Domestic Violence and the Military Services

Analyzing Acts of Violence

Family Justice Center Alliance Webinar

Deborah D. Tucker

Veteran’s Day

November 11, 2010
Veteran’s Day

- U.S. holiday celebrated on November 11, honoring veterans of the U.S. armed forces and those killed in battle. Originally called Armistice Day, it began as a commemoration of the ending of World War I on November 11, 1918.

- After World War II it was recognized as a day to pay tribute to all service members. In 1954, President Eisenhower designated it as Veterans Day. It is usually observed with parades, speeches, and flowers placed on military graves and memorials.
Responsibilities of the Movement to End VAW

- Collaborate with battered women and victims of sexual assault.
- Build organizations that learn and are responsive.
- Create cooperation, coordination and collaboration in the community.
- Create a society and world without violence.

— Debby Tucker
MANIFESTATIONS OF VIOLENCE

Abuse can occur in different forms. It can be physical, emotional, sexual, spiritual, social and/or economic. The diagrams below describe some of the abuse tactics batterers use as they attempt to gain or maintain power and control over their intimate partners. Abuse does not always progress in the steps shown here. Sometimes the abuse may advance from pushing or hitting directly to more severe physical violence such as the use of a weapon. Although each relationship is unique, any type of abuse must be considered a serious cause for concern. Despite different circumstances, it is important to remember that abuse can escalate (especially if there is no intervention). A coordinated community response holding batterers accountable for their abusive behaviors is essential, as is a response acknowledging and respecting the rights of victims of domestic violence.

**Exercise:** It is helpful to be aware of the different manifestations of domestic violence. Circle the type(s) of abuse you are now experiencing (or that you have experienced). Notice if the violence is increasing in intensity, severity or frequency. Talk to a domestic violence advocate to develop or review your current safety plan or explore your options. Remember, domestic violence is never your fault, even if you were drinking or using drugs.

**EMOTIONAL ABUSE**
- insulting jokes
- ignoring of feelings
- jealousy
- isolation
- humiliation
- harming of pets
- calling you “crazy,” a “drunk” or a “junkie”
- silent treatment
- insults
- blaming/accusations
- monitoring of activities
- threats
- degradation
- homicide/suicide

**PHYSICAL ABUSE**
- scratch
- slap
- push
- hit
- target hit
- kick
- strangle
- beat
- use of a weapon
- murder
- deny physical needs
- bite
- force drug use
- punch
- throw objects
- burn
- deprive of sleep
- poison
- disablement/disfigurement

continued ...
Four theories: what causes domestic violence?

1. Individual pathology
2. Relationship dysfunction
3. Learned response to stress and anger
4. Theory of dominance
Individual Pathology

- The person using violence has some kind of illness or condition (mental, PTSD, TBI), now more relevant in today’s world
- Batterer is problem – not society
- Individual problem preferred way of thinking for too long
- Individual psychiatric care, treatment for addiction, or counseling is a typical response
Relationship Dysfunction

- “It takes two to tango”
- Both parties are playing off of each other
- Either party could stop the violence
- Both parties are responsible
- Couples counseling or relationship counseling separately, is needed
Learned Response to Stress and Anger

- “Cycle of Violence” theory – Lenore Walker
  - tension-building phase
  - explosion of violence
  - honeymoon phase or respite
- Men socialized to use violence
- Increases in frequency and severity
- Popular theory
- Anger management is a typical response
Theory of Dominance

- System of power and control tactics
- Includes:
  - Physical violence
  - Sexual violence
  - Other tactics on Power and Control Wheel
- Battering comes from social conditions, not individual pathology, most accepted view today
- Response is to balance power differential by using power of the state
- Re-education and sanctions
POWER AND CONTROL

PHYSICAL VIOLENCE

USING COERCION AND THREATS
Making and/or carrying out threats to do something to hurt her • threatening to leave her, to commit suicide, to report her to welfare • making her drop charges • making her do illegal things.

USING 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.

USING 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.

USING CHILDREN
Making her feel guilty about the children • using the children to relay messages • using visitation to harass her • threatening to take the children away.

USING 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 actions.

USING 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.

USING 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 • making her feel guilty.

USING INTIMIDATION
Making her afraid by using looks, actions, gestures • smashing things • destroying her property • abusing pets • displaying weapons.
DoD Definition of Domestic Abuse and Violence

Two Levels

1. For use in intervention programs
2. For use in proceedings under the Uniform Code of Military Justice (UCMJ), or for prosecution on federal or state land
Domestic Abuse

Is (1) Domestic violence or (2) a pattern of behavior resulting in emotional/psychological abuse, economic control, and/or interference with personal liberty....
Domestic Violence

An offense under the United States Code, the UCMJ, or State law that involves the use, attempted use, or threatened use of force or violence against a person of the opposite sex, or
the violation of a lawful order issued for the protection of a person of the opposite sex who is:

(a) A current or former spouse;
(b) A person with whom the abuser shares a child in common; or
(c) A current or former intimate partner with whom the abuser shares or has shared a common domicile.
Use of Violence has Different Intents

1. **Battering** – intends to control the relationship

2. **Resistive violence** – intends to stop the battering

3. **Situational violence** – intends to control a situation

4. **Pathological violence** – intent is controlled to some degree by pathology

5. **Anti-Social Violence** – abusive to many in public and private settings
**Battering**

- System of power and control
  - Includes:
    - Fear
    - Threats
    - Intimidation
    - Coercion
  - Belief in entitlement
  - Social movement
Resistive Violence

- Substantial numbers of victims of battering use force against the batterer
- May not legally qualify as self-defense
- Victim’s violence *usually* different
- Less sympathy from practitioners
- Different impact – individual and social
Situational Violence

- The violence is related to a situation
- Not part of a larger system of controlling tactics
- No pattern of dominance
- Battering looks like this if the pattern is invisible
Pathological Violence

- Violence is due to some kind of illness
  - Mental health
  - Alcohol
  - Drugs
  - Brain injury
  - PTSD

- Not typically part of system of controlling tactics

- Because a person’s violence is linked to a pathology does not preclude that its intent can also be to batter, to resist battering, or to control a situation
Anti-Social Violence

- Abusive in several settings: bars, work, home, sports field, etc.
- No empathy, shame, or remorse, and little understanding of consequences
- Not gendered – appears to be caused by childhood abuse, neglect and chaos
Anti-Social Violence

- Not amenable to change through self-reflection or therapy, may not benefit from existing batterer’s programs (Gondolf, 1999)

- 25% of men court ordered to batterer’s programs could be ‘anti-social’ (Gondolf, 1999; Gondolf & White, 2001)

- Separate anti-social violence of individuals from group violence created by systematic oppression and domination
Understanding Intent or “Cause” is Important

Why?

- Help us to differentiate between acts of violence
- Help us to determine most appropriate response
- Not getting it right could be dangerous
Pathological Violence, Military Context

Considerations for Active Duty and Veterans

- Post Traumatic Stress Disorder
- Traumatic Brain Injury
Post Traumatic Stress Disorder (PTSD)

- After a traumatic event – anxiety disorder
- During a traumatic event – your life or others’ lives are in danger
- Feel afraid or that you have no control
- After a life-threatening event – anyone can develop PTSD
**Post Traumatic Stress Disorder (PTSD)**

- Traumatic events can include:
  - Combat or military experience
  - Child sexual or physical abuse
  - Adult Sexual or physical assault
  - Terrorist attack
  - Serious accident, such as car wreck
  - Natural disasters – fire, tornado, etc.
Post Traumatic Stress Disorder (PTSD)

- Not clear, why some develop and others do not. Likeliness may depend upon:
  - Intensity and length of trauma
  - Whether someone dies or is badly hurt
  - Proximity to the event
  - Strength of reaction
  - Feelings of control
  - Help and support received afterwards
What to Look For?

Physical
- Fatigue
- Chest Pain
- Weakness
- Sleep Problems
- Nightmares
- Breathing Difficulty
- Muscle Tremors
- Profuse Sweating
- Pounding Heart
- Headaches

Behavioral
- Withdrawal
- Restlessness
- Emotional Outbursts
- Suspicion
- Paranoia
- Loss of Interest
- Alcohol Consumption
- Substance Abuse

Emotional
- Anxiety or Panic
- Guilt
- Fear
- Denial
- Irritability
- Depression
- Intense Anger
- Agitation
- Apprehension

List not all inclusive
**Traumatic Brain Injury (TBI)**

- Occurs if the head is hit or violently shaken (such as from a blast or explosion)
- Results in a concussion or closed-head injury, not life-threatening but may have serious symptoms, worse if exposed more than once, behavior and personality changes possible

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Common Symptoms of Brain Injury

- Difficulty organizing daily tasks
- Blurred vision or eyes tire easily
- Headaches or ringing in ears
- Feeling sad, anxious or listless
- Easily irritated or angered
- Feeling tired all the time
Common Symptoms of Brain Injury

- Trouble with memory, attention or concentration
- More sensitive to sounds, lights, or distractions
- Impaired decision-making or problem-solving
- Difficulty inhibiting behavior, impulsive
Common Symptoms of Brain Injury

- Slowed thinking, moving, speaking or reading
- Easily confused, feeling easily overwhelmed
- Change in sexual interest or behavior
Considering the Source of the Conduct

- Regardless of source, offender must be held accountable and victim protected.
- Accountability strategy must take into account the source and how to intervene appropriately.
- In other words, untreated TBI sufferer unlikely to be helped by battering intervention.
Considering the Source of the Conduct

- Nor should a batterer escape appropriate consequences for conduct by alleging TBI or PTSD when those are not the cause.
- We must be thoughtful and vigilant to ensure the intervention fits the offense.
Determining the Source

- Is the conduct new?
- Have there been other incidents of violence directed to non-family?
- What other factors require attention?
- Does the offender avoid situations that remind him of the original trauma?
- Are power and control tactics more pronounced?
Principles of Intervention

- Victim Safety and Well-being
- Offender Accountability
- Changing the Climate of Tolerance to Violence in the Community
The following eight slides depict just a few of the processes domestic violence victims may encounter when involved with child protection, civil and criminal justice systems, AND the military response.
DOMESTIC VIOLENCE/ ARREST INCIDENT
Landlord/HRA Notified

Warning Given

Eviction Hearing

Sheriff Evicts
ORDER FOR PROTECTION – CIVIL COURT PROCESS

Advocacy Program

Files OFP

Seeks Shelter

Judge Reviews

Ex Parte Denied

Ex Parte Granted

Sheriff Serves Respondent

Civil Court Hearing

OFP Granted

OFP Denied

OFP Filed

Supervised Exchange/Visitation

Reliefs Granted

Praxis – Rural Technical Assistance on Violence Against Women
CUSTODY MAP

Files for Divorce

Family Court Hearing

Temporary Custody

Interviews by Evaluator

Custody Evaluation

Custody Hearing

Final Divorce Hearing

Child Support Established

Custody Awarded

Supervised Exchange/Visitation

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Military Domestic Violence Incident Response
Report of incident may enter the system at several points
Advocacy
Usual Understanding of Advocacy

Helping Battered Women

- Safety
- Consider options
- Devise strategy
- Make decisions
- Implement justice
- Speak / advocate for self / children
ADVOCACY WHEEL

EMPOWERMENT

RESPECT CONFIDENTIALITY ...
All discussion must occur in private, without other family members present. This is essential to building trust and ensuring her safety.

PROMOTE ACCESS TO COMMUNITY SERVICES ...
Know the resources in your community. Is there a hotline or a shelter for battered women?

BELIEVE AND VALIDATE HER EXPERIENCES ...
Listen to her and believe her. Acknowledge her feelings and let her know she is not alone. Many women have similar experiences.

HELP HER PLAN FOR FUTURE SAFETY ...
What has she tried in the past to keep herself safe? Is it working? Does she have a place to go if she needs to escape?

ACKNOWLEDGE THE INJUSTICE ...
The violence perpetrated against her is not her fault. No one deserves to be abused.

RESPECT HER AUTONOMY ...
Respect her right to make decisions in her own life, when she is ready. She is the expert on her own life.

ADVOCACY

EMPOWERMENT

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Domestic Abuse Intervention Project
202 East superior Street
Duluth, MN 55802
218.722.6244

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NATIONAL CENTER ON DOMESTIC AND SEXUAL VIOLENCE
Training - Research - Advocacy
4812 Rohn Creek Blvd. - Austin, Texas 78746
512.457.9020 (phone) and 512.457.9021 (fax) - www.ncdsv.org
Empowerment Advocacy

“Empowerment advocacy believes that battering is not something that happens to a woman because of her characteristics, her family background, her psychological "profile", her family origin, dysfunction, or her unconscious search for a certain type of man.

“Battering can happen to anyone who has the misfortune to become involved with a person who wants power and control enough to be violent to get it.”

—Barbara J. Hart, JD, *Seeking Justice: Legal Advocacy Principles and Practice*, Pennsylvania Coalition Against Domestic Violence, Harrisburg, PA
Where You Stand Depends on Where You Sit

- Community-based Advocates work in local shelters, domestic violence programs, rape crisis centers, coalitions and can be located inside the system.

- System Advocates typically work in police / sheriff departments, DA’s offices, hospitals and also the military.
Community Advocates

- Safety of victims
- Agency / authority / autonomy
- Restoration / resources
- Justice
- Most work only with victims of domestic and sexual violence
System Advocates

- Safety of victims
- Accountability of perpetrators
- Deterrence of perpetrators
- Services for victims
- Seamless response, cooperation with criminal justice and social service agencies
- Many work with individuals victimized by a variety of crimes
Military Advocates

- Meshing of roles, usually divided in civilian communities
- Bifurcated responsibilities are the same
  - Individual Advocacy
  - Systemic Advocacy
  - Social / Cultural Change
Where do victims of domestic violence seek help?

Domestic Violence Specialists, Shelters, 911, Women’s Groups, Batterer Programs

Counselors, Therapists

Employers, Schools

Informal Support Networks

Social Service Agencies

Health Providers, Faith Communities

Friends, Family, Neighbors
Impact of Trauma/PTSD

- Victims experience PTSD after the violence
- Those who use violence MAY be experiencing PTSD from prior victimization, or
  - as a result of trauma in combat or other life-threatening circumstances.
5 Things to Say to a Battered Woman

1. I am afraid for your safety.
2. I am afraid for the safety of your children.
3. It will only get worse.
4. I am here for you when you are ready for change.
5. You don’t deserve to be abused.
5 Things to Say to an Abuser

1. I’m afraid you’ll really hurt her badly or kill her next time.

2. I’m afraid you’ll hurt your children.

3. It will only get worse.

4. I’m here for you when you’re ready to change.

5. No one, including you, has the right to abuse / hurt another person.
"Norman won't collaborate."
Creating a...

...Coordinated Community Response involving Military and Veterans
Understanding Military Culture

- Mission is to defend U.S. territories and occupied areas
- Overcome any aggressor that imperils our nation’s peace and security
Chain of Command

- Rank is everything, with rank comes increasing responsibility & authority = respect
- Chain of Command is the law of the hierarchy
- Access to those high in the Chain of Command will be filtered by his / her staff
**Command “need- to –know”**

- There are *no* institutional boundaries between one’s employer, doctor, judge, social worker and advocate
- The military system is, for the most part, seamless
- There is no “right to privacy” for any facet of an individual’s life that may potentially effect “mission-readiness”
"Only the strong survive"

- Deficiencies must be corrected and eliminated
- Someone is always to blame, i.e., responsible for any identified “deficiencies”
- Failure is not an option
Directives / Regulations Govern Everything

- ...except Command prerogative, much like our judges

- “Domestic Violence...will not be tolerated in the Department of Defense” – DepSecDef

- Defense Task Force on Domestic Violence, visit www.ncdsv.org, Military
COMMUNITY ACCOUNTABILITY WHEEL

This wheel begins to demonstrate the ideal community response to the issue of domestic violence. Community opinion, which strongly states that battering is unacceptable, leads all of our social institutions to expect full accountability from the batterer by applying appropriate consequences. This wheel was developed by Mike Jackson and David Gavin of the Domestic Violence Institute of Michigan (P.O. Box 130107, Ann Arbor, MI 48113, tel: 313.769.6334).

COMMUNITY OPINION

MENTAL OPINION

MEN WILL:
- Acknowledge that all men benefit from men's violence.

CLERGY WILL:
- Conduct outreach within the congregation regarding domestic violence and provide a safe environment for women to share their experiences. Develop internal policies for responding to domestic violence. Speak out against domestic violence from pulpit. Organize multi-faith coalitions to educate the religious community. Interact with the existing domestic violence intervention community.

EDUCATIONAL SYSTEM WILL:
- Dialogue with students about violence in their homes, the dynamics of domestic violence, and how it is founded on the oppression of women and the subjugation of men. Provide a leadership role in research and theoretical development that promotes gender justice, equal opportunity, and peace, intervenes in harassment, abuse, violence, and intimidation of girls and women in the educational system.

Justice system will:
- Adopt mandatory arrest policy for men who batter. Refer batteries exclusively to intervention programs that meet state or federal standards. Never offer to dismiss or negotiate sentence options to batteries. Provide easily accessible protection orders and back them up. Insist on batteries for noncompliance with any aspect of their adjudication.

Employers will:
- Condition batteries for remaining employment on remaining nonviolent. Actively intervene against men's stalking in the workplace. Support financially and otherwise, advocate and service for battered women and children. Continuously educate and dialogue about domestic violence issues through personnel services.

Social service providers will:
- Become social change agents for battered women. Refer batterers to accountable intervention programs. Stop blaming battered women's behavior on myths such as drugs and alcohol. Family history. Anger, provocation. Loss of control. etc. Design and deliver services that are sensitive to women and children's safety needs. Minimize how batterers use them to continue battering their families.

Media will:
- Educate the community about the epidemic of violence against women. Prioritize safety, equal opportunity, and justice for women and children over profits, popularity, and advantage. Expose and condemn patriarchal privilege, abuse, secrecy, and victimization. Create the glorification of violence against women and children.

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DTFDV Reports

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- Military Tab
  - DTFDV
  - DTFDV Implementation
  - Other Tools
  - TFCVSA Implementation
  - Veterans
  - News Accounts
  - Stats / Research
  - Sexual Violence Issues
  - Congressional Testimony......and more
Domestic Violence Prevention Conceptual Model

**Toolkit**

- Separate from Military and/or Disciplinary Action As Appropriate
- Urgent Danger Assessment & Safety Planning

- Risk & Danger Assessment
- Safety Planning
- Victim Advocacy
- FAP Assessment
- Offender Intervention Program
- Administrative and/or Disciplinary Action As Appropriate
- Child Witness Program
- First Offense Programs

**Groups at Risk**

- Substance Abuse
- Couples with Problems
- Child Abuse History
- Pregnant Women
- History of Violence Against Anyone
- ADM w/PTSD
- Child Witnesses
- Immigrant Spouses
- Controlling Spouses

**Primary Prevention**

- Everyone

**Secondary Prevention**

- High Risk
- Moderate Risk
- Low Risk

**Tertiary Prevention**

- Couples Counseling
- Targeted Programs
- New Parent Support
- Child Witness Programs
- Health Care Screening

- Command Climate of Non-Tolerance
- New Accession DV Training
- Public Service Campaigns
- Dating Violence Prevention Programs in DoD Middle & High Schools
- Health Care Screening
- Education and Training
- New Parent Support

*Not all inclusive

**Risk for reoccurrence and danger/lethality**
Resources (see full listing on disc)

- Battered Women’s Justice Project
  http://www.bwjp.org/articles/article-list.aspx?id=30

- Domestic Abuse Intervention Project
  www.duluth-model.org

- National Center on Domestic and Sexual Violence

- National Council on Juvenile and Family Court Judges
  www.ncjfcj.org

- Mending the Sacred Hoop
  www.msh-ta.org

- Praxis International
  www.praxisinternational.org

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Debby Tucker
512-407-9020
dtucker@ncdsv.org

NATIONAL CENTER
on Domestic and Sexual Violence
training • consulting • advocacy
4612 Shoal Creek Blvd. • Austin, Texas 78756
tel: 512.407.9020 • fax: 512.407.9020 • www.ncdsv.org

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