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Orders Can Help Victims

By Ruth Sheehan, Staff Writer

Recently, a fascinating program on domestic violence aired on WRAL. It was an installment of the Focal Point series, this one titled "Paper Thin Promise."

It focused on the case of Anitra Colburn, a Pitt County woman who was killed by her estranged boyfriend after she took out a restraining order against him.

The case was tragic. And everything in the show was true. Colburn was killed, as so many women are, when trying to escape the abuse. She was killed after getting that protective order.

But the folks at Interact, the Wake County agency that helps victims of rape and domestic violence, would quibble with the larger impression left by the show: that a protective order can't protect you and that, in fact, it can get you killed.

That impression is misleading, said Adam Hartsell, executive director of the agency.

In a few all-too-familiar cases, protective orders don't work. But in those cases, nothing works. The woman tries to leave. She takes all the right steps, including the protective order. The abuser goes from combative and controlling to homicidal. She ends up another name at the annual domestic violence vigil.

What that sad, frustrating scenario leaves out is that, every year, several thousand domestic violence protective orders are granted in Wake County civil courts, and thousands more in criminal court.

Most of those don't make the headlines – because they work.

For one thing, the protective order often marks the first time an abuser is publicly held accountable, even in some small way, for his actions. For many abusers, this is an important step. For many victims, it is the first moment of empowerment in an overly controlled relationship. It is a taste of freedom.

What about the fact that so many hundreds of DV orders are violated every year?

That, too, is evidence the system is working.

Because, with a protective order in hand, the victim can go to her employer, or her school, or her landlord, with a notice from the judge that says, “This abuser is not allowed to contact this person at all, in any way.” The woman needn’t try to prove something to anyone; the court backs her up. Therefore, the first time the abuser shows up at her job, or calls her at home, or tries to follow her into the day care center, the police can arrest him and charge him with a misdemeanor. Suddenly, even a protective order from civil court becomes a criminal matter, often translating into hours or days in jail, or even time in an abuse-prevention course.

Many men retreat.

That’s not to say that the protective order system is failsafe. It isn’t. And that’s not to say the system couldn’t be improved. It could. Interact and other groups are lobbying for a law that would increase the penalty for violating a restraining order from a misdemeanor to a felony.

In the meantime, the advocates say they don’t want clients too frightened to employ one of their most effective tools. With the proper safety planning, that’s what a restraining order can provide.

Protective orders may be paper-thin. But in the right circumstances, their promise is as solid as ever.

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