found that shame, rather than guilt, was an important predictor for the relationship between psychological violence and PTSD.

# Sequelae of Trauma

## **Buchbinder & Eisikovits (2003)**

- Shame has also been framed as individual vulnerability that interacts with dyadic disorganization and alienation, resulting in a mutual persistent cycle of shame and humiliation, coupled with destructive rage (Balcom, 1991; Lansky, 1987; Nathanson, 1987; Retzinger, 1991; Scheff, 1997; Scheff & Retzinger, 1991).
- In this process, partners experience the verbal exchanges and behaviors of the other as the source of shame, rejection, hostility, and humiliation, forcing self-defensive reactions against the perceived attacker (Lewis, 1976).

# Sequelae of Trauma

## **Andrews (1997) – Community Study of Battered Women**

- Women with adverse experiences in childhood, especially poor mothering, were left with unmet needs, low self-esteem, self-blame, and shame, which became over time the basic existential features of their being.
- Such features shaped the future context of these women's relationships, which tended to be abusive despite the women's perceptions of them as worthwhile and supportive.
- When problems arose, the women assumed the blame and incorporated the negative meanings into their being in an effort to cling to the relationship.
- These findings were also supported by Andrews and Brewin (1990), who found more self-blame among 70 battered women that had experienced childhood abuse.

# Sequelae of Trauma

**Hoglund & Nicholas (1995) examined the link between shame and violence in the family or origin.**

- From a sample of 208 students (101 women and 107 men), women reported more guilt and shame than men. Shame, more than guilt, was related to exposure to emotional rather than physical abuse in the family of origin.
- Whereas men tend to externalize more anger and hostility, women experience more shame and anger but tend to internalize them. This can be explained by women's socialization toward fostering relationships and interdependence, which can lead to feeling shame in situations that violate gender imperatives and to suppressing negative emotions, such as anger, that pose a threat to relationships (Gilligan, 1982).



**QUESTIONS**

**ANSWERS**

# Discussion





# Why Battered Women Leave

➤ **Heron (2022)** Three main categories were identified for reasons why women leave, namely:

1. External Support
2. Fear of Harm
3. Protecting Children

# Why Battered Women Leave

## ➤ External Support

- Over two-thirds of women (n= 14; 70%) reported being able to leave as a result of receiving external support, either personally (40%) or professionally (30%).
- **Informal Support.** Two out of five women (n= 8; 40%) communicated that their family, friends or neighbors helped them to leave and they reflected that they would not have been able to do so without this support. Participant 19 illustrates this as she states, “I’m so grateful to my family I wouldn’t have been able to leave or get through it without them.” Participant 9 also states how her extended family helped her to leave, “My cousins and an uncle, they were the ones who persuaded me to go.”

# Why Battered Women Leave

- **Professional Support.** Just under a third of women (n = 6; 30%) mentioned that they were able to leave as a result of professional help they received.
- The six victims noted they received professional support from one or more of the following: the police, their general practitioner, a woman's aid support worker, their health visitor or their child's teacher.
- For example, participant 3 states: "I was relieved when my child told school because felt like I had no choice then over leaving and I had the support to do it." Participant 18 also reflects how the professional support was helpful: "Professional help was good – women's aid were really helpful and the police as well."

# Why Battered Women Leave

- **Fear of Harm.** A number of women (n= 8; 40%) stated their reason for eventually leaving were that they feared the harm caused by the abuse. They noted fear of effects on mental health (30%) and fear of physical harm (15%).
- ***Fear of Effects on Mental Health.*** Just under a third women (n= 6; 30%) stated that they left when they realized that the abuse was having a negative effect on their mental health.
- Participant 14 highlights this as she said: “enough was enough . . . couldn’t take it anymore . . . my depression was getting very bad.”
- Participant 20 stated: “It got to the point where I just didn’t want to wake up in the morning . . . what I experienced with him was hell.”

# Why Battered Women Leave

- ***Fear of Physical Harm.*** Three women (n= 3; 15%) stated their reason for eventually leaving were that they feared the physical harm caused by the abuse. Many participants felt that the violence was so extreme that they had no choice but to leave in order to stay alive.
- Participant 9 highlights this, by describing how the severity of violence pushed her to leave, “he pulled my hair out and broke one of my ribs . . . I knew then I had to go.” As a result of the abuse escalating participants told that they knew they had to leave, as they feared that if they didn’t they would die.
- Participants 13 and 20 both stated: “I could have died.”

# Why Battered Women Leave

- **Protecting Children.** A quarter of the women (n= 5; 25%) from the sample stated their reasons for leaving were to protect their children. Victims communicated deciding to leave after witnessing the negative effects the abuse was having on their children. Participants were concerned about their children imitating their abusive partner and this was what helped them to leave.
- Participant 13 stated: “My son started to copy his dad’s behavior . . . becoming aggressive and impatient.”
- Participant 7 reflected: “I wanted to give my child a better life, she deserved more and did not need to see that.”

# Why Battered Women Leave

- ***Protecting Children (cont'd).***
- Victims also communicated their concerns about what their children were witnessing.
- Participant 7 described how her 7-year old daughter reacted when witnessing her father hitting her: “It’s alright for dad to hit you because dad’s the boss.” She then went on to say: “I knew I had to get out, I didn’t want her to grow up and be in my position thinking that it was normal.”



**QUESTIONS**

**ANSWERS**

# Discussion



# Sexual Violence



# What is Sexual Violence?

**Sexual Assault** – any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

- (a) The actor causes sexual intrusion or sexual penetration knowing the victim does not consent; or
- (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or
- (c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or
- (d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or

# What is Sexual Violence?

- (e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age and the actor is at least ten years older than the victim and is not the spouse of the victim; or
- (f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority to coerce the victim to submit, unless the act is incident to a lawful search; or
- (g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than a bona fide medical purpose or in a manner substantially inconsistent with reasonable medical practices; or
- (h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

➤ Colo. Rev. Stat. § 18-3-402

# What is Sexual Violence?

## Unlawful Sexual Contact

- Any actor who knowingly subjects a victim to any sexual contact commits unlawful sexual contact if: (a) The actor knows that the victim does not consent; or (b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or (c) The victim is physically helpless and the actor knows that the victim is physically helpless and the victim has not consented.
  - Colo. Rev. Stat. § 18-3-404

# Reporting Sexual Assault

## Felson & Pare (2005)

- It is commonly believed that domestic violence and sexual assaults are hidden from society's view because most incidents are not reported to the police (e.g., Frieze & Browne, 1989).
- If domestic violence and sexual assault are less likely to be reported than other crime, then the offenders may be more likely to recidivate. In addition, if they are less likely to be reported, then official data on domestic and sexual assault are less useful.

# Reporting Sexual Assault

- Women's reluctance to report assaults by their male partners has been attributed to fear of reprisal, economic and psychological dependence, and anticipation that the police do not take these charges seriously (e.g., Frieze & Browne, 1989; Pagelow, 1984).
- Women's reluctance to report sexual assaults has sometimes been attributed to their lack of confidence in a criminal justice system that assigns blame to them rather than to offenders (e.g., Belknap; Williams, 1984).
- In general, these scholars emphasize gender discrimination in the criminal justice system and in the larger society.

**Felson & Pare (2005)**

# Reporting Sexual Assault

- A second approach to police notification focuses on the “relational distance” between the victim and offender (Black, 1976).
- The smaller the relational distance between adversaries, the less likely it is for the legal system to become involved in disputes.
- Thus, violent disputes between strangers are likely to activate a legal response, disputes between intimates or family members tend to be handled privately, and disputes between friends and acquaintances tend to fall somewhere in between.
- Differences between strangers are likely to activate a legal response, disputes between intimates or family members tend to be handled privately, and disputes between friends and acquaintances tend to fall somewhere in between.

**Felson & Pare (2005)**

# Reporting Sexual Assault

- Black's (1976) approach would also predict gender effects on reporting. He argues that victims have less access to the law if they have lower status than their adversaries.
- If women have lower status than men, then men's assaults on women should be less likely to be reported than assaults involving other gender combinations.
- The argument implies a statistical interaction between the gender of offender and victim.

**Felson & Pare (2005)**

# Reporting Sexual Assault

- The evidence as to whether domestic violence is less likely to be reported to the police than violence between strangers is mixed.
- On the one hand, evidence from violence surveys suggests that the police are less likely to be notified when the offender is a partner or other family member than when the offender is a stranger (Block, 1974; Felson, 1996).
- On the other hand, research based on the National Crime Victimization Survey (NCVS) suggests that the victim-offender relationship affects third-party reporting but not victim reporting (Felson, Messner, & Hoskin, 1999).

**Felson & Pare (2005)**

# Reporting Sexual Assault

- Third parties were less likely to report assaults involving couples and friends than assaults involving strangers, and they were more likely to notify the police when a man attacked a woman (controlling for the victim-offender relationship).
- Felson, Messner, Hoskin, and Deane (2002) analyzed the victim's reasons for not reporting physical assaults using NCVS data. They found that victims of domestic violence were more likely to mention privacy concerns, fear of reprisal, and a desire to protect the offender than victims of stranger violence.
- Men were more likely to think the incident was trivial and that it was a private matter, whereas women were more likely to say they were afraid of reprisal, particularly when the offender was their partner.

**Felson & Pare (2005)**

# Reporting Sexual Assault

- Studies of police notification during the early 1970s found that victims of sexual assault were much less likely than victims of other violent crimes to call the police (e.g., Hawkins, 1973; Hindelang & Gottfredson, 1976).
- A more recent study, using the NCVS, suggests that male victims are even less likely to report the crime than female victims (Pino & Meier, 1999).
- Research suggests that sexual assaults involving nonstrangers are particularly unlikely to be reported (Hindelang & Gottfredson, 1976; Lizotte, 1985).
- The reluctance to report reflects more general inhibitions related to knowing an offender and it does not matter whether the assault has a sexual element.

**Felson & Pare (2005)**

# Reporting Sexual Assault

- Sexual assaults may be less likely to be reported to the police than physical assaults for a variety of reasons:
  - (a) the embarrassment and stigma associated with the crime (Bachman & Taylor, 1994),
  - (b) perceptions by victims that they will not be believed or that the criminal justice system is ineffective (Feldman-Summers & Ashworth, 1981),
  - (c) perceptions that some incidents are not serious enough (Fisher et al., 2003),
  - (d) ambiguity about what constitutes illicit sexual conduct (DeKeseredy & Schwartz, 2001; Gavey, 1999; Russell, 1982),

**Felson & Pare (2005)**

# Reporting Sexual Assault

- (e) less fear of future attack because sexual assaults are less likely to be repeated,
- (f) greater fear of reprisal if they do report (Amir, 1971; Singer, 1988), and
- (g) less third-party reporting because sexual assaults are much more likely to occur in private.
- These inhibitory factors may be particularly important when the sexual assault victim knows the offender.

**Felson & Pare (2005)**

# Reporting Sexual Assault

- Victims are less likely to report an assault if they know the offender in any way; if they are men and the offender is their female partner; if the offender is someone of the same gender; or if they were sexually assaulted, particularly if the offender is a friend, date, or acquaintance.
- Third parties are less likely to report violence involving people who know each other in any way, particularly violence involving couples.
- They are more likely to report violence against women and less likely to report sexual assaults than physical assaults, particularly when the offender is a friend, date, or acquaintance.

**Felson & Pare (2005)**



**QUESTIONS**

**ANSWERS**

# Discussion



# Sequelae of Sexual Assault

- Sexual assault victims frequently experience negative and often long term psychological and physical consequences following the event (Castello et al., 2006).
- McGregor (2005) contends that women often try to cope with sexual assault without assistance out of fear that the criminal justice system will not believe the victim or blame the victim for the assault.
- Studies exploring the dynamics surrounding sexual assault victims suggest that “something unique about how society perceives sexual assault may lead people to make negative responses to women disclosing these experiences” (Starzynski et al., 2005, p. 418).

# Sequelae of Sexual Assault

- The intensity of psychological trauma for a victim may vary according to how society reacts to the victim (Lee et al., 2005).
- Although many victims report distinctive psychological post-rape responses such as heightened fear, avoidance, re-experiencing the traumatic event, and anxious arousal, not all victims will have these specific post-rape reactions. Of those that do experience these reactions the frequency and duration may vary considerably from victim to victim (Foa & Riggs, 1995).
- White Kress and colleagues (2003) argue that it is important to identify and assess the severity of reactions to sexual victimization as this process can ultimately assist in determining an appropriate intervention path toward recovery for victims.

**Fanflik (2007)**

# Sequelae of Sexual Assault

**Levin (2011)** compiled a list of common physical and emotional responses to trauma. These **physical** and **emotional** reactions include:

## ➤ **Physical Reactions:**

- ❖ Aches and pains like head, back, and/or stomach aches
- ❖ Sudden sweating and/or heart palpitations (fluttering)
- ❖ Changes in sleep patterns, appetite, interest in sex
- ❖ Constipation or diarrhea
- ❖ Easily startled by noises or unexpected touch
- ❖ More susceptible to colds or illnesses
- ❖ Increased use in alcohol or other drugs and/or overeating

# Sequelae of Sexual Assault

## ➤ Emotional Reactions:

- ❖ Shock and/or disbelief
- ❖ Fear and/or anxiety
- ❖ Grief, disorientation, denial
- ❖ Hyper-alertness or vigilance
- ❖ Irritability, restlessness, outbursts of anger or rage
- ❖ Emotional mood swings (e.g., crying then laughing)
- ❖ Worrying or ruminating (i.e., intrusive thoughts of the trauma)
- ❖ Nightmares
- ❖ Flashbacks (i.e., feeling as if the trauma is currently happening)
- ❖ Feelings of helplessness, panic, feeling out of control

# Sequelae of Sexual Assault

## Emotional Reactions (cont'd):

- ❖ Increased need to control everyday experiences
- ❖ Minimizing the experience
- ❖ Attempts to avoid anything associated with the trauma
- ❖ Tendency to isolate oneself
- ❖ Feelings of detachment
- ❖ Concern with burdening others with problems
- ❖ Emotional numbing or restricted range of feelings
- ❖ Difficulty trusting and/or feelings of betrayal

# Sequelae of Sexual Assault

## Emotional Reactions (cont'd):

- ❖ Difficulty concentrating or remembering
- ❖ Feelings of self-blame and/or guilt
- ❖ Shame
- ❖ Diminished interest in everyday activities or depression
- ❖ Unpleasant past memories resurfacing
- ❖ Loss of a sense of order or fairness in the world
- ❖ Expectation of doom and fear of the future

# Sequelae of Sexual Assault

- Although it is important to identify common reactions to a traumatic event, “there is tremendous variability in the extent to which women are affected” (Frazier, 2000, p. 204).
- Different psychological responses manifest different behavioral patterns or coping strategies for each survivor of sexual assault.
- External factors such as victim social support network, severity of the assault, or a victim’s relationship to the assailant may also have an impact on a victim’s psychological functioning after a sexual assault (Littleton & Radecki Breitkopf, 2006).
- A complex combination of individual characteristics and external factors influence how a woman will react to sexual victimization.

**Fanflik (2007)**

# Sequelae of Sexual Assault

- Starzynski and colleagues (2005) found that “women who felt their lives were in danger often developed more severe psychological symptomology like post-traumatic stress disorder...”
- Most individuals engage in coping strategies as a result of a stressful event. According to Holahan and Moos (1990), coping strategies seem to have greater significance for individuals in situations of high stress.
- Meyer and Taylor (1986) define coping behaviors as psychological and behavioral activities that a survivor may employ to “master, reduce, or recover from characteristic symptoms of emotional distress that may develop after rape” (p.1226).

**Fanflik (2007)**

# Sequelae of Sexual Assault

- **Burgess and Holmstrom (1984)** arranged coping behaviors into discrete categories that include:
  - ❖ **Explanation** (identifying a reason why the rape occurred),
  - ❖ **Minimization** (telling oneself that the rape was not really so terrifying),
  - ❖ **Suppression** (making a conscious effort to avoid thinking about the rape),
  - ❖ **Action** (keeping busy changing jobs, or moving), and
  - ❖ **Stress reduction** (using specific techniques such as meditation).
- Maladaptive coping patterns included decreased activity (not going out of the house), withdrawal from people, and substance abuse. (p. 1226, as cited in Meyer & Taylor, 1986).

**Fanflik (2007)**

# Sequelae of Sexual Assault

- Littleton and Radecki Breitkopf (2006) conclude that there are **two primary strategies** individuals engage in when faced with a stressful experience: **approach** and **avoidance coping**:
  - ❖ **Approach coping** is chosen when the individual appraises the stressor as one for which she has sufficient coping resources and involves **active strategies** that are either focused on the problem at hand or the emotional reaction to the stressor.
  - ❖ In contrast, when an individual appraises a stressor as one for which she does not have sufficient coping resources, she is likely to employ **avoidance strategies**, such as **denying** that the stressor exists, **avoiding** thinking about the stressor, and **fantasizing**. NOTE: extensive reliance on avoidance strategies can have several negative effects.

# Marital Rape

## Gosselin (2007)

- Marital or intimate partner rape is defined as unwanted intercourse or penetration (vaginal, anal, or oral) through force or threat of force or when the partner is unable to consent.

# Marital Rape

- Marital rape generally includes couples who are legally married, separated, divorced, or involved in long term cohabiting relationships (Mahoney & Williams 1998; Russell 1990)
- Historically the act of forcing one's wife to have sex was not defined as "rape" in the United States. Rape was most commonly defined as "the forcible penetration of the body of a woman, not the wife of the perpetrator" (Russell 1990, p. 17).

# Marital Rape

- This traditional definition exempted husbands from being prosecuted for forcing their wives to have sex against their will. As many researchers, including Finkelhor and Yllo (1985) and Eskow (1996), have argued, this provided husbands with a “license to rape” their wives.
- This exemption is grounded in English common law and is most frequently attributed to statements made by Sir Matthew Hale, chief justice in seventeenth-century England, who wrote, “*But the husband cannot be guilty of a rape committed by himself upon his lawful wife, for by their mutual matrimonial consent and contract the wife hath given up herself in this kind unto the husband which she cannot retract*” (quoted in Russell 1990, p. 17)
- Hale’s statement established the understanding that with marriage, women gave an irrevocable consent to sex (Bergen 1996).

# Marital Rape

- This understanding remained largely unchallenged until the 1970s when women in the anti-rape movement argued for the elimination of the spousal exemption (Finkelhor and Yllo 1985)
- While reform of states' rape legislations has been slow with regard to the marital exemption, progress has been made.
  - ❖ In 1978 John Rideout became the first man to be prosecuted for raping his wife while they still lived together (Russell 1990)
  - ❖ In 1984 in the case of *People v. Liberta*, New York became the first state to legally overturn its marital rape exemption when it was ruled that the exemption did not provide equal protection to married women under the law (Finkelhor and Yllo 1985)
- Currently, marital rape is illegal in all 50 states.

# Sequelae of Marital Rape

- Physical effects of marital rape can be bleeding, bruising, lacerations, or pain to the genitals, rectum, mouth, or breasts.
- When bruising or pain is documented along with injury to the face, neck, cheek, abdomen, thighs, or buttocks, the patterns of bruising might be suggestive of grab marks or the use of restraints.
- The victims may experience torn muscles, fatigue, and vomiting in addition to broken bones, black eyes, bloody noses, and knife or burn wounds.

**Gosselin (2007)**

# Sequelae of Marital Rape

- Behavioral indicators of marital rape include intense fear, anxiety, or mistrust of the intimate partner, along with other indicators of sexual maltreatment.
- Depression without any other explanation or cause and self-destructive behavior or suicide attempts without a history of mental illness may also be suspicious for sexual abuse.
- Posttraumatic stress disorder (PTSD) is the most common disorder seen in victims of rape.

**Gosselin (2007)**

# Sequelae of Marital Rape

- Even though marital rape has been a crime in all fifty states since 1993, there are a number of states that still provide husbands with exemptions from rape prosecutions; for instance, an exemption may be granted if the wife is mentally or physically impaired, unconscious, asleep, or legally unable to consent (Gosselin, 2007).
- Marital rape is most likely to occur in relationships characterized by other forms of intimate partner violence (Gosselin, 2007).
- The majority of women who are raped by their intimate partner are also battered by that partner (Gosselin, 2007)

# Sequelae of Marital Rape

- Official statistics place the frequency of marital rape at about 25 percent of all reported rapes.
- Miscarriages, stillbirths, bladder infections, infertility, and the potential contraction of sexually transmitted diseases, including human immunodeficiency virus (HIV), are specific gynecological consequences of marital rape.
- Other risk factors include drug and alcohol abuse by the abuser.
- As many as one in ten wives may have been sexually assaulted by their spouses at least once.

**Gosselin (2007)**

# Sequelae of Marital Rape

- **Gosselin (2007)** suggests that intimate partner rape can be divided into three categories: **violent rape, force-only rape, and sadistic rape.**
  1. A **violent rape** occurs when the intimate partner uses physical violence and causes injuries apart from those due to the rape itself. The rape becomes part of the violent physical attack used to intimidate and humiliate the victim or make her beg for forgiveness.
  2. A **force-only** rape is accomplished with minimal force by the intimate partner perpetrator to ensure compliance and to prevent the spouse or intimate partner from escaping or self-defending. Holding down the victim by his or her arms or wrists and a size differential between the perpetrator and victim are indicator.

# Sequelae of Marital Rape

3. A **sadistic intimate partner rape** includes additional actions by the perpetrator that are meant to degrade and humiliate, such as:
- Torture
  - Binding & gagging
  - Strangling / choking
  - Forced use of objects to penetrate the victim,
  - Urinating or defecating on the intimate partner

**Gosselin (2007)**

# Rape Myths

- Rape myths were first suggested by Burt (1980) as “prejudicial, stereotyped, or false beliefs about rape, rape victims, and rapists” (p. 217 cited in Liley, 2023).
- Some rape myths Burt identified included “only bad girls get raped,” “women ask for it,” and “rapists are sex-starved, insane, or both” (p. 217).
- In addition, Burt conceptualized rape myth acceptance as the amount of stereotypic ideas individuals possess regarding rape such as women often falsely accuse men of rape, rape is not harmful, women want or enjoy rape, or women cause or deserve rape by inappropriate or risky behavior (Burt, 1980 as cited in Frese et al., 2004).
- The common myth that only “certain women” are raped is unfounded and suggests that a particular kind of woman is “safe” and excluded from sexual victimization such as sex workers (Boesch, Sales, & Koss, 1998).

# Rape Myth

**Ben-David & Schneider (2005)** highlighted common rape myths:

<b>Rape Myth</b>	<b>Reality</b>
Rape is primarily sexually motivated	Rape combines elements of power, anger, and sexuality
Rapists are primarily strangers	Most perpetrators are known to the victim
The victim did something to cause the rape	No behavior warrants a victim being raped; under no circumstance should a victim be blamed for her victimization
Victims experience less psychological trauma when raped by an acquaintance	There are no differences in victim psychological symptoms between acquaintance and stranger rape

# Vignette

- 48 year old mother of two teenage daughters, ages 14 and 16, was raped by her husband.
- Mom reported the rape to her physician and there was a medical report indicating she suffered an injury to her vagina.
- Mom left with her daughters and when her husband found out she was accusing him of rape he filed for divorce and obtained sole legal and physical custody.
- While the divorce proceedings were pending the dad had her involuntarily committed to a psychiatric hospital claiming she was delusional and falsely accusing him of rape.

# Vignette

- The psychiatrist at the hospital diagnosed her as suffering from borderline personality disorder, bi-polar I, and delusions.
- The father successfully used the psychiatrist's report to prevent mom from any contact with her daughters.
- Mom was frozen out of her daughters' lives for three years under restrictive court orders that barred access despite two subsequent psychological evaluations that ruled out false claims of rape, delusions, bi-polar, and borderline personality disorder.



**QUESTIONS**

**ANSWERS**

# Discussion



A black and white photograph of a woman sitting on the floor in a corner, looking distressed with her hands covering her ears. The text is overlaid on the image.

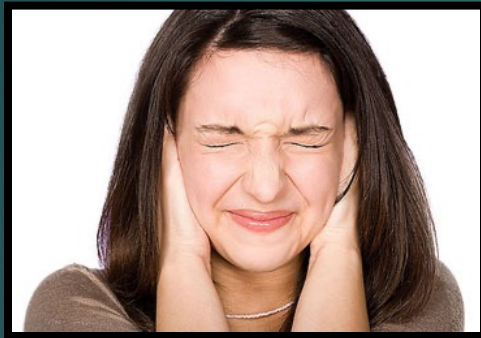
# Primitive Defenses Used by Coercive Controlling Parents

# What Are Primitive Defenses?

- *Techniques the ego uses in disturbing or threatening conflicts to prevent anxiety (Freud, 1926)*

# Primitive Defenses

*Denial*



*Idealization & Devaluation*



*Projection*



*Splitting/Dissociation*



# Primitive Defenses



## ▶ Denial

- *Freud (1896) Rejection of incompatible ideas of self and their associated affects by denying that they never occurred in the first place (a form of psychosis and hallucinatory confusion)*
- *The destruction in fantasy of some or all of the real world (Menninger, 1954).*
- *The failure to see, recognize or understand the existence or the meaning of an internal or external stimulus, so as to avoid the anxiety that would occur if the stimulus were recognized (Cramer, 2006, p. 23)*
- *Disavowal of a reality in spite of overwhelming evidence of its existence (Blackman, 2004, p. 13)*

# Primitive Defenses

➤ *The Black Knight in Denial*



## ► Projection

- An effort in phantasy to remove an internal danger by locating the danger outside oneself (Ogden, 1992, p. 45)
- The individual deals with emotional conflict by falsely attributing to another his or her own unacceptable feelings, impulses, or thoughts (DSM-IV, 1994, p. 756)



## ▶ **Projection In the Context of Divorce**

- Divorcing parents who lose *trust* with a significant other, due to a breach of fidelity in a marital relationship, become vulnerable to using other primary defense mechanisms such as *projection* (Clark, 1998)
- This is especially true when there is some evidence that the marital relationship already suffers from issues of jealousy, envy, or hatred (Millon et al., 2004).
- Millon et al. (2004) described projection as a process whereby “the individual comes to believe that the feelings of the self are actually emanating from others” (p. 445).

## ► **Projection In the Context of Divorce**

- Looking back in the literature to Sigmund Freud, we find his observations of projection revolved around “self-reproach repressed by erecting the defensive symptom of **distrust** of other people” (1896, p. 165).
- When a parent who is prone to being uncomfortable with their feelings of unworthiness, based on negative self-assessments in a failing significant relationship (i.e., *he cheated on me because I’m not good enough*), Freud (1896) contends that the attendant affect is perceived “externally [in another person] as **hate**” (p. 172).

# ▶ **Projection In the Context of Divorce**

- Projection of hatred is very common in divorcing couples who engage in intractable custody disputes (Kressel et al., 1980).
- According to Kernberg (2004), hatred as the core affect of aggression is born out of an internal sense of rage that may take the forms of conscious or unconscious envy or of an inordinate need for revenge.
- Cramer (2006) explained that when hatred is used in the context of a projection defensive process it serves to “avoid ... anxiety associated with harboring ... one’s own unacceptable thoughts, feelings, or intentions” (p. 23).

## ► **Projection In the Context of Divorce**

- Coercively controlling parents often ward off narcissistic injuries to their self-esteem through the use of “**narcissistic rage**” expressed through projection (Dunne & Hedrick, 1994, p. 22; Jacobs, 1988, p. 311).
- Kohut (1972) explained that this is easily observed in a “narcissistically vulnerable individual [who] responds to actual (or anticipated) narcissistic injury with either shamefaced withdrawal (flight) or ... narcissistic rage (fight)” (p. 379)



# Parents Who Murder in the Context of Custody Disputes

# Violent Parents Who Kill

- 7 year old Kayden Mancuso was murdered by her father Jeffrey Mancuso in a murder-suicide crime.
- Jeff had a violent past including charges of aggravated assault
- The mother, Kathy Sherlock described the violence she suffered: *“The only time I felt like I was gonna die was in the clutches of his arms when he was strangling me”*
- The court gave her custody and order unsupervised visits for Jeff even though the court evaluator reported Jeff suffered from MDD and narcissistic and antisocial personality traits.



# Violent Parents Who Kill

- 7 year old Charlie and his brother 5 year old Braden were murdered by their father Josh Powell.
- The boys' mother, Susan Powell, disappeared and her body was never found.
- The boys said: "Mommy is in the trunk"
- Authorities believe Josh murdered Susan and drove around with her body in the car with the boys when they went on "surprise midnight camping trip"



# Violent Parents Who Kill

## The Case of Betty Broderick



# Violent Parents Who Kill

## Murder-Suicide

- In Virginia, July 2016, two-year-old **Kyra Franchetti** was shot to death in her sleep by her biological father, Roy Rumsey.
- It was a few months before the trial was to decide the former couple's custody case when Jacqueline Franchetti's ex-boyfriend, Roy Rumsey, would pick Kyra up for a weeklong visit, during which Rumsey shot the girl, set his house on fire, then took his own life, according to police (Kaplan, Snow, & Salzman, 2021)



# Violent Parents Who Kill

## Murder-Suicide

- On January 6<sup>th</sup>, 2019, **Edward Epps Jr.** barged into his ex-wife Heidi DeLeon's home and killed her and her husband Jose DeLeon, before turning the gun on himself.
- Court records show Heidi filed for divorce from Epps in 2011, which dragged on until 2015. After many motions and custody battles, a petition was filed in 2018 with the court to modify child support. Leading up to the murderous attack, Heidi had made reports to officers about alleged threats Epps made toward the kids, and that she feared for her and her family's lives.
- She made attempts to cry out for help, and just a night before the murders, Epps was served a protection order. Heidi tried to get protection orders twice before but was denied.



# ***In the Matter of Eric Lohstroh (2009)***

## ▶ **Murder by Proxy**

- The mother, Deb Geisler, falsely accused father, Dr. Rick Lohstroh of sexually abusing their son Eric as a tactic to gain sole custody.
- Child protective services and law enforcement conducted numerous investigations and determined the allegations were unfounded.
- Mother engaged the boys in sexual abuse therapy and with the help of a psychologist convinced Eric that he was sexually abused by his father.

# *In the Matter of Eric Lohstroh (2009)*

## ▶ **MSNBC “Nightmare Behind Closed Doors:” A Mother Pushes Her Son to Murder?**

- Mom used the kids to hurt the father:
  - **“Dad never loved you. Dad didn’t ever want you”**



# *In the Matter of Eric Lohstroh (2009)*

## ▶ MSNBC “Nightmare Behind Closed Doors:” A Mother Pushes Her Son to Murder?

- Eric killed his father with his mother’s gun
- Younger brother testified that Eric gave his mother the okay sign after killing his father
- Younger brother also wrote in a school paper that he **“heard his mother tell his brother to shoot his dad”**



# *In the Matter of Eric Lohstroh (2009)*

- ▶ **MSNBC “Nightmare Behind Closed Doors:”  
A Mother Pushes Her Son to Murder?**
- **Why did Eric kill his father?**
  - *“He had become so alienated from his dad”*
  - *“She created the poisonous environment that led that boy to shoot his father”*



# Kelee Davidson v. Jarrod Davidson

## Father Murdered by Mother's Parents during Custody Battle

- Santa Barbara, California 2004: **Kelee** and **Jarrold Davidson** were going through a custody battle of their young daughter, **Malia**.
- In an attempt to win full custody, Kelee falsely accused Jarrod of sexually molesting Malia.
- After four months of investigating, authorities found Kelee's allegations not credible.
- Jarrod motioned the Court for full custody, however, Jarrod was shot and killed 19 days before the hearing.
- Kelee's father, **Phil Jones** confessed to killing David



## ► **Idealization**

- ❖ *The tendency to see external objects as totally good, in order to make sure that they can protect one against the bad objects. ... idealized objects are treated possessively as an extension of the self (Kernberg, 1975, p. 19)*
- ❖ *Overvaluation of significant others to relieve shame over feelings of inadequacy or low self-esteem or to avoid experiencing disappointments (Blackman, 2004, p. 15).*



## ▶ **Devaluation**

- *Attributing exaggerated negative qualities to self or others motivated by the need to control idealized objects, using them to manipulate and exploit the environment and to destroy potential enemies (Kernberg, 1975, p. 20)*
- *Devaluation is the inevitable downside of the need to idealize. The more an object is idealized, the more radical the devaluation to which it will eventually be subject (McWilliams, 2011, p. 124)*

# ▶ **Splitting**



- Defensive division of the ego into all good and all bad introjections & identifications to prevent the generalization of anxiety
  - 1st Year of Life – good and bad identifications are built up separately
  - Primary division (**splitting**) of good and bad objects differentiates harmful from healthy (Kernberg, 1975)
  - Failure to replace **splitting** creates a deficit in the ego's ability to integrate/evaluate contradictory non-life threatening objects (Kernberg, 1975)

# Normal Dissociative Experiences

- **Dissociation** – loosening of the associational bonds between the context, content, and affect of an experienced event (Wygant, 2010)
- ❑ **Amnesia** – failure to recall all or part of an experience
- ❑ **Confabulation** – distortion/fabrication memory due misattribution of arousal or source monitoring errors (Sinclair et al., 1994)
- ❑ **False Memory** – an imagined event associated with an experienced affect (Braun et al., 2002)

# Maladaptive Dissociative Experiences



- **Dissociation** – active maintaining apart of contradictory ego states leading to identity diffusion (Kernberg, 1975)
- **Splitting** – defensive division of the ego into all good and all bad introjections & identifications to prevent the generalization of anxiety (Kernberg, 1975)

## ▶ Freud's Understanding of Dissociation/Splitting

- **Dissociation** – *splitting of consciousness under the form of double conscience* (Freud, 1895)
- **Splitting** – *defensive process that causes a permanent rift in the ego resulting in two contrary reactions to a conflict that are kept apart* (Freud, 1938)

## ▶ Ogden's Understanding of Splitting & Dissociation

- **Splitting** – Each of the primitive psychological defenses are constructions based upon the mode of managing danger seen in splitting. Splitting is built upon biologically determined efforts to create safety by distancing the endangered from the endangering (Ogden, 1992, pp. 44-45)
- **Dissociation** – A process involving the foreclosure of dialectical resonance (constructed in the service of denial) where reality and fantasy no longer inform one another and instead stand isolated in a state of static coexistence (Ogden, 1992, p. 222)





**QUESTIONS**

**ANSWERS**

# Discussion

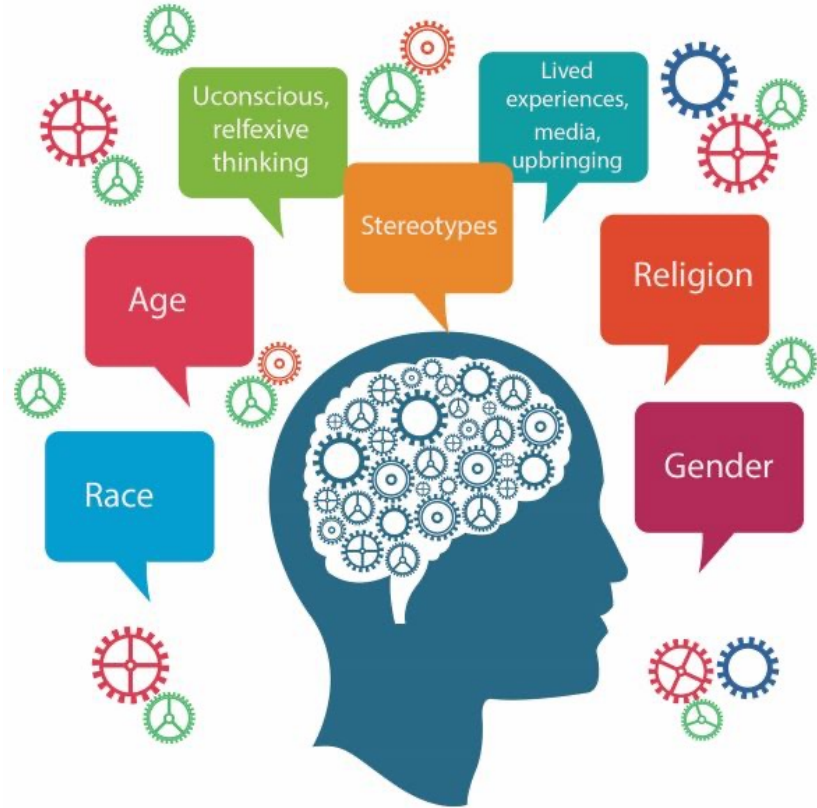


# Implicit and Explicit Bias

# What is Bias?

“A preference or an inclination, especially one that inhibits impartial judgment”

American Heritage  
Dictionary, 2023



# What is Implicit Bias?

“An automatic and unconscious attitude that affects a person’s judgment, decisions, and behavior” Cornell, 2023

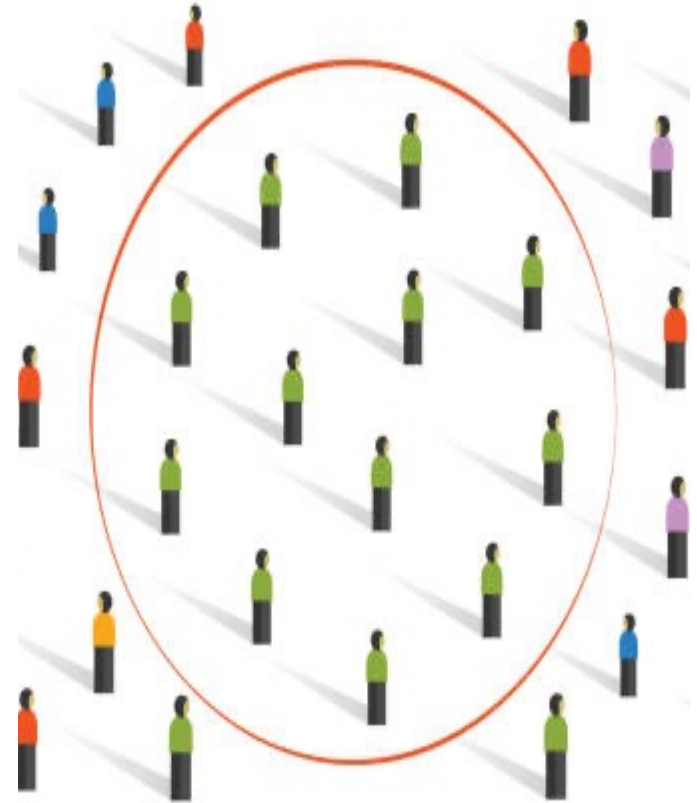
## ➤ Common Types of Implicit Biases:

- Affinity Bias –
- Anchoring Bias –
- Authority Bias –
- Overconfidence Bias –
- Confirmation Bias –

# Affinity Bias

“Tendency to like people that are similar to one’s self”

Cornell, 2023



# Anchoring Bias

“When a person’s judgment is unduly influenced by the first piece of information that serves as a reference point for a subsequent opinion”

Cornell, 2023



# Authority Bias

“Tendency to believe, support, and obey people in positions of authority”

Cornell, 2023



# Overconfidence Bias

“When a person overestimates their intellect or abilities”



Cornell, 2023

# Confirmation Bias

“The tendency to only look for information that confirms one’s opinions or beliefs”

Cornell, 2023





# Confirmation Bias in Forensic Settings

“Confirmation biases are a natural and automatic feature of human cognition that can occur in the absence of self-interest and operate without conscious awareness” (Kassin, 2013)

Researchers in one study examined the effects of confirmation bias with 75 psychiatrists and 75 medical students who were asked to perform information searches to confirm or disconfirm a provisional diagnosis. Psychiatrists conducting a confirmatory search made a wrong diagnosis 70% of the cases compared to 27% for a disconfirmatory or balanced information search (Mendel et al., 2011)

# What is Explicit Bias?

**Explicit** bias refers to one's pre-conceived ideas, beliefs, and attitudes about others in a way that categorizes them into recognizable groups (Vela et al., 2022)

- Common Forms of Explicit Biases:
  - **Stereotype** – preconceived beliefs about a group of people that tends to prejudice one's attitude towards members of that group
  - **Prejudice** – a bias or preconceived opinion, idea, or belief about something; an assumption, unfair feeling, or dislike for a person or group simply based on the person's membership in a particular social group

# Techniques to Reduce Bias

## ➤ **Phenomenological Inquiry**

- **Epoche** ~ *Suspension of judgment or withholding of assent. State of mind where all judgment about non-evident matters are suspended in order to induce a state of Ataraxia (Moustakas, 1994)*
  - ❖ **“calmness untroubled by mental or emotional disquiet”**
- **Bracketing** ~ *“Rigorous process that suspends internal and external suppositions, thereby allowing the focusing in on a specific phenomenon to understand or see it as it is” (Gearing, 2008)*
- **Horizontalization** ~ *placing whatever emerges on level and equal positions within the horizon of consciousness (Moustakas, 1994)*

# Techniques to Reduce Bias

- **Self-Evaluation** – An exercise making a list of one's implicit and explicit biases towards the populations you serve in your professional capacity as a CLR, PRE, or CFI
- **Consultation with Colleague or Other Professional** ~ This is a part of good ethical practice that develops a greater sense of agency when confronted with cases that strain your ability to be fair and impartial when triggered by certain individuals who rub you the wrong way

Self-evaluation



**QUESTIONS**

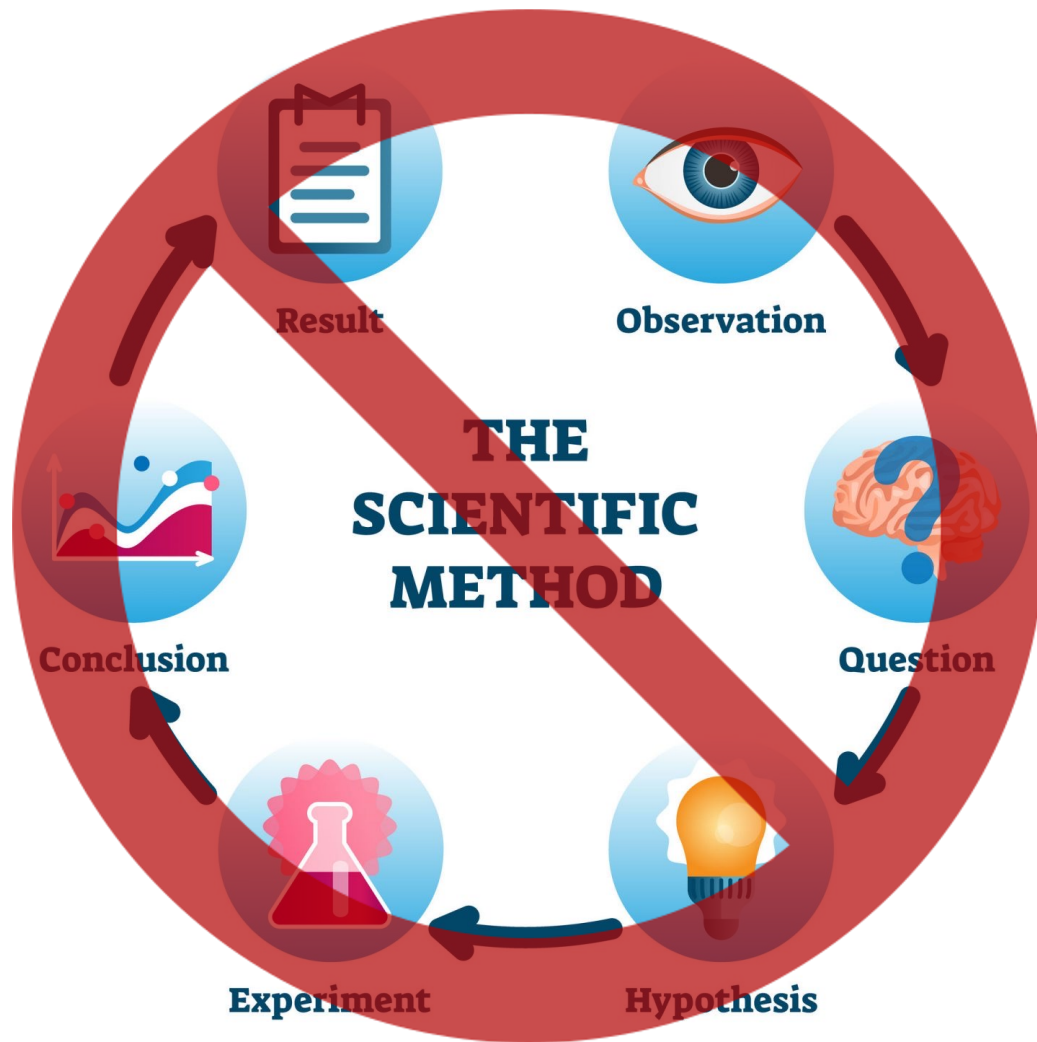
**ANSWERS**

# Discussion



# Conducting Scientifically Informed Child Custody Evaluations







# Common Methodology

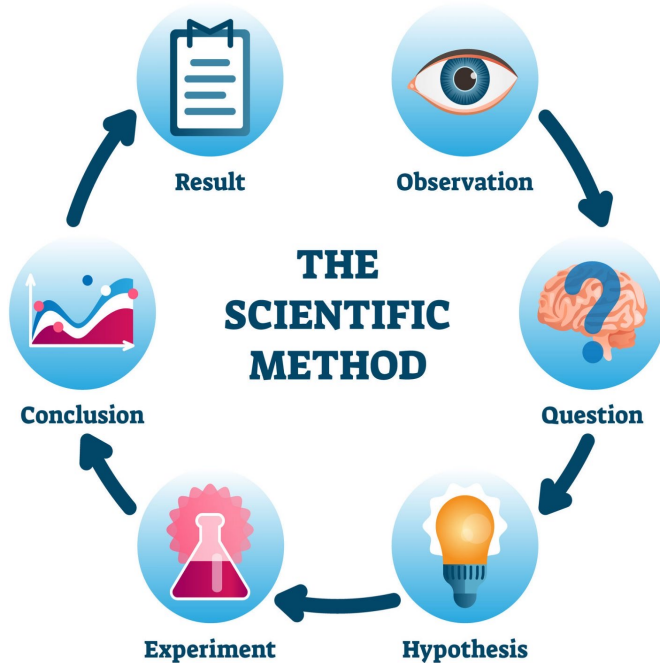
- Interview Parents & Children
- Behavioral Observations
- Psychological Testing
- Collateral Interviews
- Review of Case Materials
- Write a Report

## **REPORT:**

- Reason for referral
- History of Relationships
- Family Interviews
- Observations
- Results of Psychological Tests
- Collateral Interviews
- Best interests analysis
- Recommendations

# What's missing?

- hypothesis generation
- hypothesis testing
- comparative analysis of the data with relevant scientific literature



- **Generate hypotheses**
- **Test hypotheses**
- **Compare the data to the relevant scientific literature**
- **Report the findings**



# Operational Definitions & Working Models



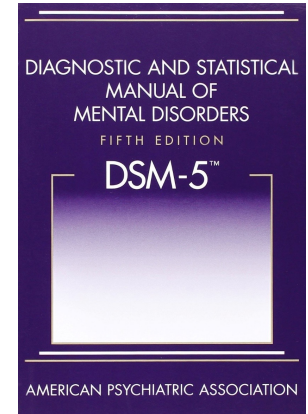
# Pathological Alignment

1. Aligned children formed a relationship with one parent following the separation which was specifically aimed at the exclusion or active rejection of the other.
2. The alignments were usually initiated and always fueled by the parent who felt aggrieved, deserted, exploited, or betrayed by the divorcing spouse
3. None of the pathologically aligned children had previously rejected the parent who, subsequent to the alignment, became the target of their angers.

Wallerstein, J. S., & Kelly, J. B. (1976). *The Effects of Parental Divorce: Experiences of the Child in Later Latency*. American Journal of Orthopsychiatry, 46(2), 256

# Parent-Child Relational Problem

- Use whenever a child has been exposed to a parent's strategies that *are likely to cause* "unwarranted feelings of estrangement" towards the other parent. These strategies can include:
  - "parental overprotection"
  - "excessive parental pressure"
  - "hostility toward" the other parent
  - "scapegoating" the other parent
  - "negative attributions" of the other parent's intentions



American Psychiatric Association. (2013); Wamboldt et al. (2015)

**Evaluating  
Child Abuse  
& Domestic Violence  
Allegations**



# The Case of A.T.

- A.T. was the oldest of three children from the marriage of Mr. and Mrs. T.
- Mr. and Mrs. T. divorced and Mr. T remarried
- A.T. became the center of her parents conflict following a visitation exchange incident involving A.T.'s younger brother L.T.
- During the exchange, L.T. refused to get out of his mom's car and visit his dad.



## The Case of A.T. (cont'd)

- After 45 minutes of arguing and cajoling with A.T., dad picked up A.T. and pulled him out of mom's car.
- Mom tried to block dad and when that did not work she hit dad in the face.
- The police were called and everyone was interviewed.
- A.T. told the police that her mom hit her dad.



# The Case of A.T. (cont'd)

- After the incident, dad filed a petition for a protection order against mom with a request to the prosecutor to have mom charged with domestic assault.
- Mom was charged with assault
- In response to the acrimony between her parents, A.T. said she wanted to kill herself and was hospitalized for suicidal ideation. The hospital found that A.T. was not at risk of committing suicide and the most likely cause of her suicidal ideation was parental conflict.
- Following A.T.'s release from the hospital, she began to report that she was afraid of her dad and refused to visit his house but maintained telephonic and facetime contact.



# The Case of A.T. (cont'd)

- As mom's domestic assault criminal case began to heat up, she arranged for A.T. to be interviewed by a social worker at mom's attorney's office for the purpose of having A.T. change her story about mom hitting dad in the face.
- The social worker, Ms. H., interviewed A.T. and declared in a report that A.T. was now 100% sure that mom never hit dad.
- After receiving the social worker's declaration, the prosecutor dismissed the assault charges.



# The Case of A.T. (cont'd)

- A parenting plan evaluation was ordered by the Court to be conducted by the children's Lawyer Guardian ad Litem (L-GAL) in concert with a psychologist who psychologically tested the parents.
- The focus of the evaluation was:
  - “domestic violence of both parties”
  - “mental health issues of the children”
  - “emotional or physical abuse of the children by either party”
  - “abusive conflict by either party”

# The Case of A.T. (cont'd)

- L-GAL Methodology:
  - Interviewed family members
  - Observed mom with all three children
  - Observed dad and step-mom with just the youngest child G.T. because A.T. and L.T. were refusing contact with dad
  - Conducted collateral interviews
  - Summarized psychological testing results of the parents
  - Conclusions
  - Recommendations

**NO HYPOTHESIS GENERATION OR TESTING**

# The Case of A.T. (cont'd)

- L-GAL Findings:
  1. Domestic violence: Mom is a victim of domestic violence by dad. Mom is not a perpetrator.
  2. Abuse of the children: A.T. and L.T. “are now quite enmeshed with their mother, and both have issues with separating from her and going to school. That appears to not be true historically, as their behaviors have become more pronounced in the past couple of years.”
  3. Abusive use of conflict: A.T. and L.T.’s reports of being scared of dad are justified because they said he is mean.
  4. Mental health issues of the children: Both A.T. and L.T. expressing suicidal thoughts and scared of dad after visitation incident



# The Case of A.T. (cont'd)

- L-GAL Recommendations:
  1. Dad is to have no contact with A.T. and L.T. unless A.T. and L.T. want or initiate contact.
  2. Restraining order against dad to prevent him from being within 500 feet of A.T. and L.T. at their school
  3. Prohibition against dad attending any of A.T. and L.T.'s school and extracurricular events.
  4. Dad enroll in domestic violence class
  5. Mom have sole primary custody of all three children.

# Generating & Testing Hypotheses



# Hypotheses Generation & Testing

- Did A.T. lie to the police about her mom hitting her dad?
- Did A.T. lie to the social worker when she reported that she lied to the police because she was afraid of her dad?
  - RESULTS OF DATA ANALYSIS TESTING THESE HYPOTHESES: Communication, audio-visual, and therapy records showed that the latter was more likely true than not.



# Comparative Analysis with the Relevant Scientific Literature

- Why do loyalty conflicted children lie on behalf of an abusive parent?
  - Hildreth and Anderson (2018) found that groups often demand loyalty and loyalty can corrupt individuals to engage in deceit. Most people view other people's lies as unethical. However, when evaluating their own behavior, people who lie to benefit their group in conditions of loyalty judge their deceit as ethical.

# Hypotheses Generation & Testing

- Did Mrs. T. engage in acts of intimate partner violence against Mr. T.? If so, what type?
- Did Mr. T. engage in acts of intimate partner violence against Mrs. T.? If so, what type?
  - RESULTS OF DATA ANALYSIS TESTING THESE HYPOTHESES: Communication, audio-visual, and therapy records showed that both parents engaged in situational couple violence although there was evidence of coercive controlling tactics used by BOTH mom and dad.

# Hypotheses Generation & Testing

- Did A.T. and L.T. actually display fear of their father and separation anxiety as described by the L-GAL?
  - RESULTS OF DATA ANALYSIS TESTING THESE HYPOTHESES: Hospital, communication, therapy, and Court records showed both A.T. and L.T. exhibited fear of their father but not in the presence of their father. Instead they exhibited fear of their father only in the presence of their mother. This was corroborative evidence that supported the situational couple violence type.

# Comparative Analysis with the Relevant Scientific Literature

- Why do non-abused children sometimes display fear for a parent in the presence of the other parent?
  - ❖ Dysregulated Fear - This refers to inordinate levels of distress in low level threat situations (i.e., visiting a loved non-abusive father) such that the child exhibits deficits in adapting their fear response to the actual threat level of the eliciting context (Buss et al., 2018)
  - ❖ Anxious parents often exhibit a cognitive bias toward threat (Hersen et al., 1991)
  - ❖ The anxious parent is more likely to engage in overprotective behavior of their child due to a maladaptive perception of danger and increased sensitivity to the child's distress in response to the mother's anxiousness (Marin et al., 2020)

# Hypothesis Generation & Testing

- Was there any support in the data for presence of domestic violence under the intimate partner terrorism model?
  - No.
- Was there any support in the data for the presence of situational couple violence?
  - Yes.

# The Case of S.C. v. A.C.



# The Case of S.C. v.A.C.

- Mr. and Mrs. C. were the parents of two boys ages 4 and 6
- Married for 10 years and recently separated after the father filed for divorce.
- Father described the mother as an alienating parent and provided more than 80+ audio recordings that he claimed demonstrated the mother was violent towards him and alienating towards the children
- The mother described the father as a controlling person who engaged in several instances of marital rape and infidelity.



# Hypotheses Generation & Testing

- Did the father engage in marital rape? If so, what effect if any did it have on the mother? If not, why would the mother be lying about the allegation?
  - *RESULTS OF DATA ANALYSIS TESTING THESE HYPOTHESES:* Case materials, interviews of the parents together and individually showed that the marital rape allegation was more likely true than not. Psychological testing and interview with the mother seemed to show she was not traumatized but developed a lack of trust for the father.



# Hypotheses Generation & Testing

- Did the mother engage in domestic violence towards the father and emotionally abusive behaviors towards the children? If true, are these behaviors adversely affecting the father's relationship with the children? If not true why would the father make false allegations?
  - **RESULTS OF DATA ANALYSIS TESTING THESE HYPOTHESES:** Case materials, home visit observations, and interviews all showed an absence of support for the father's allegations. Father misrepresented claims about the mother to try and obtain sole custody and force the court to order mother's visits supervised.



## Comparative Analysis with the Relevant Scientific Literature

- Why do some parents make up false allegations of child abuse and domestic violence?
  - Gap in the literature – rates of false allegations are difficult to ascertain.
    - 10-30% in any given year based on 450+ cases
  - Lying, exaggeration, and deception may be common in high conflict custody cases

# Best Interests of the Child Factorial Analysis



# Best Interests of the Child Science

- “Combination of factors a child needs in a custody and/or access arrangement that will sustain his or her adjustment and development”
- “Despite the changing family structure, whatever individual parental emotional and intellectual resources existed for the child should be sustained or maximized after separation”

Kelly, 1999, p. 378

# Best Interests of the Child (CO)

- Statutory presumption of co-parenting model:
  - “the general assembly urges parents to share the rights and responsibilities of child-rearing and to encourage the love, affection, and contact between the children and the parents”
- Bifurcation of Best Interests Factors for:
  - Allocation of Parenting Time
  - Allocation of Decision-Making Responsibilities

C.R.S. § 14-10-124 (1979; 2021)



# Parenting Time BIC Factors

- (I) Wishes of the child's parents
- (II) Wishes of the child if sufficiently mature
- (III) Interaction and interrelationship of the child with parents, siblings, and any other significant others
- (III.5) Reports related to domestic violence submitted by a CFI, PRE, or CLR (if appointed) or Testimony regarding same from the parties, experts, therapists, DHS, PT supervisors, school personnel, or other lay witnesses

# Parenting Time BIC Factors

(IV) Child's adjustment to home, school, and community

(V) Mental and physical health of all individuals

(VI) Ability of the parties to encourage the sharing of love, affection, and contact between the child and the other party

- **EXCEPTION**: If the Court determines that a party is acting to protect the child from witnessing domestic violence or from being a victim of child abuse or neglect or domestic violence, the party's protective actions [in denying PT] shall not be considered with respect to this factor

# Parenting Time BIC Factors

(VII) Whether the past pattern of involvement of the parties with the child reflects a system of values, time commitment, and mutual support

(VIII) The physical proximity of the parties to each other as this relates to the practical considerations of parenting time

(XI) The ability of each party to place the needs of the child ahead of his or her own needs.

❖ **NOTE: IX and X Repealed**



# Decision-Making BIC Factors

- (I) Credible evidence of the ability of the parties to cooperate and to make decisions jointly
- (II) Whether the past pattern of involvement of the parties with the child reflects a system of values, time commitment, and mutual support that would indicate an ability as mutual decision makers to provide a positive and nourishing relationship with the child
- (III) Whether an allocation of mutual decision-making responsibility on any one or a number of issues will promote more frequent or continuing contact between the child and each of the parties



# Best Interests of the Child

Purpose and focus of a Parental Responsibilities Evaluation and Report (C.R.S. § 14-10-127):

- The purpose of the evaluation and report is to assist in determining the best interests of the child, with the child's safety always paramount
- The evaluation and subsequent report must focus on the best interests of the child
- The evaluator shall assess a party's parenting attributes as those attributes relate to the best interests of the child, and consider any psychological needs of the child when making recommendations concerning decision-making and parenting time



# Best Interests of the Child

## Factorial Analysis:

- Explicate how each statutory best interest of the child factor favors or disfavors one or both parents (Simon & Stahl, 2020)
- Assign weight to each factor based on their material relevance to the facts and the results of your comparative analysis to the scientific literature and relevant declaratory decrees

# Reporting & Standards of Proof

# Reporting Abuse/Neglect to DHS

- **Reasonable Suspicion** – “A particularized and objective basis, supported by specific and articulable facts, for suspecting a person of criminal activity” (Black’s Law Dictionary, 2019)
  - [Reporting of abuse standard under C.R.S. § 19-3-304\(l\)\(a\)](#) –
    - “Any person specified in subsection (2) of this section who has **reasonable cause** to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions that **would reasonably result** in abuse or neglect shall immediately upon receiving such information report or cause a report to be made of such fact to the county department, the local law enforcement agency, or through the child abuse reporting hotline system”

## Reporting Procedures (C.R.S. § 19-3-307)

- Reports of known or suspected child abuse or neglect shall be made immediately to the county department, the local law enforcement agency, or through the child abuse reporting hotline system and shall be followed promptly by a written report prepared by those persons required to report.
  - [Colorado Child Abuse and Neglect Hotline Reporting System](#) – 844-CO-4-Kids (844-364-5437)



## **Mandated Reporters (C.R.S. § 19-3-307)**

- Mental Health Professionals
- Child and Family Investigators
- Psychologists
- Licensed Professional Counselors
- Licensed Marriage and Family Therapists
- Unlicensed Psychotherapists
- Victim's Advocate
  - Ethical Duty To Report:
    - Child's Legal Representative
    - Parental Responsibilities Evaluator

# Reporting Abuse/Neglect to the Court

- **Preponderance of the Evidence** – “the greater weight of the evidence ... to incline a fair and impartial mind to one side of the issue rather than the other” (Black’s Law Dictionary, 2019)
  - Standard that should be applied in a written report to the court concerning any disputed issues relating to recommendations concerning the allocation of parenting time or decision-making responsibility

## Degree of Certainty (PRE Report)

- “Reasonable degree of psychological probability”
  - *“The amount of confidence that the expert’s opinion carries. This is measured as the opinion being more likely than not to be true”*  
(Goldwaser & Goldwaser, 2019)
  - i.e., PREPONDERANCE OF THE EVIDENCE ( $\geq 51\%$ )

# Colorado DHS CA Investigations

- **“Unfounded report”** means that the child abuse or neglect investigation showed there is **clear evidence** that no incident of child abuse or neglect occurred” (CO Code Regs 7.202.3, pg. 9).
- **“Inconclusive report”** means that there was some likelihood that abuse, or neglect occurred by the child abuse or neglect investigation could not obtain the evidence necessary to make a founded report of child abuse or neglect” (CO Code Regs 7.202.3, pg. 9).
- **“Founded report” known also as “confirmed”** means that the child abuse or neglect investigation established that an incident(s) of child abuse or neglect has occurred, by a **preponderance of evidence**” (CO Code Regs 7.202.3., pg. 8).

# Clear & Convincing

- The **clear and convincing evidence** proof standard is the measure or degree of proof which will produce in mind of trier of facts a firm belief or conviction as to allegations sought to be established
- Evidence indicating that the thing to be proved is highly probable or reasonably certain.
- Greater than preponderance but less than evidence beyond a reasonable doubt

Black's Law Dictionary, 2019

# Clear & Convincing

- **Gordon & Walters (2009)** suggest that the clear and convincing evidence standard means:
  - The preponderance of the evidence standard is met (51% or greater), and
  - The maximum weight of the applicable pro arguments exceeds some threshold ***alpha***, and the difference between the maximum weight of the applicable pro arguments and the maximum weight of the applicable con arguments exceeds some threshold ***beta***.

# Beyond a Reasonable Doubt

- **Gordon & Walters (2009)**
  - The weight of the con arguments must be below the threshold of ‘reasonable doubt:’
    - The clear and convincing evidence standard is met and
    - The maximum weight of the applicable con arguments is less than some threshold y.
- **Judge Lemuel Shaw’s jury charge [excerpt] in Commonwealth v. Webster (1850)**
  - “The circumstances taken as a whole, and giving them their reasonable and just weight and no more, should to a moral certainty exclude every other hypothesis”

# Expert Testimony

# Expert Testimony

## Rule 702. Testimony by Expert Witnesses

A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise if:

- **(a)** the expert's scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue;
- **(b)** the testimony is based on sufficient facts or data;
- **(c)** the testimony is the product of reliable principles and methods; and
- **(d)** the expert has reliably applied the principles and methods to the facts of the case.

# Expert Testimony

## **Rule 703. Bases of an Expert**

- An expert may base an opinion on facts or data in the case that the expert has been made aware of or personally observed.
- If experts in the particular field would reasonably rely on those kinds of facts or data in forming an opinion on the subject, they need not be admissible for the opinion to be admitted.
- But if the facts or data would otherwise be inadmissible, the proponent of the opinion may disclose them to the jury only if their probative value in helping the jury evaluate the opinion substantially outweighs their prejudicial effect.

# Report Writing

# Scientific Methodology Child Custody

- Gather Data:
  - Generate Hypotheses
  - Interview Parents & Children
  - Behavioral Observations
  - Psychological Testing
  - Collateral Interviews
  - Review of Case Materials
- Analyze Data:
  - Test Hypotheses
  - Compare Data with the Relevant Scientific Literature
  - Best Interests of the child analysis
- Integrate Findings in Report

## **REPORT:**

- Reason for referral
- Hypotheses Generated & Tested
- History of Relationships
- Family Interviews
- Observations
- Results of Psychological Tests
- Collateral Interviews
- Best interests analysis
- Integration of Scientific Literature
- Recommendations



**QUESTIONS**

**ANSWERS**

# Discussion





# PsychLaw

**Blending Science and Law**

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