

Civil Protective Orders: Justice or Just a Piece of Paper?

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Study background



- Study methods:
 - **Victim interviews**
 - Baseline: 213 women recruited out of court at the time they obtained a civil protective order. Interviewed at 3 weeks after the protective order. Follow ups: 3-months and 6-month follow ups after the protective order (99% follow up rate with a final sample of 210)
 - All women in the study were granted the protective order
 - All of the women in the study voluntarily obtained the protective order
 - **Supplementary data**
 - Interviews with key community informants (n=188),
 - Official court data
 - Other research and data from the targeted jurisdictions
 - **Cost data**
 - State specific data when possible

Background



- **Victims**
 - 33 years old
 - 80% had children
 - 72.9% white (26.2% black) urban; 99.1% white rural
 - 27% had less than a high school education and no GED
 - 48% were unemployed
 - Median income was \$15,000
- **Relationship**
 - 51% married or ex-spouses
 - 49% boyfriend or ex-boyfriend
 - 48% had children in common
- **Respondents**
 - 35 years old
 - **Prior charges and convictions**
 - 78% had prior misdemeanor or felony charges
 - 9 average charges
 - 63% had prior misdemeanor or felony convictions
 - 7 prior convictions
 - 16% had prior DVOs against other victims in Kentucky
 - 87% had been in jail
 - 25% ever in prison

Do civil protective orders work?



➤ How do you define “work?”

1. How do protective orders impact violence and abuse?

- Do civil protective orders stop the violence?
- Do civil protective orders reduce violence and abuse?

2. What are victim perspectives on protective order effectiveness?

- How do civil protective orders impact fear of future harm?
- How do effective do victims think the protective order was?

3. What are the costs and cost benefits of civil protective orders?

4. Who do protective orders work best for and under what circumstances?

Do protective orders stop the violence or reduce violence?



- Half of victims did not experience a violation of a protective order during the 6-month follow up
- Of the half that did experience violations
 - **Abuse and violence was significantly reduced!**

How do effective do victims think the protective order was?



- Victims appreciated the order
 - 95% of those with no violations and 77% of those with violations felt the protective order was fairly or extremely effective
 - Victim fear at the six month follow up was significantly reduced from their fear levels before the protective order was issued
 - Only 4% dropped the order during the 6 month follow up

Cost and cost-benefit of civil protective order



- Overall,
 - For every dollar spent on the PO intervention there is **\$30.75** in avoided costs to society per petitioner (costs from partner violence that would have been expected had there been no protective order)
- Cost-Benefit to the State
 - Extrapolation to civil protective orders issued in 2007 statewide (adjusted 15% for same sex and male victims)
 - Civil protective orders saved the state **\$85 million** in costs that would have been expected from partner violence had there been no civil protective order issued.

Stalking is dangerous, harmful, and costly



- Stalking is significantly associated with protective order violations
- Stalking behavior after the protective order is issued is associated with threats and violence
- Stalking is associated with greater property damage and more work loss for stalking victims compared to those who experience violations but no stalking
- Stalking is associated with higher victim distress than even those who experience violations but not stalking
- Stalking cost the state at least \$9 million dollars in a one year period

Key community contextual differences



- Rural women were more entrenched in the relationship
- Rural women were more afraid of every kind of fear at baseline than urban women AND had higher sustained fear than urban women at follow up.
- Rural women experienced more:
 - **Child interference threats, threats to harm others and actual harassment of close others**
 - **More threats and actual use of a weapon**

Barriers to protective orders and to protective order enforcement



- Access to protective orders and to protective order enforcement is more difficult in rural areas which is consistent with secondary justice system data
 - Rural areas have higher non-service rates, fewer domestic violence-related charges, and lower domestic violence-related convictions
 - Rural key community informants believed fewer women in their community who request protective orders actually receive them than urban key community informants
 - Rural women described more run-around, more problems related to politics, more victim blame and gender bias against them than urban women
 - Rates of perceived arrest and actual charges related to partner violence, stalking, and protective order violations were lower in the rural area compared to the urban area

Good News!



1. Protective orders do make a difference in violence and abuse for many victims and their children!
 - **Abuse and violence reduced; fear reduced; quality of life increased**
2. Victims appreciate the order
3. Protective orders cost very little in comparison to the suffering and costs of victims
4. Protective orders are a low cost intervention with big dividends to society (\$85 million dollars)
5. Protective order effectiveness does not appear to be influenced by area/jurisdiction

Areas for improvement



- Strengthening enforcement by encouraging the full implementation and enforcement when violations occur
- Develop more effective interventions to address partner stalking at all levels
- Address barriers to access and enforcement
 - **For example, Navigation barriers, Gatekeeper barriers, Biases**
- Agency communication and coordination is key to fully addressing partner violence
 - Acknowledge that agencies are dependant on each other to fully address partner violence
 - Realize that each agency may see a different group of victims, must keep the bigger picture in mind
 - Express appreciation to agencies that work to make victim lives better

Some ideas for how to address areas for improvements...



- Must be examined within the community context:
 1. Do a “walk-through” or carefully examining the process and decision making at every point in the process
 2. Create systems of feedback and accountability
 - Develop a tracking system for all civil protective order petitions denied and the reason they were denied.
 - Track the number of protective orders granted and for how long.
 - Track protective order violation charges and dispositions.
 - Create a system to lodge complaints about the system.
 3. Increase community collaboration including collaboration with researchers

Thank You!



<http://www.ncjrs.gov/pdffiles1/nij/grants/228350.pdf>