

*Understanding the Behavior of Perpetrators  
of Domestic Violence and their Victims:  
What Judges Need to Know*

***BRINGING IT ALL TOGETHER TO  
PROMOTE VICTIM SAFETY AND  
OFFENDER ACCOUNTABILITY***



**“And in the absence of facts, myth rushes in, the kudzu of history.”**

— Stacy Schiff, *Cleopatra: A Life*

**Kudzu:** a quick-growing eastern Asian climbing plant with reddish-purple flowers, used as a fodder crop and for erosion control. It has become a pest in the southeastern US.



**Arrested for DOMESTIC VIOLENCE,**



Arraigned,



Charged,



Finding,



Probation...



# What's Next?

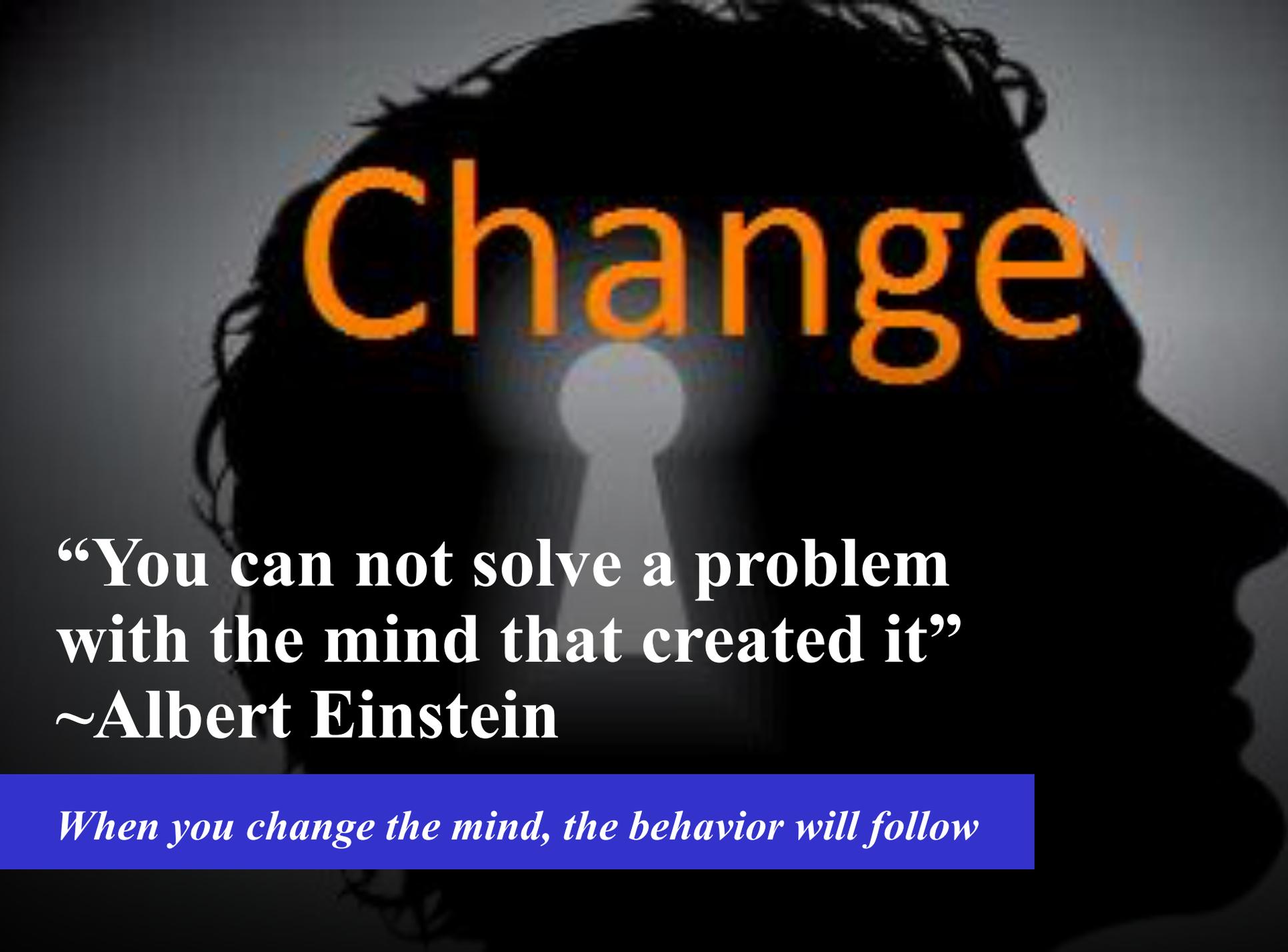


Begin with the end in mind...

# ACCOUNTABLE BATTERING INTERVENTION PROGRAMS

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The image features a dark silhouette of a human head in profile, facing right. In the center of the forehead, there is a white keyhole shape. The word "Change" is written in a large, bold, orange font across the forehead, partially overlapping the keyhole. The background is a light gray gradient.

# Change

**“You can not solve a problem  
with the mind that created it”  
~Albert Einstein**

*When you change the mind, the behavior will follow*



## How Survivors May Respond to Arrest/Prosecution

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- Don't know what to expect next
  - Release from jail?
  - Bond conditions?  
How to enforce?



## How Survivors May Respond to Arrest/Prosecution

- System response after arrest is more than they can deal with
  - May not have called 911 themselves
  - Calling 911 is a desperate act to stop what is happening right then
  - Face unexpected financial hardship
  - They are judged and blamed by others – abuser's family, their family
  - Worry for their children and children's relationship with abusive parent
  - Worry that abuser will be locked up for long time (or not long enough)
  - Abuser shifts between threats and promises



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## How Survivors May Respond to Arrest/Prosecution

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- The longer time passes between arrest and trial, the more likely the survivor will not participate

# BATTERING IS:

A photograph of a person with dark hair, wearing a blue denim jacket, covering their face with their hands in a gesture of distress or crying. The background is blurred.

**Instrumental,  
strategic, and  
purposeful  
behavior  
designed to bring  
about an  
outcome.**

# Barriers to Clarity

1. Belief that **ANGER** causes DV
2. Belief that **INTOXICATION** causes DV
3. Belief that **MUTUAL ABUSE** causes DV
4. Belief that **FAMILY HISTORY** causes DV
5. Belief that **LOSS OF CONTROL** causes DV
6. Belief that **MENTAL ILLNESS** causes DV
7. Belief that **PROVOCATION** causes DV
8. Belief that **POOR COMMUNICATION SKILLS** causes DV
9. Belief that **TRAUMA** causes DV
10. Belief that **GENETICS** causes DV
11. Belief that **CULTURE** causes DV
12. Belief that **STRESS** causes DV

So What  
Happens Now?

*“We chase  
the lie 'til  
it leads to  
the truth.”*

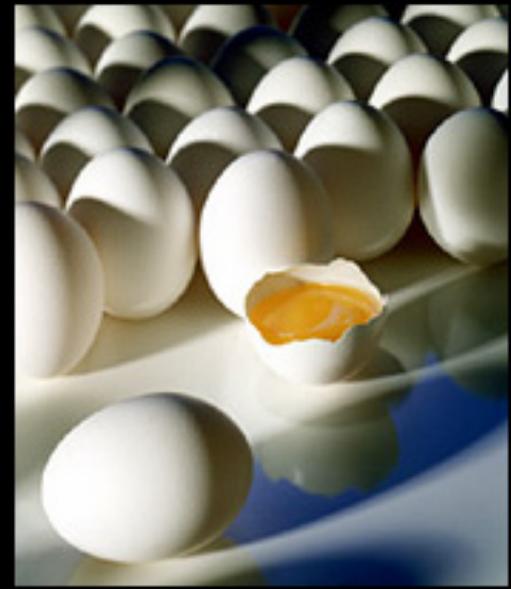
~Gil Grissom  
(Fahrenheit 932)

“I was out of control”





**LISTEN:**  
**You will find  
the  
exceptions  
to the rule**



“When I get drunk there’s no telling what I’ll do”

# Ice cream consumption and murder rates are highly correlated

*Does ice cream incite murder, or does murder increase the demand for ice cream?*

Concurrent  Cause

**Correlation does not imply causation**



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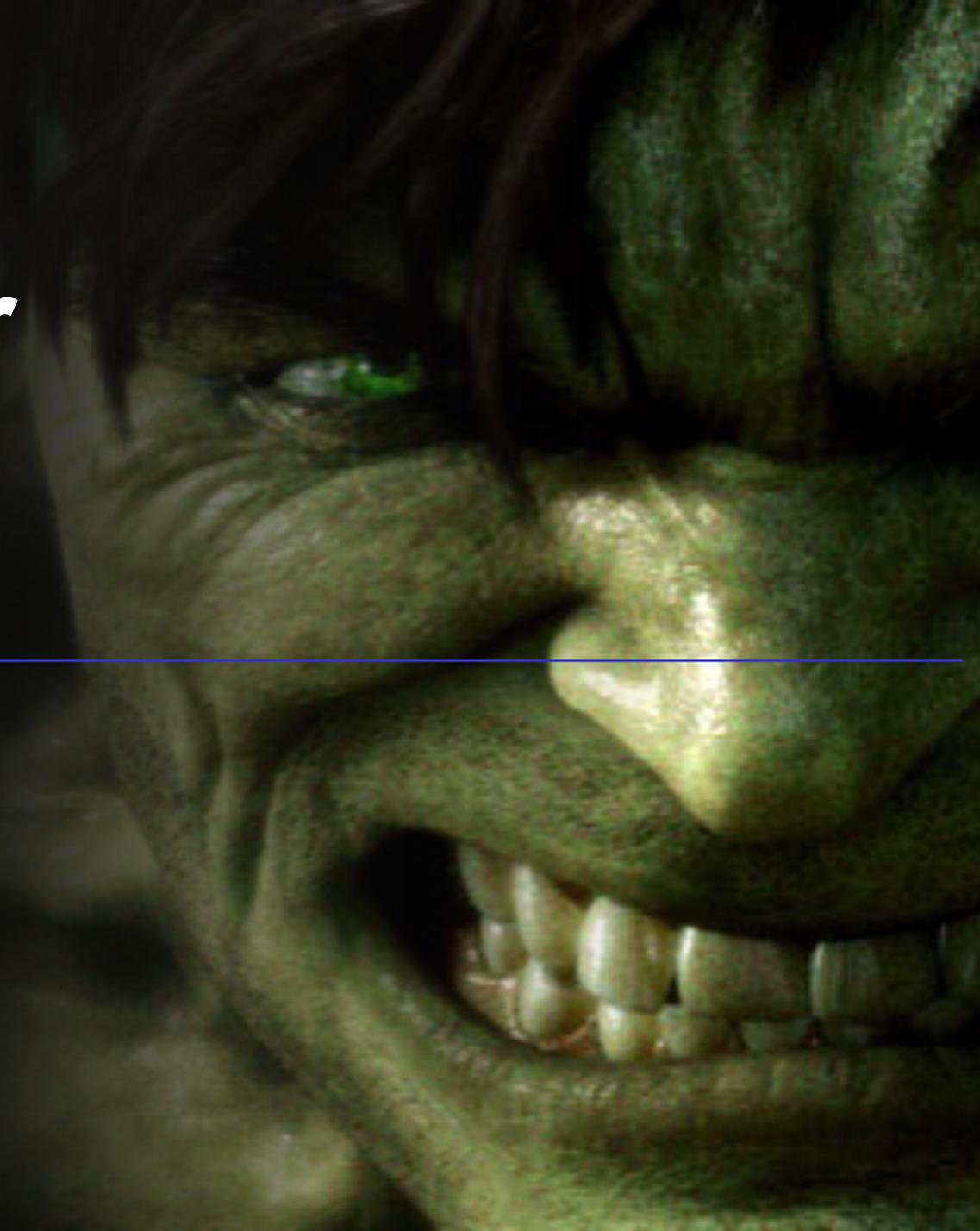
We MUST  
understand  
what is and  
**IS NOT** the  
cause of DV

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**Simply  
put...Anger  
does not  
cause DV**

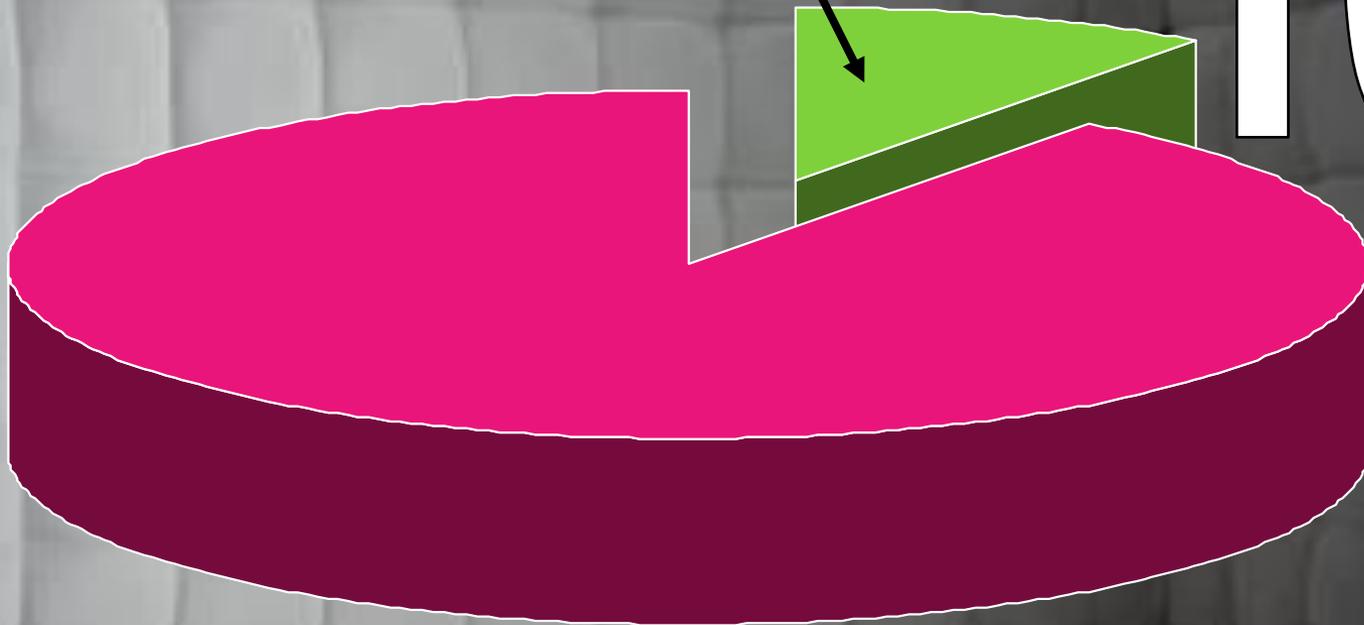
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# MENTAL ILLNESS

Approximately 10% of the population suffers from Mental Illness

10%



**Simply put...  
Mental Illness does not cause DV**

**Do you believe in Loss of Control?**

**IF, he were out of control...**

**How can we explain  
the infamous threat...**

**Wait til we get home!**

**Simply put...**

**Being “out of control”  
does not cause DV**



# AN ABSURD EQUATION

**“Wait until we get home”**

**+ “I was out of control”**

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**= A very patient out of control person**



***What is the relationship between Intoxication and Domestic Violence?***



# INTOXICATION CAUSES... WHAT?



# Which is the most accurate statement?

1. He battered her because he was intoxicated
2. He battered her while he was intoxicated

**3. He battered her in spite of being intoxicated**

If you think alcohol causes you to do...

And Are Invested in that thought



**Then, when you drink, you will do...**

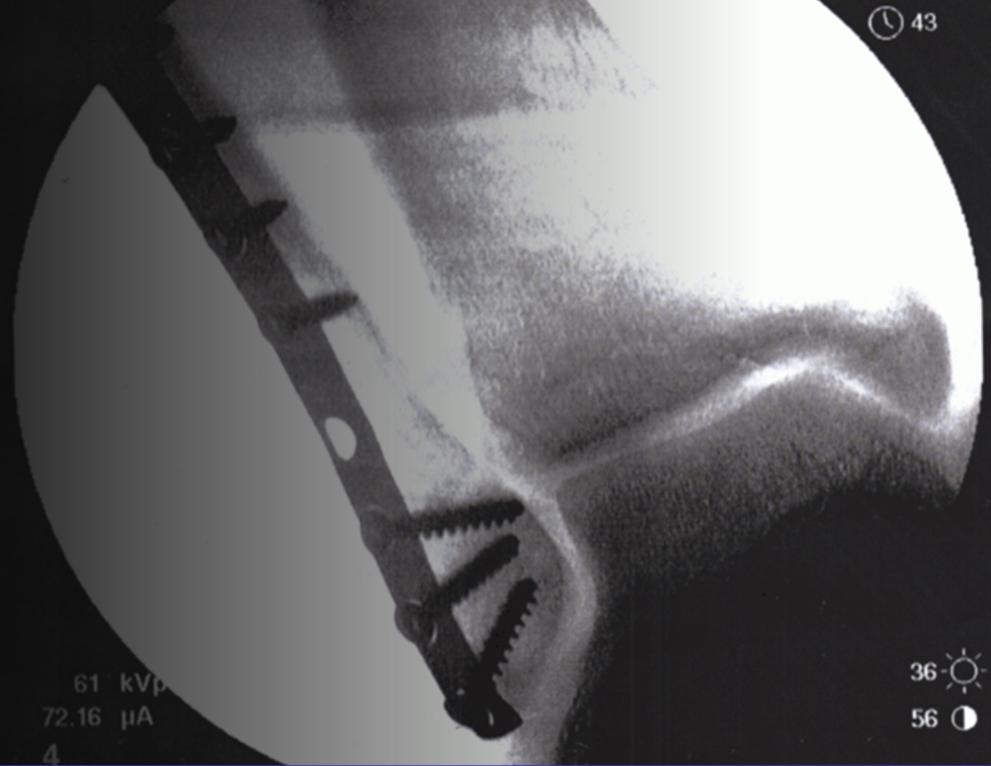
# I'm/He's Only Violent when Drinking... (fill in the blank)

-  Barley, Wheat, Hops  
make Beer
-  Grapes make Wine
-  Potatoes make  
Vodka
-  Sugarcane make's  
Rum
-  Agave make's  
Tequila
-  Apples make Cider
-  Juniper Berries make  
Gin

The active ingredient in alcoholic beverages is *ethanol*, a molecule that directly affects the stomach, brain, heart, gall bladder and liver.



# Intoxication & Domestic Violence



You have a  
broken ankle  
& strep  
throat!!!



# Blacking Out Vs. Passing Out

## Blacking Out:

- Full functioning
- Others can not discern
- Not doing anything that goes against your moral code
- Don't remember what happened after the black out
- Can be a few seconds, hours, or days

## Passing Out:

- You are unconscious

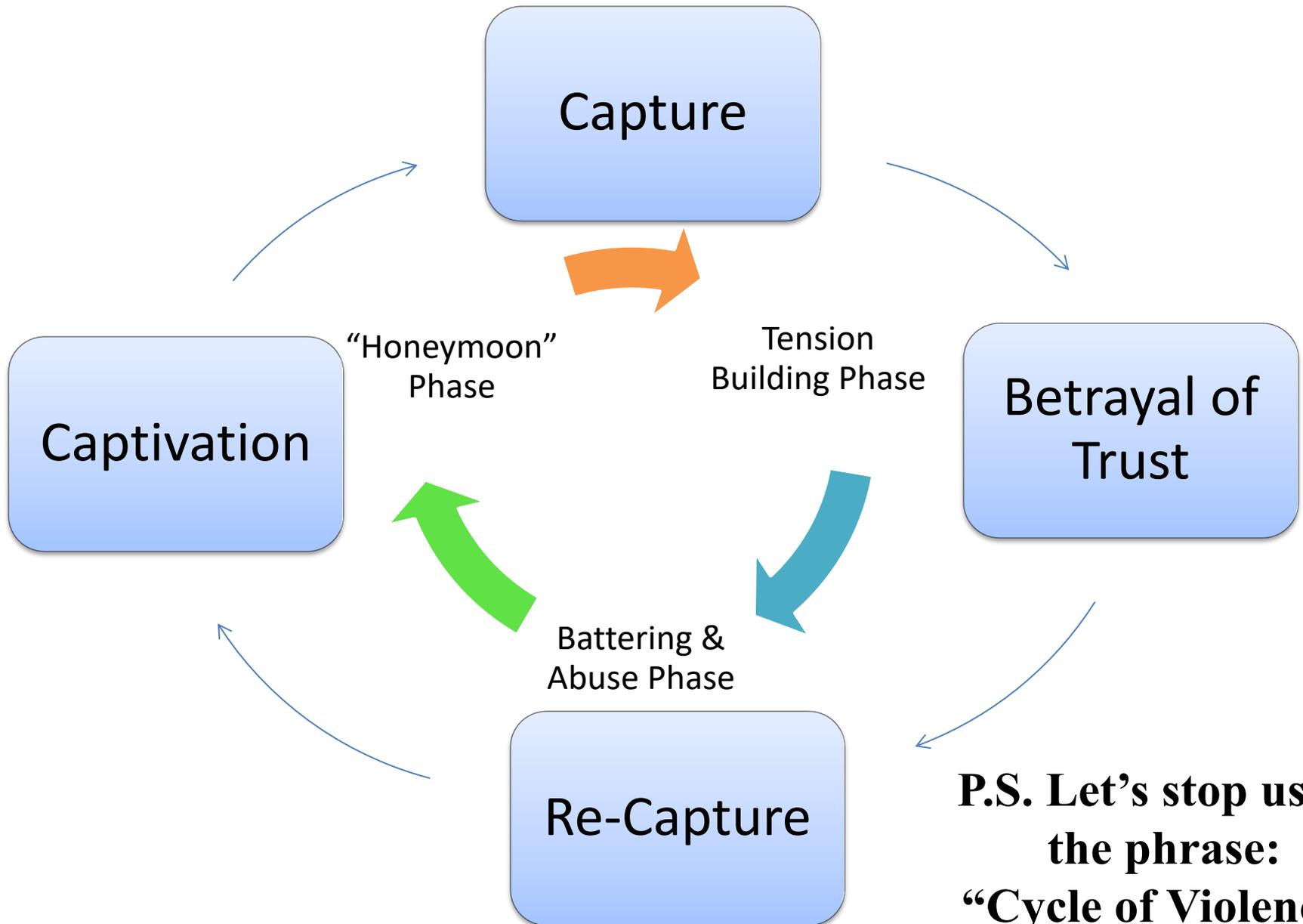


# Accountability:

Google it!

*Actions toward or involving others that reflect the integrity of the person you want to be.*

# The \*Revised Cycle of Violence: *Understanding the motivation of the perpetrator*



# RATHER THAN ASKING...

Why does She Stay...

Consider, why is he staying...



**This is the question we  
should be asking...**



**IT IS REALLY  
QUITE SIMPLE...**

# WHY DOES HE STAY?

- ✓ He gets what he wants...
- ✓ He gets to control the money...
- ✓ He gets to make the rules...
- ✓ He gets waited on...
- ✓ He gets to be The Boss ...
- ✓ He knows his violence works ...
- ✓ Nobody knows about his violence ...
- ✓ His Neighbors and Church Members  
Still Like Him ...





## WHY DOES HE STAY?

- The Protective Order is Not Enforced ...
- He believes It's her Fault ...
- He knows no one believes her ...
- His Community Does Not Condemn Violence ...
- He likes getting free sex & housework on demand ...
- He likes her income...
- He Gets Free Childcare ...
- **He stays, because he is getting what he wants...when he wants it...and is willing to get it at the expense of another**



**WHY DOES SHE STAY?**



## Why Stay In A Job You Hate?

- Not a quitter
- Not sure could get another
- Can't pay bills if no job
- Love the work, hate the boss
- Hope that things will change
- Lose all that seniority
- Afraid of what people will think
- I know how to do it, comfort level
- Not qualified for other jobs
- I'll miss my co-workers

“Why  
don’t they  
leave?”

Love

Hope

**Fear**

Leaving an abusive partner

- is a process
- is dangerous, sometimes deadly
- can make things worse before they get better

# How Does Our Justice System Encourage Survivors to Stay in Relationship with Abusers?

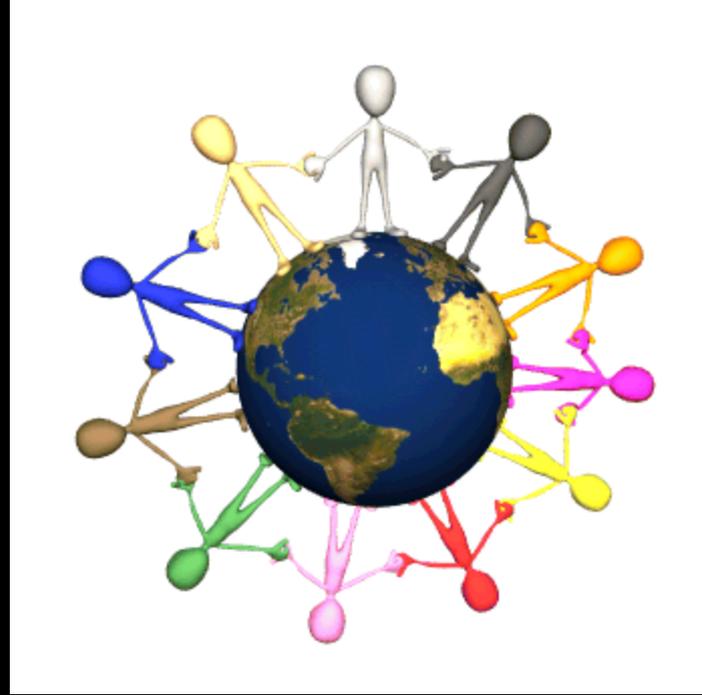


- **Criminal court** – most likely sentence for first DV misdemeanor conviction?
  - Probation and battering intervention program
- **Family court** – most likely outcome in custody or parenting time dispute?
  - Joint legal and physical custody



*Presumption  
of  
competence  
and capacity  
to change*

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**The Coordinated Community Response**

**Remember this is a VERB**

**~Kathy Hagenian**



*Be engaged, do the work*



*Not simply  
warming a  
chair*

To paraphrase Garrison Keillor...

**“Anyone who thinks sitting in a batterer intervention program can make you a non violent accountable man, must also think that sitting in a garage can make you a car.”**

# Contact Information

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# Domestic Violence/Battering is a *MALE DOMINATED* behavior



Women can do it, but it is the exception to the rule



# Understanding when ***SHE*** gets arrested



# Context Matters

# Walking in the door



## Men:

- “I didn’t do anything wrong”
- “She has the problem”
- “The system is against me because I am a man”

## Women:

- “I have a problem”
- “Let me tell you what I did”
- “I want him to get help too!”

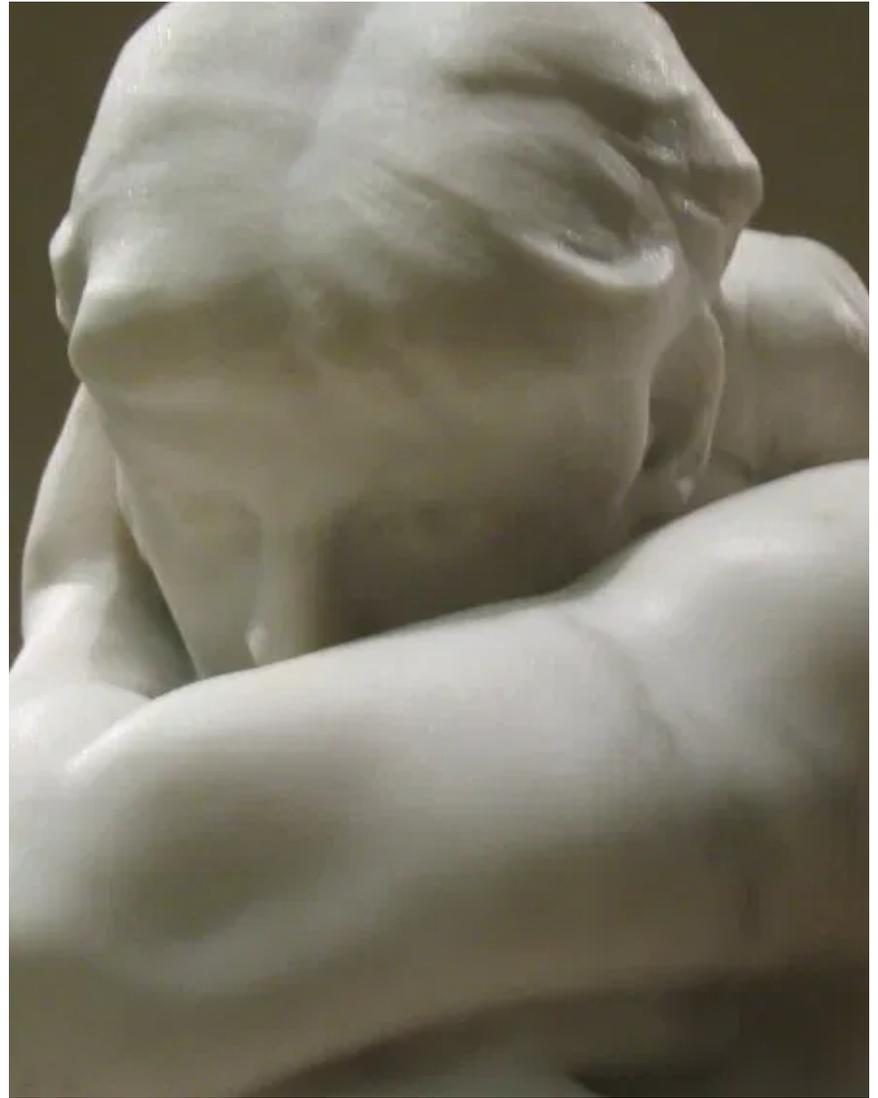
# Remember

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Abusers play the role of victim, but don't know how to play the role of *survivor*

Survivors:

- have ambivalence about the relationship
- want the abuse to stop
- take responsibility for what happened
- resist if you try to join them in bashing their abuser



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