

Listening to Survivors:



Assessment of the Needs of Domestic Violence Victims in Oregon



**A Report by the Governor's Council on Domestic Violence
March 2001**

Governor's Council on Domestic Violence

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**A special acknowledgment to the Needs Assessment Committee of
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The Governor's Council on Domestic Violence honors the courage and strength shown by battered women who told us their stories and whose stories were told to us. Without their courage and willingness to come forward, we would not be able to continue our work.

The Council also honors those victims of domestic violence who could not tell us their stories - because they were too afraid or because they had been permanently silenced by murder.

Listening to survivors is the only way we as a state will be able to end domestic violence and assure safety and support for victims and their children.



Introduction

Domestic violence is a serious and pervasive problem in Oregon. The *1998 Oregon Domestic Violence Needs Assessment, A Report to the Oregon Governor's Council on Domestic Violence (Oregon Needs Assessment)* found that one in eight women, or an estimated 132,800 women, ages 18-64, in Oregon were physically or sexually abused by their partners.

Domestic violence is a complex social problem that affects women in all walks of life and all communities. National research indicates that men are also abused by both male and female partners; however, women are approximately six times more likely to be abused by intimate partners than are men (*Violence by Intimates, Analysis of Data on Crimes by Current or Former Spouses, Boyfriends, and Girlfriends, US Department of Justice, Bureau of Justice Statistics, 1998 p. 4*).

Battered women and their children need safety from on-going and potentially increasing violence in their lives. They also need financial, social, and psychological support from friends, family, and community. They frequently face significant barriers in separating from an abuser and in obtaining safety.

For the past three years, the Governor's Council on Domestic Violence has listened to survivors and their advocates in many different communities throughout Oregon. We have heard about the problem of domestic violence, the barriers that victims face, and about how to provide safety and support to battered women. This report presents the findings from almost 20 public hearings sponsored by the Governor's Council. The voices of survivors and of those agencies and personnel who work closely with them inform the conclusions and recommendations of this report. This report is intended to enhance the *Oregon Needs Assessment*.

Throughout this report, we have used the words and thoughts of survivors to illustrate and to make real the needs of survivors and the shortfalls in our ability to respond.

Quotes used from survivors are representative of comments heard statewide and are not indicative of unique situations in that county.

Definition: The Council recognizes domestic violence as a pattern of coercive behavior used by one person to control and subordinate another in an intimate relationship. These behaviors include physical, sexual, psychological, and economic abuse. The Council at times heard testimony that related to sexual assault outside of an intimate relationship. We have not focused on or included those comments in our discussion but do recognize the importance of addressing this issue and in supporting funding for services of victims of sexual assault.

Summary

The Governor's Council found significant problems in six general areas discussed below:

1. Services for victims and their children.
2. Criminal and civil justice systems.
3. Services to children who witness domestic violence.
4. Statewide standards.
5. Lack of services for special populations in Oregon.
6. Community outreach and education.

The Council documented a severe lack of appropriate safe resources for victims and presents a number of recommendations for each of the six general areas. Many of the recommendations call for increased services or activities. In order to implement these recommendations, significant additional funding, or in some cases, redirection of resources, will be required. From testimony provided to the Council, and after reviewing data from state and local agencies, it is clear that a substantial gap exists between service needs and current funding levels.

The Council also found barriers to the voices of survivors in discussions about how to prevent, respond to, or intervene in domestic violence. Victim advocacy organizations are not always included in community planning processes (e.g., the Family Law Advisory Committees, Local Public Safety Coordinating Councils, Commissions on Children and Families, and local Domestic Violence Coordinating Councils). If they are included, their expertise and recommendations are often discounted.

SERVICES FOR VICTIMS AND THEIR CHILDREN

Victim services are critical in saving women's lives and they are severely in need of more resources and funds.

Repeatedly, survivors talked about how local domestic violence victim services were their lifelines and helped them put their lives and the lives of their children back together.

Before the local shelter was founded, when "I attempted to leave my situation with seven children there was nowhere for me to go so the survival of this agency is very important to me." Coos County survivor

However, these same programs are underfunded and in need of additional resources. The State Office for Services to Children and Families (SCF) reported that in 1999, shelters across the state turned away 10,000 women (8 out of 10) who called to request shelter. *The Oregon Needs Assessment* found that shelters and crisis lines received the highest marks for being supportive and providing immediate assistance from survivors who they interviewed.

"I knew that I had to leave. I knew I couldn't return and I knew if I did, I'd be killed. I called our crisis line and an advocate listened to me and she didn't judge me and she didn't tell me what to do, she allowed me and empowered me about my option, about what I could do and that changed my life." Coos County survivor

Currently, the state provides approximately \$4 million per biennium to address the needs of domestic violence survivors. It is estimated that Federal and local funding adds another \$7 million per biennium. It is clear that current funding levels do not come close to meeting service needs.

“We need a victim’s halfway house. It seems like we serve the offenders way better than the victims.” Survivor of color, Lane County



Recommendations:

1. Significantly increase funding for victim services at the State level both to support the existing services and to provide additional services.
 2. Utilize other dedicated funds from state, federal, and local sources to develop needed adjunct services such as multi-disciplinary teams, alcohol and drug treatment, child care, mental health services, housing and transportation.
 3. Increase the economic opportunities and supports for victims including welfare benefits, affordable housing, living wage jobs, and child care.
- Transportation, employment, and funding that is flexible to meet the needs of rural communities.
 - Services for people of color, immigrants, people with disabilities and others who have specific needs.
 - Transitional housing to assist families in building stable, violence free lives.
 - Support for existing domestic violence victim programs so that they can provide competitive wages and fully staff programs.
 - Advocates to assist victims at courthouses, civil proceedings, juvenile court hearings.
 - Development of multi-disciplinary teams, across agencies and services, that are important to victims and their children (for example, Services to Children and Families, Adult and Family Services health care, and others).

In addition to emergency shelters and safe homes, crisis lines, support groups and advocacy, other services that need to be strengthened or increased include:

CRIMINAL AND CIVIL JUSTICE SYSTEMS

The criminal and civil court systems are frequently unable to respond in ways that increase women's safety.

Judges and courthouse staff play a crucial role in administering the civil and criminal justice systems. Survivors testified consistently that judges and courthouse personnel made them feel as though the system was biased against them.

"I felt the judge was extremely condescending to me. The judges and police who have to enforce restraining orders are not as sympathetic to survivors as they could be." Hood River County survivor

The importance of courthouse facilities that were accessible and victim-friendly was stressed time and again by survivors across the state. A courthouse without adequate security may be a dangerous place for a survivor. Lack of well-posted information about the protection order* system made it difficult for survivors to know how to access relief.

Survivors identified the following needs in the criminal justice system:

- Training for judges and staff in the dynamics of domestic violence, domestic violence laws, the determination of primary aggressor and identification of defensive injuries, and the importance of safety considerations within the context of custody and visitation.
- Participation by judges and staff on local coordinated domestic violence prevention efforts.
- Information about and referral to local domestic violence shelters, support groups, and other services available at the courthouse.
- Appropriate screening of applicants for protective orders by courthouse staff.
- Alternative methods of access to courthouses, including emergency access, outreach, circuit riding, video access, etc.
- Victim-friendly space, including childcare and supervised visitation centers, and adequate security for those accessing the courts.
- Interpreters, translators, and forms in alternate languages and formats.

* Protection orders refer to restraining, family abuse, elder abuse, and stalking orders.

Recommendations:

1. Require regular education for judges and courthouse personnel in the dynamics of domestic violence, victim sensitivity, applicable laws, defensive injuries, model court practice.
2. Mandate participation by judges and courthouse staff on local Domestic Violence Coordinating Councils.
3. Allocate funding to increase victim access to courts, including the establishment of emergency access provisions, participation by video conferencing, increased security measures, child care on site, interpreters, and alternative format forms.

The civil justice system plays a crucial role in protecting victims of violence through its administration of the civil protection order system and through the issuance of fair and appropriate custody and visitation orders.

“With no legal representation, after you’ve lost everything, going back (to the abuser) is the only option.” Coos County survivor

A victim’s ability to safely separate from an abusive partner may require the issuance of a protective order and enforcement of that order. Dissolution, visitation (parenting time), and custody orders can assure safety for survivors and their children after the expiration of a protective order.

In county after county, survivors expressed their need for affordable and effective civil legal assistance to address their immediate protective order needs as well as their longer term and more complex dissolution, custody, parenting time, and child support concerns. In many cases, the batterer can afford representation while the victim cannot. Frequently, survivors and their children are re-victimized by the very systems they look to for safety.



“Why is there no guidance given when handing out restraining order paperwork? Why is there no help in explaining court proceedings? The abuser is able to use the system to systematically re-victimize the victim, and there are plenty of cases where the action (or lack of action by the legal system) only ends with the demise of the victim.”
Deschutes County survivor

Specifically, survivors identified the following needs:

- Assistance in obtaining and defending emergency protection orders or long-term family law orders, and in obtaining child support.
- General legal information available to survivors.
- More appropriate and respectful response from attorneys, judges and courthouse staff.

“Many women cannot walk away from their situations because they can’t afford the legal retainer fee for custody, property, and divorce issues.” Coos County shelter worker

Recommendations:

1. Increased funding to provide free civil legal services and general legal information to survivors across the state.
2. Mandatory and ongoing training for all family law attorneys, and prosecutors regarding the dynamics of domestic violence and domestic violence laws.

The criminal justice system is charged with the responsibility of providing safety for victims and accountability for batterers. Law enforcement response at the scene of a domestic disturbance or when called to respond to a violation of a protective order can mean the difference between life and death. Prosecutors provide accountability for batterers and safety for victims through prosecuting violations of protective orders, sentencing recommendations, and terms of probation. Lack of funding, training, and commitment has resulted in a system with an inadequate response to domestic violence.

“My abuser was emotionally, physically, and sexually abusive. Now the system is abusing me, because when I left, I was told, I was reassured that there were laws that were going to protect me, and I was shown where there were laws, and nobody told me - nobody bothered to tell me that there wouldn’t be anybody willing to enforce the laws.” Baker County survivor

“Law enforcement should be more caring, more gentle and respectful. Also our judges and the medical system.” Survivor of color, Lane County

Survivors spoke at length describing the inadequate response of the criminal justice system, and identified the following specific needs for that system:

- Prioritization of domestic violence cases.
- Specialized prosecutors and law enforcement officers.
- Training of law enforcement officers, prosecutors and judges in the dynamics of domestic violence, victim sensitivity, determination of primary aggressor, the identification of defensive injuries and relevant laws and procedures.
- Increased evidence-based prosecution.

The “abuser many years ago sold my children for drugs but was able to make a deal with the District Attorney after he shared information on the local drug community and a ‘big buy’ that was to happen. The charges of attempted murder and selling of his kids were dropped in exchange for his drug information.” Klamath County survivor

“I ran to the police station for shelter only to have an officer talk to my husband and tell him how he had scared me, not how he’d attempted to murder me.” Coos County survivor

Recommendations:

1. Encourage the establishment of local specialized Domestic Violence Units for law enforcement and prosecution agencies to ensure a more effective response to and prioritization of domestic violence incidents.
2. Require ongoing training for agency employees on: relevant substantive law, dynamics of domestic violence, victim sensitivity, determination of primary aggressor, identification of defensive injuries, evidence-based prosecution, and other specialized topics.

CHILDREN WHO WITNESS DOMESTIC VIOLENCE

The impact of domestic violence on children can be significant. Few or no services are available that respond appropriately to the needs of children and their mothers.

The *Oregon Needs Assessment* estimated that 15 percent of all Oregon children witnessed domestic violence in 1998. Half were under 5 years of age the first time they saw or heard the abuse. Survivors frequently reported making decisions based on what was in the best interest of their children.

"I just don't know what to do anymore, who to turn to for help. I can't just up, leave, and leave my oldest daughter and babies here. He would take it out on them. I'd rather he took it out on me. I don't even call for help any more because they won't even come out and talk to us." Hood River County survivor

"What got me out of the situation was the determination to create a good life for my children." Coos County survivor

Survivors and their children interact with several state or local social services including SCF, AFS, child support programs, and health care providers. Survivors from every community told us of their frustrations with agencies and laws that impacted their children.

“When AFS places a woman in a job, more needs to be done for the children who need adequate daycare and counseling.”
Coos County survivor



“Children who are here in the U.S. illegally suffer not only the trauma of domestic violence, but then are in trouble with immigration and face deportation.” Lane County survivor

Victim/survivors let us know clearly the costly result of children witnessing domestic violence. Almost all domestic violence shelter/safe home programs provide services to children who have witnessed domestic violence. However, few other services are available for children not residing in a shelter/safe home. Testimony was given over and over concerning safety of the children and the lack of services and understanding for child survivors.

Recommendations:

1. Significantly increase funding for children who witness domestic violence and for their mothers.
2. Change laws and procedures to ensure a higher level of protection from perpetrators for children and non-abusing parents. Develop multi-disciplinary services for women with children that specifically address the needs of their children.
3. Develop services that are culturally-specific and population-specific and assure that all services are culturally competent.

“Children of color need advocates of color to relate to. Victim/Survivors let us know clearly the costly result of child witnessing physically, emotionally, and economically.” Lane County advocate



My “six-year old child is so traumatized by his stepfather’s violence, that even with therapy and medication, he has been suspended from school for his behavior.” Multnomah County survivor

STATEWIDE STANDARDS

Statewide standards and policies on domestic violence intervention do not exist. The response in each community varies widely among law enforcement, district attorneys, judges, civil courts, SCF or AFS, health services, victim services, batterers intervention programs, probation, and other service providers.

Consistency of response is crucial to ensure safety for victims and children and accountability for batterers. Currently no statewide standards for services exist except those determined legislatively in the mandatory arrest, Family Abuse Prevention Act, or other criminal or civil justice statutes. Even within those categories, no standards exist for appropriate implementation of these laws. Some local communities have developed standards that apply to varying extents in their own communities including:

- The Oregon Domestic Violence Council and several local Domestic Violence Coordinating Councils have developed batterer intervention standards. However, monitoring and enforcement of these standards is inconsistent.
- Standards for services to victims are mostly driven by funding sources and generally do not have specific training or implementation requirements, nor is there monitoring capability.

“SCF holds custodial rights if the victim does not respond the way SCF demands, but nothing is required of the offender.”
Deschutes County survivor

In order to assure consistent victim safety and batterer accountability, statewide standards need to be developed for the following:

- Batterer intervention programs.
- Victim services.
- Local Domestic Violence Councils
- State and local government agencies such as AFS, SCF, Health Division and County Health Departments, alcohol and drug treatment, mental health treatment, and agencies involved with the criminal justice system.
- Training for a wide variety of agencies on screening and intervention.

“All he did was hurt us mentally, emotionally, and finally, physically. He was my first abuser, the doctor my second (abuser) and the DA my third (abuser).” Survivor of color, Lane County

Development, monitoring, and coordination of services at the local level is currently done by local domestic violence coordinating councils. However, these councils have no funding to provide these functions, and have struggled in a number of areas. Local Domestic Violence Councils play a vital role in assuring consistency and accountability within local communities.

Without funding, these councils face a number of challenges in:

- Assuring that survivors are included in the discussions.
- Involving all parts of their community in the Council, including specific populations, such as people of color, immigrants, people with disabilities.
- Enforcing existing standards or requirements and expanding the application of best practices.
- Maintaining the involvement of all community responders.
- Providing appropriate evaluation and monitoring of all services, including victim services.

“The system often blames the mother for poor mothering. When in a domestic violence situation, survival is the top priority.” Coos County survivor

Recommendations:

1. Develop and implement statewide standards to increase victim safety and autonomy across disciplines and jurisdictions.
2. Provide training on domestic violence dynamics and appropriate response for state and local government and other social service agencies.
3. Develop system accountability through monitoring of compliance with or implementation of established standards.

NEEDS OF SPECIAL POPULATIONS IN OREGON

There are specific communities and populations in Oregon which have special needs that are not being met. Specific populations identified include those for whom English is not their primary language, immigrants, refugees, people of color, people with physical or cognitive disabilities, sexual minorities, older and younger people and those from diverse ethnic backgrounds.

Services to Women and Children with Disabilities

As with all survivors, women and children with disabilities face multiple barriers to receiving services and re-establishing their lives due to lack of resources. Currently few services are available for abused women with disabilities. In the Portland metropolitan area, two small projects provide support groups, education, and advocacy for services to victims with cognitive and other disabilities.

My daughter "and her oldest son have ADD (Attention Deficit Disorder). About a month ago she... moved into her own apartment... Now that she is on her own... he is harassing her and threatening her. Also, not everyone will watch my grandson with his ADD because of his behavioral problems caused from the ADD and the stress of everything." Multnomah County survivor

We need to recognize the needs of individuals with disabilities in helping them cope with the additional stress of their physical or mental health issues.

"I was assaulted by my husband on July 25, 1998. He caused me physical harm and threatened to kill me and my children. I pressed charges and fled the state. But still, the DA's office has not arrested him or anything. I have permanent brain damage and also spinal cord damage. If all of these men or abusers are to be prosecuted, then why hasn't he seen one day in jail yet?"
Multnomah County survivor

Recommendations:

1. Provide training for law enforcement, for Senior and Disabled Services (SDSD), and for service providers in institutions about domestic violence and its impact on elderly women and women with disabilities.
2. Develop programs and training to improve services at hospitals and other medical facilities.
3. Provide education for the disabilities community regarding domestic violence and victims rights.

Communities of Color

Communities of color are often invisible or are not understood by existing mainstream agencies or programs. In addition to the difficulties that all survivors of domestic violence face, women of color and their children face additional barriers to obtaining equal, appropriate or sometimes any services. Women of color in rural areas sometimes face additional barriers, such as lack of bilingual staff in responding agencies, lack of services that are culturally competent or sensitive, poverty or racism. Some, but not all, programs have sought to address the needs of women of color. Many programs across the state struggle to improve their services for women of color and their children; however, sometimes this struggle is overlooked, ignored or disregarded.

“My son tells everyone that if you’re white, you’re lucky because you can beat someone as long as you have a witness that will lie for you then you can get away with it. But if you’re black, you go to jail.” Survivor*

“As a woman of color, when your husband beats you... you don’t change colors but you have lumps all over your body. And the police... said you don’t have bruises; you’re dark. Your husband has bruises and he is bleeding, you go to jail.” Survivor*

“Racism does exist. We experience it in our legal system and our school system.” Survivor*

Serious concern and attention should be paid to those who do not speak English. Many times, women who do not speak or read English are left to navigate various agencies without guidance or interpreters. Due to a scarcity of translators or interpreters, bilingual or bicultural advocates are inappropriately expected to translate for their employers and for partnering agencies such as SCF, AFS, health care providers or court personnel. In other cases, children are asked to translate or interpret for agencies--this is always inappropriate and unacceptable.

* The Governor’s Council held two public hearings specifically to hear from women of color. Survivors from several counties attended these two hearings, thus quotes are not attributed to a specific county in this section.

“It is sad and infuriating to imagine how many people (monolingual) are left to fend for themselves in our justice system where one misunderstanding can be extremely costly.” Survivor*

“Latina women and, in general, women of color do not receive the same services nor the same quality of services that English speaking European American women do.” Survivor*

For a variety of reasons (e.g., language barriers, unequal treatment based on race or ethnicity, lack of appropriate resources), women of color are disadvantaged in some areas of the domestic violence intervention systems.

Police . . . “are down right rude especially to Native American women... apparently the officer doesn’t want to take the time to go out there to see what the situation is and so will outright tell them ‘this is the third time I’ve come out here. Why don’t you just shoot the guy and get it over and done with, that way, it will save the tax money and we don’t have to come out here!” Survivor

Recommendations:

1. Implement a mandatory comprehensive training program for all public employees about racism, cultural sensitivity with a focus on understanding and working with people who have different values, languages, and cultures.
2. Fund and develop culturally specific services and programs.
3. Include representatives from a variety of communities of color on advisory boards, multi-disciplinary teams, councils, task forces, which are planning for or implementing services for survivors.
4. Establish mechanisms to assure respectful, appropriate responses to people of color including vigorous and publicized grievance processes.

COMMUNITY OUTREACH AND EDUCATION

Community outreach and education is needed to increase awareness and enable friends, family, neighbors, clergy, health care, employers, co-workers and others to effectively and appropriately respond to the needs of survivors.

Approximately 80 percent of domestic violence survivors seek help from friends and family before turning to other resources. In these cases, family and friends are crucial “first responders” to a victim in need of assistance. In too many instances, family and friends lack the information and education they need to respond appropriately. Only 30 percent of victims seeking assistance from friends and family were offered immediate help, and only 24 percent received information on available services. Therefore, family and friends are missing a potentially life-saving opportunity to assist victims they care about. (*Oregon Needs Assessment*)

Almost two-thirds (63 percent) of abused women were employed at the time of the abuse, and many of them turned to co-workers and supervisors for assistance. (*Oregon Needs Assessment*) In some cases, they were met with support and in others, with punitive actions.

After an attempted murder “My employer noticed I was having emotional problems at work. No one asked me what was going on at home. I ended up being discharged for emotional reasons, saying I didn’t get along with people. I had PTSD . . . I thought I shouldn’t bring my personal problems to work and obviously it didn’t work very well.” Hood River County survivor

Survivors reported that they sought help from clergy, mental health counselors, health providers and others. In some cases, the individual was supportive, appropriate and helpful. In other cases, the individual made the situation worse. Survivors talked about ministers who supported the men who were abusive, of employers who were punitive, and of mental health workers who diagnosed them and prescribed medication rather than help them address the abuse.

Recommendation:

1. Provide funding for statewide community education and public awareness campaign targeted at the general public to address how friends and family can and should help.
2. Develop counseling, substance abuse treatment, and health programs that include domestic violence victim advocacy and increase their capacity to address the long-term effects of abuse.
4. Encourage churches and other religious organizations to develop protocols to support victims of domestic violence who are in their congregations.
5. Develop “best practices” for employers and educate them about how to respond to employees who are abused or who are abusing.

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