

Domestic Violence Questionnaire Answer Key

1. Why do victims of domestic violence stay?

Answer: The reasons women stay in abusive relationships typically fall into three categories.

Lack of resources:

- Most abused women have at least one minor child.
- Many abused women are not employed outside the home.
- Many abused women don't have property that is solely theirs.
- In many cases, abusers have cut off access to cash or bank accounts.
- Most abused women fear losing joint assets and custody of their children.
- Abused women fear a lower standard of living for themselves and their children.

Responses by services and authorities

- Often, clergy and social workers are trained to "save the family" rather than to stop violence.
- Police often treat incidents of domestic violence as mere "disputes" rather than as serious crimes in which one person is physically assaulting another.
- Police may try to discourage women from pressing criminal charges.
- Attorneys are often reluctant to prosecute cases.
- Restraining orders and peace bonds do little to prevent abusers from repeating their violent patterns of behavior.

Traditional thinking

- Many women don't view divorce as a viable alternative.
- Many abused women don't accept the notion of single parenting. They believe a bad father or partner is better than none at all.
- Many women are conditioned to believe they are responsible for making their marriage or relationship work; that if the relationship fails, *they* have failed as women.
- Many abused women feel isolated from their families and from society. Isolation leads many victims to feel they have nowhere to turn.
- Many victims externalize or rationalize the reasons for their abuser's behavior, casting blame of circumstances such as stress, financial hardship, job stress, chemical dependency, etc.
- Between violent episodes, there are periods of calm during which the abuser is charming, nurturing, and caring. Those traits which initially attracted him/her to his/her victim resurface and the victim sees her abuser as a loving person, thereby reinforcing her decision to stay.

A woman may realistically believe that it is more dangerous to leave than to stay. In many cases, the batterer has threatened to kill her, himself, or the children if she tries to leave. In fact, a woman is at increased risk of stalking, attempted murder, and murder after she leaves an abusive relationship.

2. What is the impact of domestic violence on children?

Answer: Children who witness domestic violence may develop serious emotional, behavioral, developmental, or academic problems. As children, they may become violent themselves, or withdraw. Some act out at home or school; others try to be the perfect child. Children from violent homes may become depressed and have low self-esteem.

As they develop, they are more likely to:

- exhibit behavioral and physical health problems including depression, anxiety, and violence towards peers.
- attempt suicide, abuse drugs and alcohol, run away from home, and engage in teenage prostitution.
- commit crimes, especially sexual assault
- become abusers in their own relationships later in life
- children fail to report domestic violence or sexual abuse because of shame, fear of retaliation, or fear of not being believed.

3. What types of court orders are available to victims of domestic violence? Explain.

Answer:

Domestic Violence Order for Protection

This is the most commonly requested order. It is a civil order from the court telling the family or household member who threatened or assaulted you not to harm you again.

A protection order CAN:

- order the Respondent not to threaten or hurt you.
- order the Respondent not to enter your residence.
- give one parent temporary custody of children.
- set a schedule for visitation with minor children.
- order the Respondent to leave a shared residence.
- grant you possession of essential personal effects.
- grant you use of a vehicle.
- order the Respondent to attend counseling.

A protection order CANNOT:

- order child support.
- order maintenance (alimony).
- assign most property to either party.
- establish permanent child custody or use of the shared residence.

Restraining Order

This is broader than a domestic violence protection order, since it can deal with property issues, child support, spousal support, as well as domestic violence and temporary custody issues. A restraining order is filed as part of a divorce case, a paternity case, or other family law case.

No-Contact Order

This type of order does not require you to fill out a petition, because it is part of a criminal action. The court will decide whether to issue this order when it decides if the Respondent is to be released on bail or personal recognizance, or when the Respondent is arraigned (formally charged) or being sentenced. Generally this order does not last as long as a protection order, and it does not award custody, establish visitation, or order counseling. This order is intended to protect the victim while the criminal case is going on.

Civil Antiharassment Order

This order typically applies to situations when the persons are not married or related to each other, for example, in disputes between neighbors, and stalking (stranger-stranger) situations. This order is helpful when a person is being harassed but has not been assaulted or threatened with physical harm.