PUBLIC POLICY EFFICACY OF DOMESTIC VIOLENCE RECIDIVISM:
IMPLEMENTATIONS OF A COURT CREATED DIVERSION PROGRAM

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Scott A. Gale

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PUBLIC POLICY EFFICACY OF DOMESTIC VIOLENCE RECIDIVISM:
IMPLEMENTATIONS OF A COURT CREATED DIVERSION PROGRAM

Scott A. Gale
Dissertation

Approved:  

Advisor  
Dr. Raymond W. Cox, III

Interim Department Chair  
Dr. John C. Green

Committee Member  
Dr. Francois Doamekpor  

Dean of the College  
Dr. Chand Midha

Committee Member  
Dr. Ghazi-Walid Falah  

Dean of the Graduate School  
Dr. George Newkome

Committee Member  
Dr. Nancy E. Marion  

Date

Committee Member  
Dr. Ramona Ortega Liston
ABSTRACT

The recognition of domestic violence as a societal problem has caused a proliferation in the amount of domestic violence court cases. The courts have overreached their capacity to effectively manage the increased volume of cases. This burden has prompted innovation in the court system. One area of innovation has been the creation of specialty courts such as domestic violence court programs.

The purpose of this study is to determine if educating court-ordered offenders about domestic violence decreases the number of repeat escalating domestic violence incidents. This research was specifically designed for the Akron Family Violence Court to determine if the court-ordered diversion program has a causal effect on recidivism of male batterers. This study tests the implicit assumption that public professionals and experts have the knowledge, and can adequately address the needs of the community.

The Akron Family Violence Court district is in a mid-size court district of approximately two hundred fifty thousand residents. This research used archival data from police and court reports that was collected over a period of four years. The population was composed of 1,548 individuals charged with domestic violence. The study group consisted of 774 individuals who agreed to enter the program, and abide by its requirements. All individuals entered a guilty plea as a condition for participating in the Family Violence Court program.
The findings of this research show there is a difference in the rate of recidivism between those offenders who attend court-ordered treatment, and those who do not have treatment. The exception is offenders under the age of twenty-one are no more likely to be recidivists than offenders who do not receive treatment.

This research makes a contribution to the literature, and fills the gap regarding successfully completing court-ordered treatment and offenders remaining without charge of domestic violence. Furthermore, the research has the potential to assist elected officials, public administrators, policy makers, treatment providers, and referral agencies in creating more efficient and effective domestic violence treatment programs. The efficacy of court-mandated domestic violence diversion programs as related to repeat offenses require further research in the areas of gender differences, age specific treatment, and long-term effects.
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CHAPTER I
INTRODUCTION

Domestic Violence Statistically

Acts of violence against women victimized by intimate partners are an enveloping social and political issue requiring ample research from across various government and community sectors (Bachman & Saltzman, 1995; Bowman, 1992; Buzawa and Buzawa, 2003; Dutton, 1986; Shepard & Pence, 1999; Pleck, 1979; Straus & Gelles, 1986; Sonkin, 1988; Tolman and Bennett, 1990). According to Straus and Gelles (1986), while both men and women are victims of acts of violence, women are disproportionately the victims.

The Bureau of Justice Statistics (1995) estimates violence among domestic partners in the United States that four million women suffer an act of violence at the hands of a partner. According to Russo, Koss, & Goodman (1995), an estimated one in every four wives are victims of acts of violence by their partner (Tjaden & Thoennes, 1998). Public policy officials have been more active in their researching of cases regarding violence, and more so in the field of domestic violence with partners and family members.

The Department of Justice conducted research regarding acts of violence with partners and family members making domestic violence a public policy issue for those involved. According to the Bureau of Justice Statistics (1995), they have generated
reports regarding public policy implementations of domestic violence with the State Court Processing of Domestic Violence Cases on February 2, 2008, and Family Violence Statistics on June 12, 2005. Research through the National Criminal Justice (NCJ) Bureau of Statistics has provided grant money to numerous research studies regarding domestic violence in large urban centers throughout the United States the past few decades. This research demonstrates a need for public policy intervention.

Male Aggression and Female Response

Men are the aggressors in most circumstances of domestic violence (Gelles & Straus, 1988). According to some feminist authors, women’s violence against men is considered negligible or nearly nonexistence (Yllö & Bograd, 1988). Often, women are considered self-defending, not the aggressor. Regularly they are protecting themselves or family members from an abusive spouse (Arriaga & Oskamp, 1999).

Other analysis by feminist White and Kowalski (1994) suggests women can be as aggressive as men and are not necessarily stereotypical docile woman. While men are more likely than women to express their aggression publicly and physically, women’s aggression is restricted primarily to the home and to more indirect modes of expression” (p. 494). According to the authors, empowerment comes from naming, and recognizing the offender in person. They recognize the important questions concerning domestic violence are the “cultural, social, and psychological circumstances surrounding incidents of aggression by women and men” (p. 504).

Foucault (1979) recognizes in his work *Discipline and Punish* that there are “bad girls” as noted by others who are violent and the aggressor in domestic violence. The
stereotypical gentile woman is replaced with what may be described as a male aggressor. Straus (1977) sets the stage with his findings that women can be as violent as are men and so do other researchers (Dasgupta, 1999).

While women do commit acts of violence in intimate relationships, women are less likely to be the originator of acts of domestic violence (Yllö & Bograd, 1988). Simply stated, gender is a factor in domestic violence. According to Bograd (1988), “feminists define wife abuse as a pattern that becomes understandable only through examination of the social context” (p. 14). Researchers recognize control and power as the male power structure over women (Arriaga & Oskamp, 1999). Act of aggression, even when non-violent, are used to control and manipulate the victim, and allow the batterer to be in charge of a relationship.

Research according to many sociologists tends not to be antifeminist, but “gender-neutral.” That is, they see violence as a problem of both sexes (Gelles, 1972; Straus, Gelles, & Steinmetz, 1980). Acts of violence have become more prevalent including acts of violence between heterosexual and same sex couples as well. While recognizing both male and female aggressors, the male still statistically remains the more dominant offender in cases (Gelles & Straus, 1988).

Moreover, domestic violence crosses all races, ages, and social classes (Buzawa and Buzawa, 2003; Dasgupta, & Warrier, 1996; Pleck, 1979; Straus & Gelles, 1986). According to Stivers (2002), gender, race and class are more than just notions for public administrators, but have the potential for offering possible solutions to policy problems such as domestic violence. When considering domestic violence, one must analyze gender as well as race and social standing (Bell, 1986, Weitzman, 2000).
Public Policy Aspects

Bureau of Justice Statistics (1995) reports women of all races are nearly equally vulnerable to violence by a domestic partner. Race has played an increased factor in ongoing acts of domestic violence and the increase of recidivism in cases of domestic violence. African American males, like their Caucasian counterparts, use force to control the women and family. (Coley & Beckett, 1988; Gillum, 2002; Williams, 1993). As well, African American women are less likely to reach out for support from advocacy groups who are treatment providers, or police officers for protection orders (Williams, 1993).

Often advocacy groups were more focused on helping the women cope with the problems of domestic violence and care of the family at the behest of fixing the problem – the male batterer (Sonkin, 1988). Without protection and no adjustment in male aggression, the victim remains cautious about reaching out for support without a safety net (Yllö & Bograd, 1988). Feminist Stivers (2000) suggests “[t]he times spawned two impulses, one in the direction of social justice and improving the lives of the unfortunate, and the other toward rationalizing and regulating organizational, institutional, and societal processes” (p. 5).

Stivers (2000) further discussed that women were advocates and the historical precursor to the advocacy groups who help women through difficult situations without spousal support. Stivers (2002) states, “[a] majority of the settlement houses set up in poor neighborhoods were led and populated by women, and women were in the forefront of social welfare policy advocacy” (p. 10). Those women who choose to leave their abusive husband often become poor without the man’s financial support. Advocacy
groups such as Victim’s Assistant and Battered Women’s Shelter filled the gap with settlement houses to support women.

When confronted with domestic violence, women were separated from male support or forced to abide by the male decision in order to remain financially secure in their home life. According to Johnson and Sigler (2000), “financial abuse is another form of abuse in which women are the primarily victims” (p. 166). The traditional male role of financial provider allows the batterer to retain control within the family and decide what is best for the family.

In public administration, while the “settlement men” worried about the finances and meeting the early precursors to efficient and effective delivery of public services (Goodnow, 1900; White, 1926; Wilson, 1887), women stood for advocacy groups who helped those in need (Stivers, 2000). The issue concerning women and African American women is the loss of individual freedom, the plight of poverty and personal security of a steady family and home life.

According to Buzawa (2003), local, state and national attention to cases of domestic violence continue to rise. Citizens have demanded changes after charges have been dropped against the male offender, and the offender then murders their partner. Elected officials and public administrators have sought solutions to the increasing dilemma of domestic violence. Wilson (1887) states it’s a duty to provide best life solutions, and “systems within systems to make town, city, county, state, and federal governments live with a like strength and equally assured healthfulness, keeping each unquestionably its own master and yet making all interdependent with mutual helpfulness” (p. 221). Legislative officials have implemented laws with increased
sanctions and arrest requirements that the courts must follow during sentencing (Garland, 2001). Often, judges are left to make the “system” work in practice.

The stakeholders in society must recognize the shift in domestic violence after centuries of women being considered property of men (Pleck, 1989). According to feminist Yllo, “[p]robably the most influential critique of science is Thomas Kuhn’s The Structure of Scientific Revolution (1962), which argues that social and historical forces are of central importance in scientific paradigm shifts” (p. 36). National, state, and local news outlets report the worst cases of domestic violence. When offenders are released from jail, then proceed to murder their partner, the level of public concern moves beyond those closest to the crime. Public outcries of reform are heard. In public acts of violence, when a man drags a woman to the front yard for others to see them beat their partner so bad they are hospitalized, public officials recognize the need for more severe punishment. A paradigm shift occurs in public perspectives of domestic violence when the media showcase acts of domestic violence. Kuhn (1962) would recognize these forces as an advocacy shift in public pressure to address the escalating problems of domestic violence in family relations.

The Federal Violence Against Women Act (1994) established standards, and provided technical assistance and funding improvements to courts in an effort to spark a proactive response. The act further expanded funding and training for police responders and judges and their court staffs to understand domestic violence by providing specialized training to advocate groups, law enforcement officials, prosecutors, and the judiciary. Federal funding also helped local government officials create specialized units
dedicated to domestic violence as well as violent crimes units, and financial support to
treatment provider programs.

Based on the aforementioned criteria, domestic violence laws became more
accepted, and understood throughout the public sector. Legal standing has recognized
domestic violence beyond the traditional marriage of a man and women to include having
a child in common, even if never married, to living together as a partnered couple (Berry
2000). Changes in societal norms have expanded the definition, and terms for arrests in
spousal abuse.

Legal standing according to the Ohio Revised Code, section 2919.25 Domestic
Violence is “(a) no person shall knowingly cause or attempt to cause physical harm to a
family or household member” (p. 149). “‘Family or household member’ means any of
the following: (a) any of the following who is residing or has resided with the offender.
(i) a spouse, a person living as a spouse, or a former spouse of the offender. (2) Person
living as a spouse means a person who is living, or has lived with the offender in a
common law marital relationship, who otherwise is cohabiting with the offender, or who
otherwise has cohabited with the offender within five years prior to the date of the
alleged commission of the act in question.” (p. 150).

Peters (1999) contends courts through their actions provide remedies to situations,
and provide legal authority to support the action of legislative bodies. Peters states (1999)
“courts leave less room for compromise and vote trading than does a legislative body,
and they have a less clearly defined constituency, if they have any constituency at all” (p.
89).
According to Hirschel and Buzawa (2002), an increase in arrest of both parties in calls of domestic violence has occurred. Public awareness and support groups have advocated for women to report battering at the hands of a partner. With increased awareness of advocacy groups’ emotional support and help with intervention, more victims call the emergency 911 thereby increasing work for those in the law enforcement community who deal with domestic violence (Buzawa, 2003).

Law Enforcement in Government

Law enforcement officials’ response to domestic violence is problematic (Zorza & Woods, 1994). While legislators create laws to require arrests when responding to calls of domestic violence, police officers still have discretion in judgment. While a first time call of domestic violence may receive nothing more than a stern lecture from an officer -- however, note that several states, including Ohio, have ‘preferred arrest’ statutes that require a law enforcement officer to make an arrest if the primary offender can be determined (Brignier, et al, 2003). Police may be more inclined to arrest a known previous offender on charges for the smallest of incidents that may not even include clear signs of domestic violence (Feder, 1999).

Lipsky (1980) would suggest that the bureaucrat on the street, the police officer, has the ultimate discretionary authority to determine if a police response call is an act of violence. Nevertheless, police agencies and officers have differing opinions about arresting batterers (Bell, 1986; Feder, 1999; Roberts, 1996). Law enforcement rules may require an arrest be made when anyone, including a neighbor or the partners involved,
places a call to police. The discretionary authority according to Lipsky is now in the hands of the responding street level bureaucrat.

Police officers must access the situation to determine who is to be arrested. Often the male aggressor is bleeding or showing signs of being physically assaulted. When defending themselves, women use objects to protect themselves; thereby leaving the impression they caused the harm according to an officer's viewpoint of the situation. The woman is arrested when they may not be the aggressor, but instead defending themselves and family from the aggressor. Feminists are concerned that mandatory arrest may increase the arrest rates of women even when they are protecting themselves and family (Yllö & Bograd, 1988).

Following in Lipsky's design, Sedan (1997) concurs and further states “[i]t is not feasible for a legislative body or the police department manual to identify all possible scenarios involving domestic violence, for example, and to prescribe the appropriate reaction to each. The best solution is to train officers to assess a situation and react accordingly” (p. 17). Discretionary authority to arrest in cases of domestic violence is the judgment of the police officer.

The police officer represents the front line of protection and defense for the victims of domestic violence (Feder, 1999). Police officers bring their own bias, personal problems, work stress and interpretations of the laws they are sworn to enforce when making judgments (Lipsky, 1980). Often, the law requires these law enforcement officials to play the role of “marriage counselor” not enforcers of the law when responding to neighbor generated calls of domestic violence through the dispatching of 911 calls (Lemon, 2001).
Without clear knowledge of the aggressor during the act of domestic violence, police officers must use their own discretionary authority in determining if the circumstances were violent or just loud and emotional enough to give the perception of violence (Roberts, 1996). Street level bureaucrats and law enforcement officials, must implement policies based on law if a case of domestic violence is even to begin to reach the courts. Is this act of violence an assault or is there a relationship between the two individuals that make it a case of domestic violence and not assault?

Even with specialized domestic violence courts in the United States, judges and prosecutors are not as willing to convict or sentence batterers (Buzawa & Buzawa, 2003; Ptacek, 1999; Wittner, 1998). Even with the Federal Violence Against Women Act (1994), there is still a debate about public policy issues surrounding convictions of domestic violence (Buzawa & Buzawa, 2003). Beyond the results of cases before the court, the issue to discuss is court-ordered treatment and the effect of reducing recidivism of acts of domestic violence. Offenders may only enter the program as a way to avoid jail time, and the ramifications that follow such as loss of wages or a job,

Ideally, treatment should be available for all batterers involved in domestic violence. Nevertheless, all batterers are not viewed as being able to break the cycle of violence. Past treatment for drug and alcohol addictions and psychological conditions make reform difficult (DeMaris & Jackson, 1987). Working together, a diverse group of stakeholders may affect improving safety for victims and reducing recidivism for the offenders through diversion programs, but close monitoring of the offender may have a direct effect on treatment.
The following section addresses the significance of the study and the effects of court-ordered cases of domestic violence within the Akron Municipal Court district. This research addresses problems and coordination between government and advocacy stakeholders. The next section discusses the links between the court program and public administration.

Study Significance

This research may assist public officials and advocacy groups who deal with domestic violence cases. From the dispatcher who takes the 911 calls, to the police officer who responds, the advocates who educate the victim about court procedures and needed assistance, the prosecutor who must either prosecute, reduce charges or dismiss the case, public defenders who represent indigent offenders, probation officers who recommend sanctions upon sentencing, the jail facility that must provide for all necessities while incarcerated or to the judge who passes judgment, all may find better ways to be efficient and effective in the delivery of services to the victims of violence and the batterer. The stakeholders all have a public policy aspect of performance and achievement.

According to the City of Akron Prosecutor’s Office booklet on Domestic Violence, the most asked question about protection orders and the court is “What is Family Violence Court?” (p. 5). Family Violence Court is an optional diversion program that offers a specialized level of supervision and services to certain misdemeanor and felony domestic violence offenders. The court refers all eligible offenders to the next available session of Family Violence Court, over which Judge Lynne Callahan presides.
Judge Callahan’s courtroom is located on the 8th floor of the Harold K. Stubbs Justice Center.

If, after consulting with private legal counsel or a court appointed public defender, the defendant chooses not to enter the Family Violence Court program, court personnel will randomly allot the case to one of the six Akron Municipal Court Judges. The court will adjudicate cases outside the program through the normal court procedures and the domestic violence case will be heard and sentenced according to the law.

A defendant who chooses to enter the program must enter an original guilty plea to the charge domestic violence. The program requires a guilty plea for entrance into the program. Court officials then give a suspended 182-day jail sentence, and place the offender on probation for a period of one year. The suspended sentence may be re-imposed by the judge for violations regarding any acts of violence and then termination from the program without benefit of the record being sealed.

The court in conjunction with advocacy groups provides the training deemed appropriate for dealing with the acts of aggression of the offender. Case management services include chemical dependency assessment and referral to treatment if appropriate, frequent drug and alcohol screens, employment and education services and crisis intervention. Court procedures require the defendant to complete twenty-six sessions of Time Out Diversion, a violence-cessation program operated by qualified therapists through Victim Assistance and Oriana House.

According to court records, defendants who enter the program are assessed court costs ranging from $62.00 -$100.00 and must pay for the Time Out Diversion from $1.00 to $10.00 per session. Oriana House does not assess fees for case management services
although there may be fees for chemical dependency or other treatment programs set by those individual agencies.

“Upon successful completion of the entire program the domestic violence charge is dismissed.” (City of Akron Prosecutor’s Office; Domestic Violence Unit, January 2002, p. 7). Preventing future domestic violence may provoke the question – do batterers just wait out the one-year period refraining from acts of violence for the sole purpose of completing the program thereby having the case sealed from public inspection? According to the National Institute of Justice study (2003), research suggests only minor effects of changed behavior after treatment programs. The results may be no changes in some batterers’ thoughts toward acts of violence.

Holtzworth-Munroe and Stuart (1994) argue “the cost of this problem [domestic violence] are staggering in terms of marital dissatisfaction, psychological and physical health problems and negative effects on the children of such marriages” (p. 476) Costs related to domestic violence have a ripple effect in our social fabric. The costs often fall on the government to provide not only the cost of the court system, but the treatment for the victims and witnesses of domestic violence.

Public Administrative Thought

According to Wildavsky (2001), outcomes control the expenditures and success or perceived success may continue funding for some programs. Reducing recidivism may have a causal effect on the reduction of financial resources crossing various levels of government interaction. Each of the aforementioned stakeholders has a cost for performing their government or advocacy work. The assumption arises that long-term
costs decrease as offenders abridge or eliminate acts of violence. These assumptions of cost savings according to Lindblom (1977) are an incremental decision and may be criticized as unreasonable. The long-term effects are far harder to determine. A treated offender may not be successful at ending acts of violence and therefore reducing ongoing and future costs to the taxpayers will not be achieved.

Public administrators work diligently to allocate funds for services that are an effective use of the time constraints placed on the court. The efficient use of scarce resources such as the staffing time and salaries of those involved with dealing with the case from the judge, probation staff, prosecutors, public defenders, jail staff and court personnel. While the short-term costs increase with the time spent over a year’s period of time working with the offender, the long-term aspects of reducing domestic violence and the various levels of government that must respond may save time, money and resources.

Jail overcrowding continues to be an issue for arrests and sentencing. Judges, as administrators and elected officials representing the public in the judicial branch of government, are cognizant of the escalating cost of housing criminals. At a municipal level, judges are limited in the number of spaces available for offenders housed upon sentencing. One resolution by judges of the Akron Municipal Court is to create diversion programs and alternative sentences to lessen the demand for jail space and alleviate jail overcrowding. One aspect of a Family Violence Court program according to Judge Callahan (1999) is lessening the demand of long-term jail space by decreasing acts of violence.
Peters (1999) supports innovation in the court when he stated “judges then decided that they would take over the prison systems and run them directly in order to correct the situation, or they made very specific policies that state administers were obliged to follow. These decisions represent greater involvement of the courts in mandating state and local government actions than many citizens considered proper” (p. 88).

Financial savings can be found when courts rehabilitate batterers and end their acts of violence. Reduction in police responding to calls of domestic violence is one aspect. Fewer calls for 911 emergencies may allow other calls of distress to take priority. Reductions in those consuming government resources while in jail also give public administrators reasons for saving money.

White (1926) contends that “[m]ore and more clearly it is being understood that the promise of American life will never be realized until American administration had been lifted out of the ruts in which it has been left by a century of neglect” (p. 448). The neglect of important policy issues over historical generations brings to the forefront the work and laws regarding domestic violence. According to White (1926) the process of administration is critical to the foundations of the business of government. Administration should be formed from the bases of needed public policy, and not just the foundation of law, or the rule of law, but more absorbed into the fabric of administrative discretion.

All of the stakeholders in the Family Violence Court program have a desire for success, but at what measure? According to Hummel (1977), efficiency is viewed as what is “visible” and enhances their personal control. As public administrators in a
bureaucracy, the control may be self-gratification of helping a few break the cycle of violence. The goal is the proof of achievement, even in the court, and not necessarily the result, believes Hummel. The judge as a manager of the court must move beyond the expenditure of energy and the professional or personal judgment of the action and goals of the work produced. Hummel concurs with Weber (1968) and suggests that public administrators attach some types of worth to work for the bureaucrat.

Weber (1968) suggests that “[t]he term ‘social relationship’ will be used to denote the behavior of a plurality of actors insofar as, in its meaningful content, the action of each takes account of that of others and is oriented in these terms” (p. 26). The stakeholders, or actors using Weber’s term, must not only buy into the program from the inception, but also be able to recognize the programs’ success beyond what Hummel (1977) calls just completing the job. Are the results a true measure of creating a specialty court with more time, resources and finances worth it, or are the results just substantial enough to justify a new program without having true success or efficiency, which is reforming a batterer and reducing recidivism?

Simon (1946) also discusses the “purpose” for bureaucratic work is defined as the objective, or the end result of the activity. He shows the process is how the bureaucracy carries out the function of the work. The proverbs of bureaucratic administration often conflict with the mission. Protect the victim from further acts of violence while not incarcerating an offender, and allowing them out of jail for treatment. Treatment may help the offender, but it conflicts directly with the mission of the court to protect the victim. Hummel (1977) echoes Simon in that the process of bureaucracy must deal with
the purpose and process of the public good, while recognizing the inherent conflicts in the programs, and work bureaucrats perform.

Apart from the Family Violence Court program, advocacy groups recognize the Akron Municipal Court district as an innovative leader in specialty courts with programs and court diversion programs in; mental health court, operating a vehicle while intoxicated (OVI ) court, and drug court. The question is, are the taxpayers receiving a benefit from the time, work and energy of creating, financing and implementing a Family Violence Court program to reduce recidivism within the legal system? Does the program make a difference in reducing acts of violence by offenders who receive the treatment versus those offenders who have not been involved with court-ordered treatment?
CHAPTER II

REVIEW OF THE LITERATURE

What is Domestic Violence

In the United States, nearly four million women are battered each year. Almost every nine seconds a woman is battered according to the Bureau of Justice Statistics (2003). Centers for Disease Control and Prevention (2006), report one in four women experience a form of domestic violence within their lifetime. Arriaga & Oskamp (1999) suggest that “[o]ne of the greatest contradictions of human nature is that some of the most personally injurious behaviors occur among loved ones” (p. 3).

Domestic Violence has various definitions depending on the form of abuse that takes place. It is defined as a pattern of controlling behaviors used by one person over another to gain power and control. Domestic violence can be in the form of verbal, emotional, financial, sexual and physical abuse (Arriaga & Oskamp, 1999; Tjaden & Thoennes, 1998). It occurs in heterosexual, as well as same sex partnerships, and crosses all ethnic, racial and socio-economic lines.

The only common denominator is a pattern of behavior by the batterer, trying to establish power and control through fear, intimidation and violence. According to Tjaden & Thoennes (1998), "women also reported more frequent and longer lasting victimization, fear of bodily injury, time lost from work, injuries, and use of medical,
According to the National Center for Domestic Violence, most state laws state the relationship necessary for a criminal charge of domestic violence includes a spouse, former spouse, persons currently residing together or those that have resided together within the previous year. Nearly one third of American women report being physically or sexually abused by a partner at some point in their lives. Many instances of domestic violence go unreported.

The role of the family provides for an environment rich for violence as interaction is frequent and often intense (Gelles & Straus, 1988). Intimacy in a relationship further provides for sharing of one’s closest secrets and dreams. This intimate knowledge may be used as a weapon to control and worse yet, intimidate a family member in a relationship. In acceptable society, the male is assigned the role of the head of household and finances and the female more with household and child rearing (Gelles & Straus, 1988).

A review of literature demonstrates that the nature of domestic violence has been conceptualized in different ways. Family researchers define abuse through mild forms of aggression, such as pushing and slapping. Criminologists describe violence as the result of physical injury, thus making it a crime. Feminists view male violence as the use of overpowering and terrorizing behaviors that result in physical and mental abuse (Arriaga & Oskamp, 1999). The differing views presented through research increase the difficulty in designing treatment programs, prevention strategies and creating legislation that address all of the intricacies encompassed in abusive relationships when public policy officials deal with domestic violence.
Establishing and maintaining control is the impetus behind domestic violence. Although there are many forms in which this control is exercised, this study will focus on the criminal offense of domestic violence as it pertains to the violations of male batterers against women, and the effects of court-ordered treatment with regards to gender, age and race.

History of Domestic Violence

Domestic Violence has been a component of society throughout history (Daniels & Kennedy, 1999). The public perception has evolved dramatically from condoning the behavior to mandating the end of violence through legislation. In order for domestic violence to become a social concern there must be an adverse reaction by the public. A societal problem only becomes a problem if the society responds to it. The negative affects of abuse must receive public attention otherwise it remains benign. According to sociologist Herbert Blumer (1971), “A social problem does not exist for a society unless it is recognized by the society to exist….Social conditions may be ignored at one time yet, without change in their makeup, become matters of grave concern at another time” (Ptacek, 1999, p.40). He argues that the problem exists whether it is recognized or not. There is only a need for change if society demands it.

Criminalization of domestic violence relies on the fact that it is perceived as a threat to individuals and the order of society. There are two opposing ideals. One is the view that violence in the home is a private matter, and should be resolved in the home. The other is the use of legal intervention (Pleck, 1979). The difficulty of bridging these two factions is in utilizing the appropriate amount of political and legislative involvement
while maintaining the autonomy of family structure. Public administrators whether in the court system or legislative body must narrowly create laws and procedures to protect the victims of violence.

There are many examples of violence against women throughout history. A cultural review ranging from ancient civilization to modern day reveals the prevalence of abuse. Buzawa and Buzawa (2003) write, “…socially sanctioned violence against women has been persistent since ancient times. Christianity, Judaism, and other patriarchal religions simply affirmed male-dominated family structures that were already in existence” (p. 57). A common theme shared among cultures is that a woman was considered the property of her husband. Marriage laws in ancient Rome made men the ruler over their household. These laws allowed men to legally punish their wives. They were allowed to beat, torture or kill their wives (Dobash & Dobash; 1979; 1992). Violence against women was tolerated. It was the husbands right to “chastise” his wife. Both men and women accepted this as normal familial behavior.

Religious laws have also had an impact on the justification of abuse. Buzawa & Buzawa, (2003) further explain that “[w]estern religions have reinforced a husband’s right to control his wife. Many passages in the Bible repeatedly have been interpreted to justify man’s primacy and his right to exercise authority over women” (p. 58). Ephesians 5:22-23 reads, “Wives be subject to your husbands as you are to the Lord. For the husband is the head of the wife just as Christ is the head of the Church.” Buzawa (2003) points out how the religious principles shape the constitution of marriage and are even included in wedding vows. The argument is furthered by a quote from Barbara Hart (1992) referencing rules of marriage in the late 15th century;
When you see your wife commit an offense, don’t rush at her with insults and violent blows…scold her sharply, bully and terrify her. And if this doesn’t work…take up a stick and beat her soundly, for it is better to punish the body and correct the soul than to damage the soul and spare the body…Then readily beat her, not in rage, but out of charity and concern for her soul, so that the beating will rebound to your merit and her good (p. 3).

American history reveals various periods of reform in domestic violence. Elizabeth Pleck (1989) identifies three eras of reform for domestic violence in American history. “The history of the criminalization of family violence is contemporaneous with, but not entirely parallel to, the rise (and fall) of these three periods of social interest” (p. 820). During these periods there was an increase in penalties for abuse as well important developments in the judicial system. The first period was from 1640 to 1680. The Puritans introduced the first laws against family violence. The Massachusetts Bay Colony enacted the Body of Laws and Liberties. Encompassed in these humanitarian laws was the Puritanical belief that women and children had rights. One statute states that “every married woman shall be free from bodily correction or stripes by her husband, unless it be in his own defense upon her assault” (Massachusetts Colony 1890, p. 51). Even though there were humanitarian undertones, the main purpose of these laws was to reinforce the hierarchy in society and sovereignty of men over their wives, children and servants. It was still considered proper for husbands to use moderate force when necessary to maintain stability in the family and to serve as a societal model (Buzawa & Buzawa, 2003).

The second period of reform identified by Pleck took place in the nineteenth century. Public outrage was prevalent during this period. Pleck identifies criminalization and activism as two ideologies used to rally support against the abuse of women. The
criminal approach emphasized punishment. Two states passed laws against wife abuse; Tennessee in 1850 and Georgia in 1857. Twelve states introduced bills to punish offenders with the whipping post. Although activists supported punishment for abuse, they concentrated their efforts on protecting and assisting women. A combination of feminism, morality and family stability was used to advocate for women’s rights. Numerous institutions and societies were founded to protect women and children. The same principles of the Puritan era were responsible for the public insistence of the government’s responsibility to enforce morality. According to Ohlin and Tonry (1989), “[h]umanitarianism, the fear of crime and the desire to create a single standard of morality motivated all the efforts against family violence of the late nineteenth century” (Pleck 1989, p. 40).

According to Pleck (1989), there were also periods of decriminalization throughout American History. The main defense behind decriminalization is maintaining the family ideal. Government intervention in the family was not welcomed. Proponents of these standpoints sought to preserve the sanctity of the family. Pleck (1989) suggests, “[t]hese beliefs include the view that parents have the right to discipline children physically; that a husband possesses the right to have sexual access to his wife; that nagging women or disobedient children often provoke the beatings they receive; that wives and children, as economic dependents, need a male provider; and that the law should not disrupt this traditional pattern of support, except in unusual circumstances” (p. 21). Pleck (1989) further demonstrates using State v. Oliver, (1873) as an example of this in the “curtain law” which states, “…if no permanent injury has been inflicted, it is
better to draw the curtain and shut out the public gaze, and leave the parties to forget and forgive” (p. 22).

Contemporary public perception demonstrates varied attitudes. Some mimic historical sentiments of tolerance of domestic violence. Research reveals that society is more tolerant of violence that occurs between intimate partners as opposed to stranger violence (Shotland & Straw, 1976). The belief that domestic violence is a private matter is reflected in current society. Johnson and Sigler (2000) report that violence is tolerated because of a lack of empathy for victims, the belief that victims can prevent abuse, and that victim’s behavior solicits abuse. Contrary to these beliefs is the proliferation of public discourse on the subject of domestic violence. The notion of domestic violence being a private matter may still exist, but the emergence of television talk shows, news media, and movies addressing this topic enabled it as not only an acceptable topic, but also one that cannot be overlooked (Arriaga & Oskamp, 1999).

Feminist Perspective

The feminist movement is largely responsible for reforms in domestic abuse. Many feminists argue that the structure of family and marriage promotes male abuse of women. They try to understand wife abuse from the standpoint of how culture defines relationships rather trying to understand the psychology of the batterers and victims. Society is examined on a larger scale to explain abusive patterns. Rosaldo & Lamphere, (1974) point to the “[m]ale, as opposed to female, activities are always recognized as predominately important, and cultural systems give authority and value to the rules and actions of men” (p. 19). Yllö & Bograd, (1988) further point to “four major dimensions
are common to all feminist perspectives on wife abuse: (1) the explanatory utility of the constructs of gender and power; (2) the analysis of the family as a historically situated social institution; (3) the crucial importance of understanding and validating women’s experiences; (4) employing scholarship for women” (p. 12). Wife abuse isn’t considered an isolated event, but rather a result of the characteristics of the socially structured family life.

A criticism of American society is that it is based on “successive domination”. The domination of one group over another is prevalent, whether it’s gender, race, or economic based. (Schechter & Gary, 1988; Buzawa & Buzawa, 2003) This unequal distribution of power is believed to be responsible for violence in the home. Yllö & Bograd, (1988) continue with their analysis that feminists “…seek to connect our psychological analyses with understanding of the patriarchal social context, of the unequal distribution of power, and of the socially structured and culturally maintained patterns of male / female relations” (p. 17).

The feminist principals provided the social enlightenment necessary for change. The findings from feminists according to Buzawa & Buzawa, (2003) “…provide a theoretical framework to understand how a society may be predisposed to domestic violence or, more aptly, violence against the less powerful within society. It also provides insight into why particular societal responses occur and why social and legal institutions have tacitly tolerated or at times even perpetuated domestic violence” (p 68).

Children who witness violence are not only likely to abuse their spouse in marriage, but may also start acts of violence while dating (Avery- Leaf, Cascardi, O’Leary, & Cano, 1997) Even at a young age, violence against women is a learned trait
for girls who are abused when teen dating through violence seen or afflicted while in the home.

Feminist theorists view domestic violence as reflective of a larger patriarchal structure that functions to subordinate women. Marin and Russo (1999), identified several patriarchal values that have become a part of American culture. These include 1) It is the natural, God-given right of men to have power over women. 2) The male head of a household should be in charge, hold all power, make the decisions, and be responsible for determining the actions and behaviors of those within the household. 3) Masculinity should be defined by powerful characteristics: strength, agency, independence, power, control, and domination. 4) Women pose a threat to male power and therefore need to be controlled. Femininity should be defined by weakness, passivity, dependence, powerlessness, and submissiveness. 5) Female sexuality is a particular threat to male power and therefore should be under the control of men, specifically fathers and/or husbands. 6) Sexual harassment, rape, physical violence, and any other fear-induced tactics are legitimate and effective means to enforce male entitlements and to control women.

While women are the aggressor in acts of violence as well, the behavior of women in domestic violence may be different from their male counterparts. Dasgupta (2002) suggests domestic violence by women is dissimilar than that of men. Women batterers are distinct from men who engage in the act of violence. Women’s behavior toward their heterosexual partner is motivated from a different perspective than men. As well, the consequences differ from that of male batterers.
While men and women both use violence to reach a specific goal, men minimize their violence against women and blame the victim, while women often recognize their actions as a violation of their prescribed gender role. Often women acknowledge and admit to their transgressions as compared to men who often are in a state of denial.

Men often use their aggressive actions to perpetuate long-term fear in the woman. According to Dasgupta (2002), women do not use the violent act to place their male victim in a state of fear. She furthermore argues these women who batterer are often victims themselves over their lifetime. Moreover, the act of aggression is used to stop the abuse against them at the hands of another or escape the thoughts and emotions of being battered. The act of violence actually makes the women more vulnerable the violence against them by a family member or spouse. Instead of stopping the violence, it escalates and consumes the woman with anger, fear, and aggression.

Psychology of the Male Batterer

Recognizing historical views is important in understanding the thought process of male batterers. Despite modern cultural changes, these historical themes continue to influence the dominating male perspective. It is not uncommon for them to site past practices or biblical references as an excuse for their behavior. The sense of male entitlement endures all generations.

There are numerous factors that cause men’s violence against women. It is difficult to pinpoint a single cause. A review of research reveals common factors attributed to male violence such as societal, biological, gender roles, and relational. Battering can result from historical patterns in America. The patriarchal structures in
society maintain unequal distribution of power in relationships between men and women that can lead to domestic oppression. As gender roles in America change, men’s fear of the loss of power can have an effect on violence against women. Biologically, men are more powerful than women. Hormonal levels of testosterone can contribute to aggressive behavior. Gender roles learned through socialization can lead to violent behavior when men perceive their roles are comprised, such as loss of control and power. There is a tendency for men to express their emotions through physical actions. Relationally it is important for men and women to understand each other. Differing socialization roles learned through upbringing can cause misunderstandings that lead psychological and physical abuse. Viewing or experiencing domestic violence in childhood can lead to violent tendencies in adulthood.

Harway and O’Neil (1999) developed a multivariate model that explains men's violence against women. The model depicts four content areas derived from numerous factors: macrosocietal, biological, gender-role socialization, and relational. Additionally, thirteen hypotheses are presented to explain the causes of male aggression. The hypotheses are further categorized as predisposing or triggering. Harway and O’Neil (1999) state; "One of the complexities in understanding men's violence against women is differentiating between the predisposing factors that contribute to men's violence and the triggering factors. The predisposing factors represent all the societal and personal experiences that result in men using violence against women to solve human conflicts. The triggering factors are the actual situational cues and interpersonal dynamics that prompt men to psychologically or physically assault women" (p. 16).
The following thirteen hypotheses presented by Harway and O’Neil (1997) help to explain men's violence against women as related to the four content areas based on the predisposing hypothesis (PH) and triggering hypothesis (TH):

Hypothesis 1: Battering results from historical patterns in America that glorify men's violence, particularly violence toward women. (PH)

Hypothesis 2: Organizational, institutional, and patriarchal structures in society maintain unequal power relationships between men and women that tacitly or directly support domestic oppression and violence against women. (PH)

Hypothesis 3: Recent changes in gender roles in American society regarding expectations and realities of women's lives have produced men's fears of power loss and increased violence toward women. (PH & TH)

Hypothesis 4: Testosterone or hormonal levels in men contribute to violence toward women. (TH)

Hypothesis 5: Neuronatomical differences and other biological factors in men and women produce men's tendency to be violent toward women. (TH)

Hypothesis 6: Men's misogynistic attitudes toward women, learned during gender role socialization, contribute to men's violence toward women. (PH & TH)

Hypothesis 7: Men's patterns of gender role conflict (i.e., control, power, competition, and restrictive emotionality) contribute to patterns of violence toward women. (PH & TH)

Hypothesis 8: Men's unidentified and unexpressed emotions (i.e., hurt, pain, shame, guilt, powerlessness, and dependency) are expressed as anger, rage and violence toward women. (PH & TH)

Hypothesis 9: Differentially socialized patterns of communication and separate gender role cultures contribute to the potential for violence. (PH & TH)

Hypothesis 10: Psychological violence between partners can be precursors to physical violence toward women. (PH & TH)

Hypothesis 11: Women's fear of men and men's fear of women contribute to the potential for psychological and physical violence in relationships. (PH & TH)

Hypothesis 12: Both sexes' lack of the understanding of the other's gender role socialization experiences contributes to the potential for violence. (PH)
Hypothesis 13: Viewing domestic violence in the family of origin increases the possibility of violence toward women in adulthood. (PH) (p. 186).

The model captures the multiplicity of factors, hypotheses, and variables that explain men's violence against women and is designed to allow for the ability to test the multiple variables independently in research studies.

James Ptacek (1999) analyzed the tactics and strategies of male violence through the accounts of battered women. His research aimed to reveal the intentions behind the physical abuse. “Battering is the sum of all past acts of violence, and the promise of future violence, that achieves enhanced power and control for the batterer” (p. 70). According to Ptacek, the physical act is a “brutal form of communication”, which enforces men’s expectations of women.

The data used for his research were the affidavits that women filed when seeking restraining orders. The range of behaviors reported by women encompassed various types of physical, sexual, psychological and economic abuse. Four main types of strategies used by men to control women emerged from these accounts. They are categorized as 1) separation assault; 2) punishment, coercion, and retaliation concerning children; 3) retaliation or coercion regarding women’s legal action; 4) retaliation against other challenges to men’s authority. The strategies reported outline men’s deep-rooted belief that they are entitled as men to control women (Neidig, Friedman & Collins, 1986).

In a study of eighteen men receiving treatment for domestic violence, James Ptacek (1999) evaluated the male perspective of abuse. Evidence from men’s accounts of their abuse show that they shift between denying responsibility and arguing that women “deserved it”. There is a tendency for them to minimize their violent behaviors.
Bryant (1994) suggests that men who batter are likely to have witnessed or experienced abuse during their childhood. Childhood development may be the root cause of domestic violence. The child who sees or is a part of violence may carry this into later life. This includes an adolescent or adult. Rynerson & Fishel, (1993) further elaborate that “[o]f the participant characteristics childhood memories seem to reveal the most in terms of understanding the abusive relationships of couples in this study” (p. 258). In dealing with the male batterer, a cause and effect of childhood development must be part of the evaluation process when providing treatment.

Childhood experiences such as witnessing parental violence, fear of rejection, and shaming and insecure attachment can lead to an abusive personality (Arriaga & Oskamp, 1999; Dutton, 1988). Witnessing acts of violence against family member, a parent or sibling, may create a long-term scare accepting abuse as a form of control and getting one’s way point of view across in a situation.

According to Bernard & Bernard (1984), not all men who witness or are battered themselves become batterers. With treatment, male batterers are able to break the cycle of violence in a “Jekyll and Hyde affect.” The will of the individual male may prevent future acts of violence despite the impression of seeing the violence first-hand. Treatment may be the key to preventing the act of violence from becoming a way of life.

Treatment of the male batterer has been recognized as a way to intervene in the cycle of violence. Often times, however battering behavior is treated as part of an underlying problem without putting the responsibility on the batterer himself. David Adams (1998) identified five treatment models for male batterers: insight model, ventilation model, interaction model, cognitive-behavioral and psychoeducational models.
and profeminist model. Adams shows that some of the models collude with the batterers by not holding them accountable for their actions. These models fail to directly address the men's violence against women. Adams suggests that better results can be obtained by confronting their excuses for violence.

The insight model of treatment is the traditional approach that proposes emotional deficits resulting from earlier life experiences are the source of violent behavior. Psychological problems such as low self-esteem, depression, dependency, and poor impulse control are characteristic of male batterers. The approach of the insight model is that the batterer must be therapeutically bolstered before they can give up violence. The ventilation model advocates a more honest form of communication. Expressing anger and resentment openly was thought to prevent built up aggression that could lead to explosive behavior. This method contradicts the purpose of treating violent behavior. It promotes self-expression without confronting violence. The interaction model usually includes joint therapy of the abuser and the abused. The couple's combined communication deficit is identified as the cause of abuse. In this model responsibility is equalized between the man and woman. The cognitive-behavioral and psychoeducational models approach makes violence the primary focus. It is believed that non-violence can be a learned behavior. Alternative behaviors are introduced and social and interpersonal skills are taught. The profeminist model is based on the feminist belief that power and control are the impetus behind battering. In this model therapeutic interventions challenge the abusers attempt to control his partner. The focus of treatment is on the identification and elimination of violent behavior.
The varied typologies of male batterers, along with an assortment of treatment options, make it difficult to ascertain the right formula for reducing domestic violence. Research shows there is not a stereotypic batterer. Moreover, a definitive treatment option has not emerged. Given the numerous factors involved, it is nearly impossible to make an all-encompassing program. Cavanaugh and Gelles (2005) attest that, "[a]ddressing the issue of woman battering through the prism of typologies offers a number of distinct advantages: (a) It puts to rest the myths of the ever-escalating patterns of violence, as well as the notion that batterers never desist and (b) more important, typologies allows for the replacement of the one-size-fits-most intervention, with a more nuanced approach that matches the treatment to the type of male offender" (p.164).
Continued evaluative research is necessary to bridge the gap. Together, researchers and treatment providers can help each other identify and evaluate practices that are the most effective.

Psychology of the Victim
Victims of domestic violence endure both physical and psychological abuse in varying degrees. According to Arriaga & Oskamp (1999), results of physical abuse include bruises, lacerations, broken bones and facial trauma with the majority of injuries occurring to the head, face, neck and abdomen. Psychological characteristics of battered women include anxiety, low self-esteem, depression, helplessness, guilt, shame and passivity. However, it is unclear whether these characteristics existed before exposure to abuse or as a result. Research has not identified a risk profile for victims associated with domestic violence. Hotaling & Sugarman (1990) suggest any woman may experience
violence at any stage of life regardless of demographics. The presence of a violent partner appears to be the best predictor of abuse.

Victims of domestic violence are in a compromising situation. Surviving the abuse is not their only challenge. They not only suffer from physical injuries, but also the psychological pain of societal stigmas. Ptacek (1999) state “[a]ncient characterizations of women as liars and manipulators who exaggerate their suffering have assumed new forms in public discourse” (p. 70). He continues, “…some judges claim that women dishonestly seek restraining orders to gain advantage in divorce cases, win child-support settlements, or unfairly displace men from the marital home” (p. 70). There is often the notion that the victim’s behavior warrants abuse. Often, it is not until they leave an abusive relationship that they realize the extent of the abuse.

Women have a tendency to minimize the abuse they endure. Liz Kelly (1988) examined how women define their domestic violence experience. She argues that the facts of women’s accounts of their abuse can be distorted because they’re categorized incorrectly. Kelly explains “[f]or example, the terms battered woman and sexual harassment did not exist 20 years ago” (p. 115). She argues that women fail to report accurate accounts of their abuse because of sexual abuse stereotypes, minimization of the events and the victim’s inability to define their experience in relevant terms.

Women that have endured a sustained pattern of abuse suffer from battered woman syndrome. Battered woman syndrome is a pattern of psychological and behavioral symptoms found in women in abusive relationships. According to Lenore Walker (1979), a woman must have gone through at least two cycles of violence in order to be considered a battered woman. Walker based her cycle of violence on research she
conducted on 120 women that survived abusive relationships. Walker’s theory is based on the concept that abusive relationships go through a cyclical pattern that starts with psychological abuse and ultimately results in physical abuse. The cycle has three phases. The first is the tension-building phase, next is the battering incident, followed by the calm, loving honeymoon phase. Characteristically, a battered woman becomes depressed and exhibits a low self-esteem. This renders them unable to escape the abuse. They believe the abuse is their fault and therefore do not seek assistance from stakeholders who understand the legal system. Another characteristic is fear for their lives or children’s lives. This ever-present fear leads them to believe that the abuser is omnipresent or omniscient, again rendering them unable to leave the relationship (Becker, et al., 2001).

Although the concept of the battered woman syndrome (BWS) has been helped the study of domestic violence by recognizing the effects abuse has on victims, limitations have been recognized as a result of additional research conducted over the last three decades. Dutton (2009) reports that, “[t]he use of BWS to describe the experience of women who have been victimized by intimate partner violence or to explain their response to such violence and abuse is both misleading and potentially harmful. As currently defined, the construct of BWS has several important limitations: (1) BWS is often not relevant to the central issues before the court in a specific case, (2) BWS lacks a standard and validated definition, (3) BWS does not reflect current research findings necessary to adequately explain either the experience of individuals who have been battered or their behavior in response to battering, and (4) BWS can be unnecessarily stigmatizing” (p. 1). The theory of learned helplessness (Walker, 1977) has been used to
describe a victim’s lack of effort to leave an abusive relationship. Peterson, Maier, and Seligman (1993) argue that victims may appear helpless or exhibit passive behavior as strategies in dealing with violence.

Another force against women is the lack of support. Even if they summoned enough courage to seek help, they were faced with chastisement from local authorities. Their concerns weren’t taken seriously and help from law enforcement and the judicial system was regularly denied. Often having authorities and family members not support their position or recognize the abusive situation they are involved, keeps women from seeking help.

The case of Pamela Dunn is a pivotal example of the treatment women received in the legal system (Ptacek, 1999). In March, 1986 Pamela Nigro Dunn sought a restraining order against her husband of six weeks. She was able to obtain the order, but was chastised by Judge Paul Heffernan during her hearing for having a police officer accompany her to their apartment to gather her belongings. With her husband in the room, the judge declared, “This is pretty trivial….This court has a lot more serious matters to contend with. We’re doing a terrible disservice to the taxpayers here. You want to gnaw on her and she on you fine, but let’s not do it at the taxpayers’ expense” (Ptacek, 1999, p.4). Less than five months later Pamela was found stabbed, shot, and strangled at the hands of her husband. The murder sparked a public outcry in Massachusetts against the treatment of battered women in the courts, leading to feminist and media inspired changes to how women are treated in the courtroom. As a result of these efforts advocates were trained to assist battered women at the beginning of the court process.
The important lesson learned from this is if Pamela Dunn and other women in similar situations would have received less hostile treatment from the judge, she may have fared better. Seeking a restraining order is a difficult step for many battered women. It risks inciting additional violence by the batterer. It is emotionally and financially difficult for many battered women to tackle independence from ones partner. Judges reactions can have a large effect on the battered woman’s decision to remain apart from her abuser. A judges lack of concern or respect for the woman’s situation can reinforce the sense of futility and isolation that many battered women feel before they even take steps toward seeking restraining orders.

Coordination

The intensity level of public concern for family violence has gone through numerous changes since colonial times. In recent years increased media attention has illuminated the seriousness of domestic violence, making it not just a private matter, but also a public problem. The availability of aid to victims has not only become more prevalent, but more easily obtained. Additionally, increased public awareness has changed the attitude from one of tolerance to one of intolerance. Ohlin & Tonry (1989) state that “[d]espite the history of acknowledgment of family violence as a subject of public concern, the recognition of family violence as a subject for social science research is much more recent” (p. 1). The past three decades have seen a proliferation of research on the effectiveness of victims assistance programs, treatment programs, and legislation. A comprehensive approach is necessary to reduce the incidence of domestic violence. Yllö & Bograd, (1988) suggest “[i]deally, research and social action need not work at
cross purposes. Yet their integration requires careful thought, analyses, and collaboration between individuals of different disciplines and professions” (p. 24). Collaboration of all the community stakeholders is imperative. The impact of this community wide approach is dependent on the collective actions of all those involved.

Fishel & Rynerson, (1988) argue that “[k]nowing how to reduce and prevent domestic violence is very difficult at the present time given the current status of theory and research and social conditions that perpetuate violent behaviors” (p. 300). Domestic violence affects all classes and levels of society (Weitzman, 2000), but has a greater impact on some, more than others. Often males with less education, less wealth, and less family support are more likely to be batterers, but domestic violence is not limited to race, gender or class. Rynerson & Fishel, (1993) support the findings that “[d]omestic violence is a widespread problem affecting families of all races and socioeconomic levels” (p. 253).

An interdisciplinary approach to intervention requires participation at all social, legal and psychological levels. The most recognizable goals of a coordinated response to domestic violence is to punish the offenders who commit violent acts, prevent offenders from committing more acts of violence and to assist victims of violence. Programs such as victim advocacy, mediation, batterer intervention and diversion are used to obtain these goals. This coordinated approach is a move in the direction toward systemic change.

Many studies have been conducted to evaluate the effectiveness of these programs. However the variations among them have made it difficult to identify which actions could prevent reoffending. Thus there is a need to study the combined effects of a
A community wide approach (Buzawa & Buzawa, 2003). The success of batterer intervention has not been proven, but it must be included in a comprehensive approach in an attempt to change batterer behavior. Treatment may help the batterer stop violent acts, but sustained cessation is unknown beyond short study periods.

A coordinated approach is not expected to completely eradicate domestic violence. Pence and Shepard (1988) recognize that, "[s]urely we cannot expect that sending out the police to pluck batterers from their homes, using the courts to make all sorts of nasty threats of doom, and rounding up counselors and teachers to convince men to stop beating their partners will end violence against women (p. 296)".

Despite the efforts of activists, deterrent programs and new legislation, male domination continues. James Ptacek (1999) writes:

What women are asking for is an end to violence, terror, and harassment aimed at limiting their autonomy. Some 120 years after Judge Pelham condemned the practice of men beating women with objects, pulling women by the hair, choking them, spitting in their faces, and kicking them, these identical practices were found in a random sample of 100 restraining order files. The question framed by women’s testimony is, what are the best ways to support women’s move toward independence and break the ancient, yet modern control that batterers exercise over women’s lives (p. 91).

While public concern remains intense regarding domestic violence within the United States, successful treatment of offenders remains in question.

Police Response

Police departments play a critical role in domestic violence as they are often the initial contact for victims. Police officers can offer an immediate escape during a crisis situation. They are available at all hours and represent an authority figure. Another
important role police have is to act as a referral to other agencies for battered women
shelters and programs. Despite the importance of this initial contact, the inconsistency of
police response causes further problems. Each law enforcement operation differs on their
policies, and individual officers actions can vary depending on their training, and view of
the importance of stopping domestic violence.

Controversy surrounds the appropriate response of society and the criminal justice
system to domestic violence. Three different views regarding police response were
identified by Wilson (1977): 1) family violence is a private matter and should be resolved
by the disputants with arrests only used to maintain order. 2) The community should be
involved in domestic violence and criminal prosecution used to remedy the situation. 3)
The criminal justice system should intervene. Police officers are often the first outside
intervention in domestic disputes. However, early interventions by the police did not
result in arrests. The community approach to prosecute offenders would theoretically
reduce subsequent violence and provide safety to the victims. The International
Association of Chiefs of Police (IACP) training materials stance changed as a result of
class action suits against police departments. In 1967 IACP stated, “in dealing with
family disputes, the power of arrest should be exercised as a last resort” (p. 3). Less than
ten years later it was revised and the International Association of Chiefs of Police (1976)
declared “[a] policy of arrest, when the elements of the offense are present, promotes the
well-being of the victim. Many battered wives who tolerate the situation undoubtedly do
so because they feel they are alone in coping with the problem. The officer who starts
legal action may give the wife the courage she needs to realistically face and correct her
situation” (p. 3).
The police and the criminal justice system have been criticized for their failure to respond more effectively to domestic violence. A combination of political pressure, women’s rights activists and research brought about a movement for change in the police response. The feminists raised public consciousness about the inadequacies of the criminal justice system. Community-based stakeholders primarily met the needs of victims. The overload on these agencies illuminated the inability of the criminal justice system to respond to violence against women without community support from advocacy groups. This led to a united push for advocating a more aggressive arrest policy. Buzawa & Buzawa, (2003) note that “[t]oday’s mass media, national feminist and battered women’s groups, and the growing ability of special interests to influence legislation have made the movement to increase law enforcement a national rather than regional phenomenon” (p. 90).

Research connecting the criminal justice system to domestic violence influenced arrest policies. Researchers and advocates saw arrests as a means to deter domestic violence. Deterrence became the preferred crime control method for theorists. Thus mandatory arrest policies were favored (Garland, 2001). Many experiments were conducted to test these theories. One pivotal experiment was the Minneapolis Domestic Violence Experiment conducted by Sherman and Berk (1984a, 1984b). This experiment influenced many departments’ decision to adopt a mandatory arrest policy. The experiment consisted of 51 volunteer patrol officers in two precincts, who were asked to respond in one of three possible ways to a domestic violence situation. Each officer was assigned one of three choices; to separate the parties by asking one to leave, to mediate or advise them of alternatives, to arrest the abuser. In seventeen months 330 cases were
generated and evaluated for the success of each method. Recidivism was measured by arrest reports and victim interviews. The results of the experiment were that 10% of those arrested, 19% of those advised of alternatives and 24% of those removed repeated violent acts. The results showed that the arrest was the largest deterrent for repeat offenders (Bowman, 1992). Despite numerous critiques of the research and its findings, it became the most popular study in the field and had the largest impact on police departments.

The popularity of the Minneapolis Domestic Violence Experiment sparked additional federally funded research projects. These projects came to be known as the Replication Studies. In all, six replication studies were conducted in various states and by separate researchers. The replication studies failed to confirm the Minneapolis Domestic Violence Experiment findings, causing criticism for their methodology and conclusions. Bowman, (1992) found that relying on objective data causes a separation between what is being studied and the researcher. This causes a lack of data from personal accounts with the victim. Isolating one factor has also been criticized. Zorza and Woods (1994) write, “The problem inherent in police replication studies is that they isolate the initial police response from any other responses to domestic abuse and fail to realize that the effect of arrest on domestic abuse is only one of potentially dozen of issues, which should be studied” (p. 972). The deterrence theory can’t be confirmed if data doesn’t substantiate the role of the criminal justice system. A policy of not arresting goes against the deterrence hypothesis, but an arrest policy may also promote more violence (Sherman, et al., 1992). Even though arrest does not deter all type of offenders, it is still a useful tool. Regardless of the methodological problems with the replication
studies, it is apparent that an arrest policy is not the only solution to deter offenders. Buzawa (2003) further contends that “[a]rrest historically has not been used because of its capacity to deter offenders, but to serve as the primary vehicle by which offenders are brought into the criminal justice system. In addition, it is an important reminder to the victim, the offender, and society at large that particular conduct will not be permitted” (p.104).

Another factor affecting the police response to domestic violence was legal liability. Several lawsuits claimed that police departments failed to protect victims. If arrests weren’t made, then departments could be subject to fines, leading to the development of departmental policies and domestic violence training for officers. The fear of liability placed more burdens on the departments and officers to justify why arrests were not made. Thus, the influence of litigation had an impact on the police response to domestic violence (Elliott, 1989). Ohlin & Tonry (1989) continue with “[i]n practice, police typically use one of four strategies when responding to family violence crimes: (1) arrest, (2) mediation, (3) separation, or (4) no action. Emphasis on any single strategy depends on the approach endorsed by the department and by the personal view of the officer responding to the call” (p. 436). These strategies vary according to the particular views of the police department and the individual responding police officer. Most jurisdictions allow for arrest if there is probable cause for a felony charge but again, individual discretion may vary between public officials.

Increased use of arrests became the preferred method for police to separate the victim and offender. Reliance on law enforcement rather than social controls dominated the efforts to reduce domestic violence, even though the criminal justice system’s
abilities were questionable (Black, 1976; Straus, 1977). With the support from state and federal legislation, arrest became the focus of the criminal justice intervention and separating those involved in acts of violence.

Mandatory arrest policies were implemented in order to limit police discretion. The abuse itself did not lead to the arrest policy, but rather the discretion of individual officers. Officers were the ones who had to decide if they were going to arrest, separate or give a warning. The ambiguity resulting from these encounters could then be eliminated. If an arrest was made, it is more likely then that offenders would be prosecuted.

The mandatory arrest policies had a positive societal impact on victims, offenders, and deterrence theory. Arrests confirmed the status of domestic violence victims as victims of crime, not just a component of the domestic disturbance. It also aided their ability to seek legal rights. The presence of police furthered their exposure to available support services. After the arrest, the immediate threat of violence was removed, relieving the victim of additional stress. Mandatory arrests had an overall impact on offenders. Buzawa & Buzawa (2003) note “[c]ertainty of apprehension and deterrence via arrest, aggressive prosecution, forced attendance in batterer treatment programs, and “target hardening” via issuance of restraining orders has therefore become a focus of the criminal justice system with arrests serving as the typical entry point for intervention” (p. 128). Subsequent threats of punishment became more credible. The fear of punishment would inhibit further violence. The theoretical thought was that the stigmatism of being labeled a wife beater and the experience of arrest would deter recidivism. It was thought that the best time to deter deviant behavior was immediately after it occurred (Williams
and Hawkins, 1989). Society in general benefits from the arrest policy by challenging the implicit right of men to physically dominate women. Societal tolerance for abuse may lessen as a result.

Not all interactions between women and police are controversial. According to Aper, Cummins, & Carl (2003), women in their study were positive about the attention of police during the incident of domestic violence. Their research interview ninety-five consecutive women and discovered 80% of women would call police for future problems of domestic violence. Women’s interaction with police during the process of arresting a batterer, and providing the needed assistance going to a police station for assistance was upheld.

What was critical to women was the need for additional help with navigating the court system to receive a restraining order. The greater issue of the study was the lack of support finding counseling help. As with the settlement woman, advocacy groups with strong support from local women build foundations to support women, and even men, navigate the complexities of the court system. While the women were not as comfortable with receiving clear guidance about counseling, they were still willing to contact police in the future during an act of domestic violence.

According to Gilbert (2002), the stereotypes of aggressive women have serious implications upon how women are treated in the court system. When society talks about women batterers, it has severe complications upon public policy. These stereotypes place women in an aggressive role when viewed by the stakeholders within the legal system. Bad girl impressions make it more difficult for women arrested for violence to be recognized as victims as well.
Gilbert (2002) recognizes similarities to public policy opinions at large that match that of Foucault’s (1979) *Discipline and Punish* were the images of woman as the ‘bad girls’ is perpetuated. Societal impressions are shaped by these underpinnings that women “in their own right” use violence. Just as Foucault discovered a multilayered discourse of sexuality during his research, so too is a need for societal views of women as aggressor.

Publicized trials in the media often perpetuate the image of the mad or bad girl mentality of women whose act of aggression move beyond violence, but to the death of a partner. While often the heterosexual partner may have engaged in acts of violence against the woman, the court system, and the public at large watching the trial, recognize the ‘bad girl’ as described by Foucault.

Gilbert (2002) suggests that women who fail to conform to cultural norms often are viewed as “incoherent” or “discontinuous” (p. 1274). Their fate in not only based on the public point of view, but that of the court system, which may convict the female batterer without understanding the foundation of past violence against them.

Judicial Response

The latest period of battered women reform, which began in the 1970’s, sparked the judicial response to domestic violence. The actions of feminists and activists created a media storm that illuminated the reality and severity of domestic violence, thus leaving the judicial system no choice, but to respond. It took years before actions were taken against publicized judicial misconduct and harassment of battered women. As a result judges were reprimanded or removed, however, in 1987 the Massachusetts Senate Judiciary Committee supported a bill that made it harder to bring charges against judges.
Ptacek (1999) notes “[w]hen public officials assume responsibility for a problem, they generally take control in ways that reframe the issue or undermine the impetus for change” (p. 56). Nonetheless, innovations in the courts resulted from the collaborative efforts of feminist activists and the media’s spotlight of judicial harassment that together enhance domestic violence legislation.

Ptacek (1999) argues that the judicial response can be related to what battered women experience from their batterers. He uses the “power and control wheel” design by the Domestic Abuse Intervention Project in Duluth, Minnesota. The diagram maps the behavior of batterers as related by the victims. It shows that power and control rather than physical abuse is the main theme in a violent relationship. Ptacek followed this model in constructing two similar models of women’s experiences within the judicial system. He shows how judges can either reinforce the power of men who batter or empower battered women. Further analysis by Ptacek (1999) suggests “[t]he indifference and mistreatment women experience in the courts mirror, in a number of ways, the abuse women suffer from their partners” (p. 173). The judicial responses he identified as reinforcement of women’s entrapment are; courtroom intimidation, condescending or harsh demeanor, furthering women’s isolation, minimizing, denying and blaming, neglecting the needs of children, colluding with violent men, blindness to economic aspects of battering and neglecting women’s fears. He summarizes the judicial empowerment responses as; making the court hospitable to women, supportive judicial demeanor, connecting women with resources, taking violence seriously, focusing on the needs of children, imposing sanctions on violent men, addressing the economic aspects of battering and prioritizing women’s safety. Ptacek reports that more judges are now
taking responsibility for reforming the courts response to domestic violence. Institutional change can be brought about through the development of resources in individual court systems such as treatment programs, and community participation in the form of shelters and educational programs.

The increase of arrests made by police departments as a result of pro-arrest policies has in turn caused a proliferation of cases to be prosecuted. Without additional staffing and time, the prosecutor’s office was burdened. In turn, the prosecutor’s office had to screen cases, minimizing the efforts of the police departments and creating another hurdle for victims. (Balos & Trotsky, 1988; Buzawa & Buzawa, 2003). According to Buzawa, because of budgetary and staffing pressures, prosecutors were forced to reduce caseloads by dismissal or diversion from the criminal justice system. Often, the power to plea bargain, and therefore reduce time committed to a case took president over preparing for a lengthy trial. Davis and Smith (1995) point out that the effect of mandatory arrest policies has moved the focus from the discretion of the arresting officer to the discretion of the prosecutor.

The complex relationship between victims and prosecutors hinders the judicial process. Buzawa & Buzawa (2003) write, “[v]ictims of most crimes assume that once criminal justice processing is commenced, the procedure is straightforward” (p. 87). There is often a misunderstanding on the part of the prosecutor’s office as well. The prosecutor staff cannot understand why victims refuse to leave abusive relationships or assist in the prosecution of their offenders. Both the attitudes of victims and prosecutors reinforce police officer’s reluctance to become involved in domestic violence cases. The
complexity of interactions between all parties involved has a negative impact on the criminal justice system as a whole.

Victim support and victim advocacy programs have been established in many prosecutors’ offices to improve the victim-prosecutor relationship. In some jurisdictions support is received through affiliated agencies, such as shelters or social welfare programs. Two types of advocacy programs exist. One provides information to the victim as a supportive measure and another promotes participation and commitment to the criminal justice process. The main purpose of victim advocates is to assist the victim in dealing with the unfamiliar process of the criminal justice system (Cahn 1992; Hart, 1993; Buzawa & Buzawa 2003).

Programs for victims of domestic violence are an integral part of a comprehensive approach to preventing violence. Domestic violence agencies provide aid to victim in the forms of crisis intervention, counseling, emergency shelter, and legal advocacy. Crisis hotlines are available to provide information and resources to victims. Shelter services allow the victim time to reevaluate their lives, explore their options and seek legal help. Domestic violence agencies are staffed by volunteers and licensed professional that can provide counseling and legal assistance.

Advocates for battered women support women through the legal proceedings and social systems. They provide a link between the victim and institutional agencies such as police, attorneys, and public housing. Research shows that women who use advocacy services are more likely to follow through with seeking legal help (Bennet et al., 2004; Weisz, 1999; Hart, 1993). Battered women receive counseling through victim services to help them understand how violence impacts their lives. Some examples include; trauma
therapy, assertive communication, problem solving, vocational counseling and self-esteem building.

Weisz (1999) conducted a study on the effects of legal advocacy for domestic violence survivors. The study used data from interviews with domestic violence survivors and advocates to demonstrate the success of legal advocacy. The research was conducted in DuPage County, Illinois, where the domestic violence protocol calls for mandatory arrest with a no-drop policy. Additionally, court-ordered treatment for batterers and active outreach for victims is used. According to Weisz (1999), survivors were usually confused, doubtful and lonely when trying to handle proceedings on their own. The advocates offered support, gave women information about the legal system, and informed them about counseling and advocacy services. They also assisted with obtaining protective orders and helped during the prosecution process. The interviews revealed that the advocates were able to meet the needs of the survivors and effectively assist them in taking further legal action. Weisz illustrates, "[w]hen survivors feel that they are struggling alone to cope with their confusing and powerful attachments to their partners and children, as well as to cope with the confusing and powerful legal system, an advocate can be a very powerful ally. Advocates provide physical presence, empathy, and vital information. This model of active outreach, physical accompaniment, and support goes beyond the empathic presence that many therapists can offer during office-bound sessions" (p. 12).

A comprehensive victim advocacy program can have a positive effect by sensitizing the prosecutor’s office to issues involved in domestic disputes, providing
critical support to woman with limit resources and through referral to other agencies and services.

Historically, there has not been a comprehensive approach judicially to domestic violence. Many judges, however, are willing to experiment with innovative approaches. The evolution of the criminal justice system is culminating in a systemic change. Media, advocates and activists have educated the general public. In the past judges minimized domestic violence cases, thus dismissing them (Parnas, 1970). Additionally, sentencing of offenders was lenient.

After the passage of a domestic violence statute in Ohio designed to sensitize prosecutors to victims of domestic violence, research was conducted on all of the domestic violence assault cases in 1980. All of the cases involved injuries, however they were classified as misdemeanors. The results of the study revealed that the sentences imposed showed how the crimes were trivialized. The study consisted of 1408 cases. 81% of the cases were dismissed. Of the remaining 256 cases, 166 were found guilty. Probation instead of imprisonment was the sentence in two thirds of the cases. Only 60 offenders received any jail time (Quarm & Schwartz, 1983).

There are few efforts made to coordinate the actions of the judiciary. Unlike law enforcement there is no legislated consistency among judges nationwide. The Federal Violence Against Women Act (1994) established standards, and provided technical assistance and funding improvements to courts in an effort to spark a proactive response. Some innovative changes have developed within the judicial system. Among these innovations are court-sponsored diversion programs. Court-sponsored mediation and
court-mandated batterer counseling are two models of diversion programs that have been developed.

Court-sponsored mediation programs consist of a professional intermediary with referral coming from the prosecutor or an advocate. Through an impartial mediator, parties are shown how to resolve their conflict. Additionally, for the purposes of domestic violence mediation, parties are taught techniques for expressing anger and the victim is given guidance about legal rights. Parties are also counseled individually preceding joint sessions. Some programs only accept couples in which an assault was admitted (Thoennes, et al., 1995; Hilton, 1993; Buzawa & Buzawa, 2003).

Court-mandated batterer programs are programs mandated by the court as a condition for pretrial or as a part of sentencing. Their intent is to change the behavior of the offender. There is a growing realization that sentencing without treatment is ineffective. Batters are a diverse group with varied behaviors that ultimately manifest in a violent assault. Some batterers drop out of programs for reasons outside the treatment and abusive behavior (Pirog-Good & Stets, 1986). Treatment programs are therefore necessary to address these deep-rooted characteristics including additions, self-esteem and a violent history. It is hoped that this method of rehabilitation would reduce recidivism (Dutton, 1988; Saunders, 1993).

There are several components of batterer treatment programs that need to be taken into account. These include, the desire for the batterer to be rehabilitated, classification of typologies of batterers and the timing of treatment. Treatment programs operate with the assumption that batterers will change their behaviors after altering their attitudes or learning coping mechanisms and interpersonal skills (Harrell, 1991). It has been assumed
that character traits that lead to domestic violence are the result of learned behaviors. It is then also assumed that new behaviors can be taught. Understanding the different type of offenders and designing specific programs for them is important. Not all offenders can be placed in standardized treatment. The diversity of batterers must be considered for programs to be effective (Gondolf, Fisher, & McFerron., 1988; Saunder, 1993). Timing of treatment is also an essential component. Early intervention is critical, thus, treatment should begin immediately after an incident.

Typically, the court is involved through the initial diversion of the offender before trial. Buzawa & Buzawa (2003) write “[s]uspension of prosecution is a critical element to diversionary use of counseling. In such instances, the criminal case is not heard or the sentence is suspended if the offender agrees to and attends required counseling sessions” (p. 227). If completion of the program is successful, then the charges are dropped and removed from the offenders record. Failure to successfully complete the program results in prosecution.

A recent innovation is the creation of domestic violence specialty courts. The number of courts nationwide continues to grow, currently over two hundred (Karan, Keilitz, & Denard, 1999). A specialized domestic violence court is an integrated system that handles civil protection orders and criminal domestic violence cases. It offers a comprehensive approach to the victim-offender relationship. Additional components of the specialty courts consist of counseling, treatment programs and victim resources. Court personnel receive training specific to domestic violence.

Buzawa & Buzawa (2003) identify three primary reasons for domestic violence specialty courts. The first reason is to provide centralized court proceedings. If there is
more than one charge involved, a case could potentially be heard in multiple courts, i.e., criminal and civil. Often these cases result in differing decisions. One specialty court handling all charges involved could eliminate overlapping decisions and uncoordinated, confusing procedural requirements. Another advantage is to reduce the flood of domestic violence cases into the criminal courts. Domestic violence cases receive lower priority that could be detrimental to victims. The third advantage to a specialized court is the ability for victim advocates to have improved cooperation with the prosecutors. A general court cannot be familiar with every type of offense.

According to the National Institute for Justice (2003), studies of court-ordered batterer intervention programs show that these programs did not have a significant reduction in recidivism. The findings, based on studies done in Broward County, Florida and Brooklyn, New York, showed little or no effect and minor improvement, respectively. The Broward County study found only small effects for some program participants. Researchers found that batterers, who were employed, married or owned their own homes or had some stake in the community were less likely to reoffend. The Brooklyn study found that batterers who attended program sessions for a longer period of time committed fewer acts of violence. According to these studies, however, batterers' attitudes towards domestic violence overall were not changed.

Gondolf (1997) evaluated recidivism of four batterer programs located in Pittsburgh, Pennsylvania; Denver, Colorado; and Dallas and Houston, Texas. The study consisted of both court-ordered and voluntary batterers. Follow up reports indicated that 79% of the victims reported at least one reassault during the fifteen month period following treatment. The reassault rate was higher for dropouts than those that completed
the program. It was also discovered that voluntary participants were more likely to recidivate. Gondolf concludes that although the programs contribute to cessation of violence, it is only short lived.

In a study of the effects of batterer treatment on recidivism by Gordon and Moriarty (2003), findings showed that attending treatment had no impact on recidivism when comparing treatment completers to treatment non-completers. Although the analysis revealed that treatment does not affect recidivism, the number of treatment sessions attended was important in predicting domestic violence recidivism. Additionally, completion of all sessions reduce the probability of domestic violence rearrest. Babcock and Steiner (1999) reported a statistically significant reduction in repeat offenses in their study of a coordinated domestic violence intervention program that took place in Seattle, Washington. Their study measured recidivism of domestic violence after arrest and completion or non-completion of a coordinated treatment program involving the courts, probation officers and treatment providers. Although the statistics were favorable, there was only a small reduction in domestic violence overall. While their finding indicate that completing treatment is related to reduce rates of domestic violence, the program completers are not necessarily representative of the batterer population. The batterers that complete all sessions of treatment most likely have more of a stake in the community and have more to lose upon failure.

Success of batterer treatment programs remains unclear. Measuring success has proven to be difficult, given the many variable and methodological issues affecting study result. Studies suggest that recidivism rates are high, with an estimate of 40% to 80% repeat offenses (Garner, Fagan, & Maxwell, 1995; Shepard, 1992; Stover 2005). Stover
(2005) suggests, "[m]ethodologically, there is a need to integrate multiple approaches to
domestic violence research including cross-sectional and longitudinal approaches to
quantitative research together with qualitative methods (p. 452). Statistics alone cannot
prove the success of the programs. According to the National Institute for Justice (2003);
"A final concern is broader in scope: Is a mere reduction in violence enough? These
studies considered a reduction in violence to be a success based on the premise that it is
unrealistic to expect batterers to abandon violent behavior after one intervention. But a
‘statistically significant reduction in violence’ may mean little to a battered women”
(p.4).

The success of a specialized court depends on the judge’s commitment to ending
abuse and the availability of resources. Buzawa & Buzawa (2003) elaborate with
“[s]uccess…depends on the development of therapeutic jurisprudence in which the judge
must not only dispense ‘justice’ but also develop and supervise a sentencing structure that
will rehabilitate the offender” (p. 251). Establishing a specialized court requires
additional resources initially. Since the specialized court coordinates all civil and
criminal actions related to a specific couple, it reduces the burden on other courts in the
system. The initial investment will better serve the community and long term may save
the criminal justice system money.

Treatment Programs

It was not until the late 1970’s and early 1980’s that programs were developed to
treat male batterers (Sonkin, 1988). The focus of domestic violence was often on
educating the women or victim. Programs for assistance during domestic violence
concentrated on the needs of the women. A program such as Victim’s Assistance and Battered Women’s Shelter were concerned with the needs and anxieties of the women, but was not a focus on the male batterer. The root cause of the problem, the male offender, was not considered for treatment.

Treatment of the male batterer is critical to the reduction in domestic violence cases. The question is whether court-mandated programs have an effect on reducing domestic violence. Moreover, is volunteering for treatment because of pressure by the court enough to prevent future incidents of domestic violence? The pressure of the court personnel may force a batterer to enter the court-mandated treatment program, but this does not mean they are willing to listen and learn from the program. Tolman & Bennett, (1990) further elaborate that “[m]en who have witnessed abuse in childhood may for some reason be more likely to volunteer for or continue treatment” (p. 102). Therefore, those that volunteer, even if court-mandated, are more likely to prevent future occurrences of domestic violence.

Tolman and Bennett (1990) argue that court-mandated programs are no more effective than volunteering for social programs or counseling. As suggested, a batterer will not receive the treatment necessary if they are unwilling to commit to the program. According to Bryant (1994) “[c]ourt involvement does not appear to substantially increase treatment follow through” (p. 234).

The need for court-mandated programs may be essential to the reduction of domestic violence. Males are less likely to know about treatment programs as they are not as well publicized as those for women. Tolman & Bennett (1990) continue with “[s]tudies suggest that treatment may be less likely to reach younger, less educated, lower
income, and minority men” (p. 102). Court-mandated treatment may be the first time male batterers realize there are programs for them with treatment. Having not known about the programs available to stop domestic violence, court-mandated treatment programs can be a positive, first step for the offender.

Programs that deal with the males psychological needs individually or in a group is critical for reduction in domestic violence. Bryant (1994) notes that “group intervention is the most effective form of treatment for offenders” (p. 235). By understanding and hearing the problem of other males, the offenders may more clearly see and understand the problems they have with domestic violence. Through group counseling, offenders can listen and learn from other batterers. Gleason (1997) confers that “[t]here is little a batterer intervention program can do to change characterological features in a batterer’s core personality” (p. 50). If an offender is to advance within court-mandated education, three steps must be present according to Gleason. One is strict attendance to all meetings. Two is requiring batterers to pay for the educational program. Three is removal of uncooperative offenders.

Although some differences emerge, when demographically matched, court-ordered and voluntary men seem more similar than different. There is no evidence that would support separate groups or other differential treatment for court and non-court mandated men. Tolman & Bennett (1990) argue “[e]xpected differences among the groups are probably diminished by the fact that few batterers actually come to treatment voluntarily” (p. 100). They further note all offenders of domestic violence will rebel against treatment whether they volunteered for the program or were ordered to attend by the court. Court-ordered treatment programs for male offenders are more difficult and
clients resist the counseling. Court mandates can require treatment, but treatment success is not always a condition of completion of the program.

While courts may mandate treatment, DeMaris and Jackson (1987) agree volunteerism is more feasible. Volunteers must commit to three premises: 1) enter a program voluntarily, 2) agree there is a problem, and 3) want the violence to stop. Without the commitment to the program, court-mandated offenders are less likely to succeed. Therefore, the need for treatment that the court does not mandate is essential, even if all volunteerism is still considered forced. Sonkin (1988) agrees that there is a difference between court-mandated versus self-referred male batterers.

Stakeholders must work through multiple hurdles when dealing with offenders. Tolman & Bennett (1990) note “[m]en mandated by the courts to attend intervention programs create a dilemma for practitioners” (p. 98). If offenders are not volunteering for the program, they are less likely to complete the program. Not completing the program leads to repeat trouble with violence and therefore does not solve the problem of recidivism.

Often, those offenders who have family support are more likely to complete the treatment program and remain clear of domestic violence. Sonkin (1988) argues “[i]ntervention studies consistently point to the possibility that some men who batter can indeed change their abusive behavior, at least for a time.” With family support and help, male offenders can stop the repetition of violence and break the cycle of violence so prevalent in society.

Problems exist when measuring recidivism because of discretionary judgment of police and court personnel (Dutton, 1986). Police are more likely to re-arrest a person
whom they have arrested for domestic violence in the past. Where a first time call of
domestic violence may receive nothing more than a stern lecture from an officer, police
may bring up a previous offender on charges for the smallest of incidents. As well, court
personnel are more apt to push for charges and convictions of repeat offenders, therefore
creating a higher level of recidivism.

Various undertakings have occurred to determine the effects of treatment for
domestic violence offenders. Though the recidivism rate may have some flaws, the use
of recidivism can determine the successful outcome of treatment. DeMaris and Jackson
(1987) have used statistical analysis to detect the effects of treatment and recidivism.
They argue “[t]he recidivism rate for the sample as a whole was 35 percent; thus,
according to former clients’ reports, 65 percent of these men have not been violent since
termination of counseling” (p. 462). Using this as a source of information, the
determination of court-mandated treatment can be discovered. A comparison between
just court-mandated and all treatment will help to learn if court-mandated education is a
better approach to ending domestic violence.

Although much research exists on the causes of domestic violence, recent
research has concentrated on the efficacy of treatment and the occurrence of post
treatment recidivism. A review of domestic violence efficacy and post treatment
recidivism literature conducted by Sartin, Hansen, & Huss (2006), reveals considerable
discussion about the effectiveness of intervention. Although research studies report
decreases in recidivism rates as a result of treatment, there are many variations and
factors that suggest further research is necessary for comparison studies.
Variations in samples used for research can have an effect on post treatment recidivism. Sartin, Hansen & Huss (2006) found in regards to court-mandated samples, "individuals who are involved with the legal system and mandated to attend treatment are likely to differ significantly from the evince dissimilar response styles as compared to a community recruited population that knows that the information obtained in assessment is not going to be utilized in an aversive way" (p. 427). Other factors include attrition rates, difficult of random assignment, and measurement methods. Additionally, the definition of recidivism varies across studies making it difficult for comparison. Measuring categories of recidivism as opposed to measuring recidivism against no recidivism could prove to be beneficial. Difference in batterers' behaviors as a result of treatment, such as number of assaults, length of time between assault, and rates of re-arrest for assault are also important in understanding the effectiveness of treatment. (Dutton, 1997, Sartin, Hansen & Huss, 2006) This approach could aid researches in presenting a comprehensive picture of the effectiveness of treatment and intervention in domestic violence.

Sartin, Hansen & Huss (2006) concludes that, "[u]ltimately, domestic violence theorists and clinicians, need to recognize the complicated and multifaceted nature of domestic violence. Integrated theories can guide more realistic research, which could in turn provide avenues toward intervention and prevention. What the literature increasingly shows is that the concept of intervention/treatment for domestic violence needs to be expanded" (p. 438). By expanding the research foundation of domestic violence, a study of this nature regarding a domestic violence program would expand the literature and provide additional information to interpret and analyze.
Akron Family Violence Court

In 1998, The Akron Municipal Court created the Family Violence Court (FVC) specifically to deal with cases of domestic violence. Since the Ohio Domestic Violence Act was enacted, the number of domestic violence arrests has grown dramatically (Brigner, et al, 2003). The Family Violence Court was created in response to this increase in order to provide a sanctioning option and to reduce jail overcrowding. Through the court, the needs of both victims and offenders can be addressed, probation supervision is enhanced and public safety is preserved.

The Akron Family Violence Court is a diversion program. The program is a combined effort of the Akron Municipal Court, Akron’s prosecutor’s office, police departments, the Battered Women’s Shelter, Oriana House, Inc., and the Public Defender’s office. This comprehensive approach provides an increased supervision of the offender as well as an increased level of services for all parties involved. Offenders who enter the program are required to complete a twenty-six week violence cessation program. They receive case management, one year of probation, drug and alcohol testing and counseling and employment counseling. The victims can receive counseling through the Battered Women’s Shelter and have access to a victim advocate who will help them through the court proceedings.

Participants are monitored throughout the yearlong term of the program while attending weekly treatments. Rewards or sanctions are handed out by the judge as required by the rules created in the court system. Those who comply with all of the requirements and successfully complete the program are eligible to have their cases dismissed. If there are any problems or additional police charges, they will be discharged.
from the program and their sentence of guilt imposed including a possibility of jail time up to one hundred eighty two days.

The program is open to 250 qualified participants during a year. They are given a choice to voluntarily enter the treatment program, or proceed through the regular court docket with a trial. Those individuals who choose to enter the program must enter a guilty plea for the record. Termination from the program would result in a finding of guilty on the charge of domestic violence. If participants successfully complete the program, after one year the charge would be dismissed and the case expunged from their permanent record. In order for the case to be overseen by the court, the offender must qualify for probation or other community placement. Eligibility is determined by the Akron Municipal Court’s Probation Department. The arraigning judge will set a $5,000.00 signature bond, which will allow the defendant to be released from jail. The judge will also sign a criminal Temporary Protection Order (TPO) on behalf of the victim, making it illegal for the offender to have contact with the victim. If violated, a new criminal charge could result.

The variables for inclusion in the Family Violence Court program include:

I. The victim is a spouse or significant other
II. Incarcerated offenders only
III. Four or fewer contempt citations
IV. No more than one nonviolent felony conviction
V. Two or fewer prior misdemeanor convictions
VI. One prior domestic violence conviction for the first-time felony domestic violence program
VII. No reasonable objection from the victim
VIII. Prosecutor and police approval

Oriana House

The purpose of the court-mandated treatment is to educate offenders about domestic violence. As demonstrated previously in this chapter, men tend to minimize their abusive acts. It is necessary for them to recognize their behavior as abusive and to learn to identify tendencies that lead to this behavior. The Oriana House is a key component in the Akron Family Violence Court program. This organization administers the Domestic Violence Time-Out and Diversion programs. The intensive twenty-six week violence cessation program is intended to educate batterers in group settings in order to prevent further cases of domestic violence. Batterers and victims are not within the same program. Program needs are assessed for each participant and an individual plan is developed.

The syllabus for the 26-week Time Out Diversion program includes the following:

<table>
<thead>
<tr>
<th>Week</th>
<th>Topics:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Introductions. Time-out rules, goals, expectations, statistics, and history of time-out</td>
</tr>
<tr>
<td>2</td>
<td>Your Story of Domestic Violence. Why are you in the “Time-Out” program? What happened, when did it happen, who was involved, where did it happen. Discussion on how insight into your incident can help in the future.</td>
</tr>
<tr>
<td>3</td>
<td>Human Behavior, Needs and Motivation. What motivates humans and some of their behaviors? Basic and advanced needs. Issues related to power and control. Motivation to change.</td>
</tr>
<tr>
<td>4</td>
<td>What is Domestic Violence and Abuse. The law, Ohio Revised Code 3113.31 DV, stalking, Temporary Protection Orders (TPO’s) and Capiases Protection</td>
</tr>
</tbody>
</table>
Orders (CPO’s). Definition of abuse, e.g. verbal, emotional, sexual and physical. Public attention to domestic violence and abuse.

5 Cycle of Domestic Violence. Explanation and examples of tension-building phase, anger expression or violent phase, and honeymoon phase: in addition to discussion on what holds a person into tolerating the cycle. e.g. love, hope and fear.

6 Time-Out Rules and Contract. Explanation of the time-out rule, when to take one, and the contract with their significant others. Review specific steps (cooperation, communication, announcement, time-out, and return).

7 Children and Domestic Violence. Video- It is Not Always Happy at My House. Discussion on cycle of violence, rules played with children, what children are learning, and how children are affected by domestic violence. Apply to cycle of violence.


9 Anger (Part II). Coping and anger management strategies.

10 Being Male/Female. Gender differences, expectations, roles, and confusion.

11 Relationships and You. What do you like and/or dislike about a mate/partner (conflict resolution)? What was going on in your relationship reflecting your story?

12 Values, Ethics, and Belief System. Defining values and ethics. Understanding your belief system and what role it has in your life.

13 Self-Esteem. Who are you, how do you see yourself, your development, and influences on self?


15 Decision-Making. Choices, consequences, scenarios, problem-solving skills-identify, option/alternatives, weighing the positives and negatives, solving the problem.

Addictions and Domestic Violence (Part II). Recovery and warning signs, symptoms, relapse, and mental illness.


Assertive and Aggressive. Discussion, what is the difference? What helps us in a positive way? Role-playing.

Your Life Story. Writing your obituary and/or eulogy. Obituary-notice of death, short biography. Eulogy is “to praise”, to speak or write in high praise of a commendatory formal statement or set oration.


Conflict Resolution (Part I). Fighting fair, the rules. Boundaries, protecting ourselves.

Conflict Resolution (Part II). Practice/role play, pair off. Scenarios

Discussion of Your Life Story. Review, sense of direction for future.

Final Review of Cycle of Violence.

Closure – Lessons Learned. Discussion, community resources.

Participants must sign a contract agreeing to participation requirements, group rules and behavior rules in order to participate in the program. A violation of the contract can result in dismissal from the program. Failure to follow an order of the court could lead to additional charges of contempt of court. Contempt charges are at the discretion of the presiding judge of the Family Violence Court program and may include jail time or suspension from the program.

Battered Women’s Shelter

The Battered Women’s Shelter is another important component of the Family Violence Court Diversion Program. It is a crisis center that serves to provide protective
shelter for women and children fleeing an abusive situation. The shelter is open twenty-four hours a day, provides meals and offers victims a place to stay. In addition, victims are able to receive support, education, clothing and personal items. Intervention specialists are available to educate the victims of their rights and options related to court proceedings and protection orders.

Two classes are offered through the shelter to help victims understand the complexities of domestic violence. The Early Intervention Program (EIP) is designed to educate on the dynamics of abusive relationships. Lenore Walker’s (1979) cycle of violence is discussed as well as other characteristic violent behavior. Participants are also offered ways to cope with stress, anger and emotions. Stop the Cycle is another class offered at the shelter that focuses on the effect of domestic violence on children. Exposure to violence both personally and through witnessing can be traumatic for children. Participants are taught coping strategies, parenting skills and methods to lessen the long-term impact of violence on their children. This training will help equip victims to identify and interrupt the cycle of violent behavior in their relationships and families.

According to Maslow (1943), our actions are motivated to achieve certain needs. Victims’ development is hierarchical and fulfilling basic needs is a critical first step. Before a victim can progress to love, self-esteem and self-actualization, advocates must meet victims’ immediate concerns. The priority of physiological requirements of food and shelter and then personal security and stability are essential. Advocacy groups follow this important pyramid structure of needs with the foundation of physiological, safety, before working on love or belonging, self-esteem and finally self-actualization.
Domestic violence shakes the very foundation of a victim. The most basic needs of shelter including sleep and warmth and daily requirements including food and warmth may be taken away from a victim when an act of violence occurs. Often, the abusive spouse denies these basic needs by not providing the financial security required for daily living. Threatening to kick a victim out of their known surroundings provides further stress in a domestic violence case. Without these basic physiological needs, victims are at unease to where they will be next in their life and protection for their family.

The second tier of safety is now placed into question as well with fear and security becoming an issue. Stability and freedom become less secure and safe after acts of aggression. Security is critical when a batterer has threatened or physically harmed a victim. This follows with losing a sense of love and belonging with family when a lover or spouse threatens the victim.

When dealing with victims, advocacy groups work to instill a greater understanding of Maslow’s theory in the protection for victims and their families. By providing shelters and a system of support outside the victim’s current surroundings with the batterer, advocates provide the foundation necessary for victims to testify in court about the acts of violence against them. These stakeholders also provide the necessary, immediate answers needed to meet the physiological and safety concerns as addressed by Maslow.

As victim advocates and stakeholders in the court process, advocacy groups explain the court process to give the victim stability and freedom from fear. Many advocacy groups such as Victim Assistance provide undisclosed locations for the victim.
Providing basic needs for the victim and family, advocates provide an essential foundations for victims during domestic violence.

The Battered Women’s Shelter also provides a legal advocate to the victim identified in the Family Violence Court case. This advocate will stay in touch with the victim while the offender is going through the program. The victim will be informed of the progress the offender is making. The advocate will be available to answer any questions the victim might have regarding the legal process and will be able to provide crisis intervention if needed.

Summary

Presented in this chapter is an overview of the transformation domestic violence awareness has undergone. Domestic violence has permeated civilized societies for ages. Positive change in domestic violence laws, social reforms, treatment options and community outreach has been realized in recent history as a result of public awareness initiatives. Derived from feminist initiatives and social reform, societal perceptions have changed regarding the acceptance of domestic violence. What was once seen as a private family matter is no longer tolerated in modern society.

Police have responded by implementing mandatory arrest policies and increasing training for responding officers. The judicial system has become more sensitive to victim's needs, resulting in the implementation of training for court personnel. Court sponsored diversion programs have been created in the forms of mediation and batterer treatment. Additionally, specialty courts have been created in an attempt to coordinate a comprehensive system to reduce recidivism through victim services and batterer
Treatment programs. Victim advocacy programs were implemented to inform victims and allow them to safely and effectively participate in the justice system.

Psychological research for both victims and batterers contributes to the creation of new programs. As there is not one solution, continual research is needed to determine which options work for different types of offenders. Understanding psychological factors that predispose violence is important in creating effective victim assistance and batterer treatment programs. A thorough knowledge of domestic violence is critical for the design and implementation of new policies and more effective interventions.

Domestic violence remains a public policy concern for stakeholders to undertake. The financial burdens to deal with increased cases overloading the work of police officials, court personnel, and treatment providers, need addressed. With many researchers questioning the outcomes of court-ordered treatment programs, an assessment of the success against the backdrop of doing nothing at all must be endeavored.

Long-term protections for victims and reducing recidivism have a direct effect on society. Jail overcrowding may be positively impacted with offenders paying to go through a treatment program instead of being sentence to an extended jail sentence. Instead of taxes paying for treatment programs while the offender is incarcerated, offenders can remain working at their jobs while still be monitored by the court probation officials. Regular meetings before the judge and court personnel maintain a close watch over the offender while still allowing them to work.

Despite disagreement on the overall effectiveness of treatment in reducing recidivism, many researchers agree that domestic violence treatment programs produce positive changes in the batterers (Sartin, 2006). The efficacy of court-mandated domestic
violence diversion programs as related to batterers will be discovered and analyzed for future work. If offenders are educated about their aggressive behavior, then the community and citizens may be more safe.

The accumulated research to date has culminated in a multifaceted approach. The next step is to evaluate the effectiveness of this comprehensive approach. Furthermore, research should measure the impacts on battered women as well as recidivism of batterers. Merging causal research with intervention and rehabilitation research may bring the systemic change that stakeholders are seeking. Additional research is needed to analyze the effectiveness of the current approach. This collaborative research is necessary to bridge the gap between advocates, practitioners and policy makers in a consorted effort to bring about the end of domestic violence. Through these initiatives battered women will be able to realize the effects of social justice.
CHAPTER III

METHODOLOGY

Research Questions

This research proposal is designed for the Akron Municipal Court’s Family Violence Court program to determine if educating court-ordered male offenders (batterers) about domestic violence decreases the number of repeat escalating domestic violence incidents. Court-ordered education may have a causal effect on recidivism of offenders and more especially male batterers. Treatment programs address the needs of the offender and the psychological history that may cause domestic violence. By treating the offender, the likelihood of repeating acts for domestic violence may decrease. The recidivism rate has consensual validity as a good measure of a batterer’s ability to reform. The operational definition of a batterer is considered a recidivist if, during or within one year following completion of a court-ordered educational program, officers charge the offender with domestic violence or equivalent violent offense.

The authors’ assumption based on the literature review is that court treatment programs have a negligible effect on reducing recidivism. Public administrators will celebrate saving a few individuals from going to jail, but the cost of running a program for the stakeholders involved will not be beneficial. Offenders will continue the behavioral patterns and treatment will not alter their likelihood of becoming non-recidivist.
The Family Violence Court program research design tests cause and effect relationship between variables. The study’s classic experimental design specifies a treatment group and a control group. The independent variable, court-ordered treatment, is administered to the experimental group and not the control group, and both groups are measured on the same dependent variables.

Three types of ex-post facto designs, designs not including a hypothesis, those having a hypothesis, and designs that test alternative hypothesis basically exist (Newman & Newman, 1994). The study included alternative hypotheses for testing. The predictor variables consisted of age, race and gender.

Table 3.1
Domestic Violence Treatment Cause and Effect

<table>
<thead>
<tr>
<th>CONSTRUCT</th>
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</thead>
<tbody>
<tr>
<td>Educated offenders</td>
<td>decreases</td>
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</table>

<table>
<thead>
<tr>
<th>VARIABLE</th>
<th>VARIABLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>As court ordered offenders are educated</td>
<td>decreases</td>
</tr>
</tbody>
</table>

History of Akron Municipal’s Family Violence Court Program and Education

In 1998, the Akron Municipal Court created the Family Violence Court specifically to deal with cases of domestic violence. The program is a diversion program. Restrictions are placed on those offenders who may enter the program. Those batterers accepted into the Family Violence Program have the opportunity to be part of an
educational program (Time Out and Time Out II). After pleading guilty to the domestic violence charges and successful completion of the treatment, batterers have the charge of domestic violence removed from their record. The court, through Judge Callahan, actively meets with the batterer and counselors each Wednesday to check progress. Any problems that arise or additional police charges against the offender results in them being discharged from the program and their sentence of guilt is imposed.

The educational program, Time Out, has been in existence since 1983. This ten-week program is to educate batterers’ in-group settings into resolving conflict and prevent further cases of domestic violence. Batterers and victims are not within the same program.

Time Out II deals with the most violent of offenders and designed to deal with the court-ordered offenders. Besides the first ten weeks of Time Out, an additional sixteen weeks of intensive group therapy, for a total of twenty-six weeks, is required. Both programs deal with the problems of the offender including alcohol, drugs, and loss of job, finances, marital conflict or past history. After completion of the education program of Time Out, the offender has hopefully learned how to prevent future problems with domestic violence.

Methodology

The proposal is to discover if Akron’s Family Violence Court program can successfully mandate domestic violence batterers to receive treatment and reduce recidivism. Using secondary data collected from the court, a statistical program can be designed to compare the recidivism rate of those mandated by the court for treatment and
those that do not receive treatment. If the rate of recidivism is less for treated batterers than those that are not treated . . . the Family Violence Court’s mandated treatment is assumed to be beneficial. If there is an insignificant difference in recidivism between the mandated and no treatment . . . the treatment program is not beneficial.

The comparison between court-ordered and no treatment will be for one year. As the Family Violence Court is a new endeavor, direct past comparisons are not available. One-time observation of successful implementation will cause problems with the validity of the research. Empirical testing of the court program should occur over the next several years to ensure accuracy of the results.

Research Experimental Design

A nonrandomized control-group; pretest - post-test design is used.

<table>
<thead>
<tr>
<th></th>
<th>Pretest</th>
<th>Treatment</th>
<th>Post-test</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court treatment group</td>
<td>O₁</td>
<td>X</td>
<td>O₂</td>
</tr>
<tr>
<td>Control group</td>
<td>O₁</td>
<td></td>
<td>O₂</td>
</tr>
</tbody>
</table>

The secondary data is not random as criteria to enter the court education treatment program are set by the Family Violence Court Judge. The variables for inclusion in the program include the following:

1. The victim is a spouse or significant other only
2. Incarcerated offenders only
3. Four or fewer contempt citations
4. No more than one nonviolent felony conviction
5. Two or fewer prior misdemeanor convictions
6. One prior domestic violence conviction for the first-time felony domestic violence program
7. No reasonable objection from the victim
8. Prosecutor and police approval
(Callahan, 1997). Therefore, with screens in place determining those offenders that are accepted into the court educational treatment program, there is not randomization.

Data Collection Procedures

Secondary data information needed is collected through the Akron Municipal Clerk of Court’s Office. Law enforcement officers have submitted the original arrest reports to the clerk of court’s office. All information including in the arrest record was maintain through court actions through the same computer collection system in the clerk’s office. This study used the court data collected between April 24, 1998 and April 24, 2002.

Each case of domestic violence, whether charged under the Ohio Revised Code or equivalent local ordinance, provides the needed information for discovery. The court records indicate the original charge of domestic violence, the age, race and gender of the offender and victim, the incident date, past convictions of domestic violence within the court system, completion or discharged from the educational program and recurrence charges of domestic violence.

Using secondary data from the court, the measure is unobtrusive. Individual names, social security numbers and home addresses were not identified in the study. The University of Akron Institutional Review Board approved the use of this data for dissertation research. While the author serves as the chief deputy clerk of the courts, all information gathered for the research was public records and could be obtained by any researcher conducting this study.
Population and Sample Size

The parameter of the study consisted of all cases of domestic violence in the Akron Municipal Court district between April 24, 1998 and April 24, 2002. Law enforcement officials filed all domestic violence charges holding jurisdiction in the court. According to the U. S. Census Bureau of Statistics (2012), the overall court district is approximately two hundred fifty thousand in total. The court district represents a core central city of Akron of just fewer than two hundred thousand residents. The city of Akron is 62% Caucasian and 38% non-Caucasian. The district overall is 68% Caucasian and 32% non-Caucasian with an estimated number of nearly two hundred fifty thousand citizens (appendix A).

Participants were those individuals who chose to enter the Family Violence Program, and entered a plea of guilty for the charge of domestic violence. Seven hundred seventy-four participants were in the initial four years of the program (N=774). The research design reviewed gender, age and race. All participants were of the legal age of at least eighteen years old. The age range of participants in the study was between eighteen and eighty-years old.

Of the Family Violence Court participants, 85.9% of the participants were male (N=665) and 14.1% were female (N=109). Male participants match the literature research showing mostly males are aggressors in acts of domestic violence.

Race consisted of two categories: Caucasian and non-Caucasian. Caucasian consisted of 57.1 % of participants (N=442) and 42.9% were non-Caucasian (N=332).

A comparison group of 774 individuals was randomly selected from the remaining 2,788 cases of domestic violence within the court that did not include the 774
cases within the treatment program. Therefore, law enforcement officials filed 3,562 cases of domestic violence in the Akron Municipal court during this time. This control selection was comparable with the Family Violence Court group in gender, age and race. Offenders removed from the Family Violence Court program were not considered for the control group comparison.

Gender was nearly an identical match between the treatment group and the control group. Males in the control group were 666 compared with 665 in treatment, therefore one more male in the control group. There was one less female in the control group at 331.

The age range and distribution were similar between the treatment group and control group as well with a standard deviation for the treatment group being 10.042 and control group at 9.178. Age for the treatment group was 18 through eighty-years old and the control group age was 18 through seventy-five-years old. The mean age was 33.23 and median was thirty-one for the treatment group with similar statistics for the control group with a mean age of 33.80 and a median age of thirty-three.

Race was compatible between the treatment and control groups. The treatment group was 57% Caucasian (N = 442) compared with 44% (n = 342) for the control group. Non-Caucasian consisted of 43% (N = 332) in the treatment group compared with 56% (n = 432) for the control group. Those classified as non-Caucasian included: African American, Appalachian, Asian, Caucasian, Hispanic, and Native American. The categories of other and unknown were options available for police and court personnel when they are unsure of a specific race or multiple race individual.
Information was gathered regarding past conviction and charges of violence. Court records also showed the address of the offender. Other variables were collected during the study, but were not used in the analysis for statistical purposes.

Police Collection of Data

According to Heckart and Gondolf (2000), while the arresting law enforcement office creates the police report, their observations of the subject may be more objective than future recounts by individuals involved in the case. With forced box selection on police arrest forms, police officers are required to check the box or fill in the most appropriate description for gender, race, age (often listed as date of birth), height and weight. The arresting officer writes a detailed narrative description of the incident. Officers also fill out descriptive information including home address and location where the act of violence took place. A narrative section for detailed information regarding the arrest is present, and separate paperwork for the victim to fill out a statement of the incident as they recall what happened upon the arrival of police. Officers list any injuries, objects they may observe that are broken, or any statements made by the victim or offender.

With direct questioning of the offender and victim, Heckart and Gondolf (2000) suggest the police reports represent a triangulation: 1) the police officers direct observation of the incident and individuals involved, 2) immediate information from the victim, offender and witnesses, and 3) relevant information from 911 dispatchers, previous reports of contact with offender and direct questioning of informants. The
paperwork submitted to the court by police has a practical expectation of being required and direct, and less bias.

Hypotheses

Based upon historical research regarding court-ordered treatment of domestic violence, the following hypotheses should be evident in the treatment program at the Akron Municipal Court:

Hypothesis I

According to the literature review, court-ordered treatment should have no difference in treating offenders and reducing recidivism compared with a control group with no treatment (Bryant, 1994; Buzawa & Buzawa, 2003; DeMaris and Jackson, 1987; Harrell, 1991; Sonkin, 1988; Tolman and Bennett, 1990).

According to Gleason (1997), court created treatment programs do not change the violent characteristics or personality of batterers. Tolman and Bennett (1990) argue all offenders of domestic violence will rebel against treatment. DeMaris and Jackson (1987) agree, volunteerism is more feasible and productive than court originated treatment. Sonkin (1988) concurs that there is a difference between court-ordered versus self-referred male batterers (Heckert & Gondolf, 2000) when it comes to stopping the cycle of violence. Batterers who voluntarily want to stop the violence will be more successful than those ordered by the court.
Hypothesis II

Male offenders are not likely to break the cycle of violence and remain recidivists when treated through a court-ordered program. Tolman & Bennett (1990), argue that court-mandated programs are no more effective than volunteering for social programs or counseling. Gelles & Straus (1988) recognized both male and female aggressors, but the male is still statistically the more dominant offender in cases. Treatment programs in domestic violence may be altered based upon the levels of commitment and interaction of public officials involved in treatment. Edleson, & Grusznski, 1988). Bryant (1994) suggests that men who batter are likely to have witnessed or experienced abuse during their childhood. Childhood development may be the root cause of domestic violence. The child who sees or is a part of violence may carry this into later life. Bryant (1994) suggests that men who batter are likely to have witnessed or experienced abuse during their own childhood. Childhood development may be the root cause of domestic violence. The child who sees or is a part of violence may carry this into later life.

Hypothesis III

Women are more likely to succeed and be non-recidivists through court-ordered treatment than are men. Often, women are the victims, charged with domestic violence for aggressive acts during an encounter to protect themselves and family members (Arriaga & Oskamp, 1999). Yllö & Bograd (1988) suggests women’s acts of violence against men are considered minor or virtually nonexistent. Actually, men are the aggressors in most circumstances according to Gelles & Straus (1988). Liz Kelly (1988) claims women batterers are distorted because women categorize their violent acts
incorrectly, and distort their stories as blaming themselves, and not being an ongoing victim themselves.

The laws often created to protect women, work against them in the arresting procedures of law enforcement (Schneider, 2000). Bachman, & Saltzman (1995), conclude estimates show women are more likely to reduce recidivist acts because they want to get past the problem, and not return to the court system. Cavanaugh and Gelles (2005) assert that the issue of woman battering is more difficult to define and deal with when providing treatment, and stopping the violent behavior.

Hypothesis IV

Non-Caucasian should be less successful at treatment and remain recidivists than Caucasians. Gondolf, et al., (1988) and Saunders (1993) recognize that diversity of batterers must be considered for programs to be effective. Societal stereotypes make it more difficult for African Americans to stop the cycle of violence successfully (Gillum, 2002; Williams, 1993). Minorities are less likely to know about programs to stop violence and have less access to private legal counsel to defend their interests (Williams, 1993).

Weitzman (2000) recognizes domestic violence as an important policy issue, but suggests domestic violence affects minority societies differently, and more dramatically than others. Less education, financial security and family support affect minorities disproportionately. Rynerson & Fishel, (1993) support the findings that “[d]omestic violence is a widespread problem affecting families of all races and socioeconomic levels” (p. 253).
Statistical Analysis

Statistical information was recorded and descriptive statistics were generated in SPSS 15.0 program. This study included two independent dummy variables, success and not success, used as independent variable. This allows for two separate lines for each treatment group in a single equation. The use of probit regression analysis with the dummy variable is appropriate and offers non-linear analysis nearly identical to logistic regression.

Both descriptive and inferential statistics are used in the study. Descriptive statistics were applied including calculations of means, frequencies and percentages. Inferential statistics were used to make judgments of probability with an observed difference between groups.

Gender coding consisted of males coded as 0 and females as 1 in the research design. Success in the program (non-recidivist) was coded as 1 and non-success (recidivist) was coded as 0.

All dates of birth were entered into the computer and calculated against the date of arrest to determine age of the participant at time of arrest. A statistical analysis was used to determine the mean and median of participants in the study. Then, ages were nested together in three groups: below the age of twenty-one, above the age of fifty and those in between for final evaluations.

Race was nested into Caucasian and non-Caucasian. Court records hold the following categories for collecting statistical information regarding race: African American, Appalachian, Asian, Caucasian, Hispanic, Native American, other and
unknown. For statistical purposes, non-Caucasian was nested to include all race groups outside of Caucasian. Caucasian was coded as 0 and non-Caucasian coded as 1.

Limitations

A threat to validity is past convictions of domestic violence. Probation officers must check residential backgrounds of offenders to determine past historical information to decide if previous charges exist. Though the records of Ohio are included in a background check, not all states participate in providing information of past domestic violence charges. Offenders often move when local law enforcement officials know their acts of violence. To avoid future arrests the offender, who is often the financial provider, moves outside the law enforcement area to avoid detection and future charges of domestic violence. According to Johnson and Sigler (2000), the traditional male role of family provider places the woman at a disadvantage.

As well, past charges of domestic violence may have been reduced during sentencing. A previous charge of domestic violence may be plead down to a simple assault or even a lesser charge. As prosecutors are limited in their resources to try each case, plea agreements are arranged. An offender may agree to a deal of a lesser charge without having to plead guilty to a domestic violence or assault charge. Early on in cases of domestic violence, the charge is dismissed as the victim is persuaded by the offender to withdraw the charge or not testify against the offender. While prosecutors may continue a case with the cooperation of the victim, proving the case without the victim, who is the witness, is more difficult. Often, prosecutors agree to a plea to avoid losing a case at trial. Oversight, incorrect information, or human error in entering information into a computer database by a probation officer may not discover past incidents of violence.
Offenders may be discharged from the program for crimes and misdemeanors other than domestic violence, but remain at the same severity level. Accurately reading the charges can detect this. Additionally, the use of incorrect social security numbers, and of an alias name can prevent detection of repeat charges of domestic violence after treatment. As well, batterers may move for family or job requirements thereby not finishing the program and be listed as recidivist for failing to complete the program even though they may not continue to be abusive. During the course of the study, three individuals were reassigned to the Mental Health Court program for treatment as the root cause of violence was more appropriately dealt with mental health professionals, and medications may need to be used for proper health concerns.

Limitations also include the nature of entry into the treatment group. Offenders have a limited criminal history based on the program’s entrance requirements. Officials have the right to deny admittance to the program. Prosecutors may provide information outside the scope of domestic violence before the court in an attempt to limit the number of offenders who may not be considered good candidates for program success. A judge may also have a personal conflict with an offender who is known to them. Judges must recuse themselves from cases where there is a conflict of interest according to law.

Batterers in the control group may have multiple past charges of domestic violence and have been disqualified for the treatment program based on the Family Violence Court program’s rules and requirements. While past records of domestic violence may prevent an offender from entering the program, first time offenders may be rejected as well. The victim is permitted to inform the judge of their reason to prevent an offender from entering the program even if the batterer is qualified.
Summary

Using the nonrandomized control-group; pretest - post-test design, a direct comparison between court treatment and no treatment can be observed of the 1,548 offenders of domestic violence. Upon completion of a statistical review, a determination of the effects of treatment can be judged. If the rate of recidivism with court-mandated treatment may be significantly less than no treatment, then the Family Violence Court program may be a feasible treatment for reducing recidivism in domestic violence. Overall, this would be a public safety accomplishment and help public administrators deal with a variety of issues concerns regarding domestic violence.

Furthermore, public administrators may use the evidence to determine the implementations of providing the treatment as a cost saving measure to incarceration. A cost-benefit analysis will determine if the time spent on behalf of the court meeting weekly with the offender, and consuming the time of the court personnel including the judge, prosecutors, probation officers and police saves money compared to the cost of housing an offender in jail. Jail costs would still be calculated with staffing time for protection, food and clothing for offenders and the day-to-day operations of the jail facilities.

Decreasing acts of domestic violence will also save money for the aforementioned stakeholders involved. If treatment is successful, then police personnel will not receive 911 calls freeing up phone lines for other emergencies, and the police from responding to calls of domestic violence. Court personnel would have less cases of domestic violence, and mandatory time in jail would lessen the jail population.
This chapter delineated the study process. It included the research design, methodology, and data collection. The variables examined, hypotheses, statistical analysis and limitation were addressed as well.
CHAPTER IV
RESULTS OF THE STUDY

Study results are presented in this chapter. Demographic statistics for offenders; men and women, their ages and racial groups are offered. Demographic statistics consisted of means, standard deviation, t-test, ANOVA, percentages and frequencies. Statistics are presented for both the treatment and control groups.

Structure

The treatment group consisted of 774 offenders in the Family Violence Court program between April 24, 1998 and April 24, 2002. The control group had an exact sample match (n = 774) offenders of domestic violence randomly selected from cases not including the treatment group participants drawn from 2,788 cases. In total, 3,562 cases of domestic violence were charged in the Akron Municipal Court during the four years. Male batterers in the treatment program were 665 or 85.9%. Women batterers were 109 or 14.1% in the Family Violence Program. While Caucasian consisted of 442 batterers or 57.1%, non-Caucasians included 332 batterers or 42.9%.

The age distribution of all 1,548 batters in the groups began at the legal age of 18 and went through eighty-years old. The median age of the treatment group was 31 compared with 33 for the control group.
Data Analysis

An appropriate model to demonstrate is the “probit” or “probability unit” as it is proper for dummy variables and offers non-linear analysis nearly identical to logistic regression. Probit analysis measures the relationship between the strength of a treatment or stimulus and the proportion of offenders exhibiting a defined response to the treatment. Probit is useful for situations where the dichotomous output is thought to be influenced or caused by levels of treatment, and is well suited to experimental data. This procedure will allow the researcher to estimate the strength of a treatment required to induce a certain proportion of responses.

The idea of probit was published by Chester Ittner Bliss. Bliss (1934) proposed transforming a treatment percentage (ants killed in his research design) into a "probability unit" called a "probit" which was linearly related to the modern definition. He defined it arbitrarily as equal to 0 for 0.0001 and 10 for 0.9999. The standard normal distribution is commonly denoted as N (0, 1) and its cumulative distribution function as \( \Phi(z) \). Function \( \Phi \) is a continuous, monotone increasing sigmoid function domain is the real line and range is (0, 1).

Applying probit analysis to data, researchers can determine the strength of the relationship between treatment and no treatment, and can determine what the appropriate treatment would be. Statistically speaking, regression coefficients and standard errors, intercept and standard error, Pearson goodness-of-fit chi-square, observed and expected frequencies, and confidence intervals for effective levels of independent variable or variables would be measured. The fitted model is assessed by statistics for heterogeneity, which follow a chi-square distribution. If the heterogeneity statistics are significant then
the observed values deviate from the fitted curve too much for reliable inference to be made (Finney, 1971).

Table 4.1
Probit Analysis of Treatment Effects; All Age Groups

<table>
<thead>
<tr>
<th>Coef (SE)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treatment</td>
</tr>
<tr>
<td>.846 (.067)</td>
</tr>
<tr>
<td>Gender</td>
</tr>
<tr>
<td>.556 (.099)</td>
</tr>
<tr>
<td>Race</td>
</tr>
<tr>
<td>.409 (.067)</td>
</tr>
<tr>
<td>Age – 3 categories</td>
</tr>
<tr>
<td>.329 (.094)</td>
</tr>
<tr>
<td>Constant</td>
</tr>
<tr>
<td>-1.278 (.194)</td>
</tr>
<tr>
<td>Pseudo R²</td>
</tr>
<tr>
<td>.120</td>
</tr>
<tr>
<td>N</td>
</tr>
<tr>
<td>1533</td>
</tr>
</tbody>
</table>

Pseudo-R-squared values are another way to assess model fitness, and at 0.1199 (.120 above) used as a goodness of fit measurement. Treatment is significant at .069 of the standard error and the coefficient at .846. Race also holds as significant with at .067 standard error and the coefficient at .409. Gender between males and females collectively are set at .556 and a later analysis with show how the research design for male offenders holds up to the research findings. With only 217 total female observations, the strength of analysis holds up for the number of females in the study but the coefficient is not as strong at .099. Age will also be addressed in detail during the following analysis. The coefficient of age for all three categories is .329 with a standard error rate at .094. Further analysis will demonstrate the probability change for those under 21 years of age have a causal effect on treatment.
Table 4.2  
Probit by Gender, Race & Age; Probit success treat gender rrace age3

<table>
<thead>
<tr>
<th>Iteration 0:</th>
<th>log likelihood = -1060.5582</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iteration 2:</td>
<td>log likelihood = -933.59149</td>
</tr>
<tr>
<td>Iteration 2:</td>
<td>log likelihood = -933.37929</td>
</tr>
<tr>
<td>Iteration 3:</td>
<td>log likelihood = -933.37929</td>
</tr>
</tbody>
</table>

Probit regression

- Number of observations = 1533
- LR chi2(4) = 254.36
- Prob > chi2 = 0.0000
- Log likelihood = -933.37929
- Pseudo R2 = 0.1199

| success  | Coef.  | Std. Err. | z   | P>|z| | 95% Conf. | Interval |
|----------|--------|-----------|-----|-----|-----------|----------|
| treat    | .8468609 | .0677843  | 12.49 | 0.000 | .714006  | .9797157 |
| gender   | .5558234 | .0996603  | 5.58  | 0.000 | .3604929 | .751154  |
| rrace    | .4099144 | .0676169  | 6.06  | 0.000 | .2773877 | .5424412 |
| age3     | .329285  | .0939161  | 3.51  | 0.000 | .1452128 | .5133572 |
| cons     | -1.277794| .1942922  | -6.58 | 0.000 | -1.658599| -.8969879|

P > |z| for treatment, gender, non-Caucasian, and age all have a value of 0.000.

This shows they are of similar scale for evaluation, and there is significance in research.

With the probability of 0.000, the research can reject the null hypothesis for gender, age and race. The coefficient is 84.69% so the probability is very good. The confidence of the interval does not cross 0.00 with similar regression analyses, at -.8969.

ANOVA is more appropriate than t-test because of the assumptions that other aspects control recidivism besides placement in the experimental group, and that experimental effects are different by age groups. Results below confirm this and the effect of treatment that show these are good results for hypotheses. The adjusted R-squared confirms that this model accounts for about 15% of all differences between the groups (See Table 4.3).
Table 4.3
ANOVA Analysis of Differences in Treatment Effects Among Groups

<table>
<thead>
<tr>
<th>Sum of Squares</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treatment</td>
</tr>
<tr>
<td>Gender</td>
</tr>
<tr>
<td>Race</td>
</tr>
<tr>
<td>Age – 3 categories</td>
</tr>
<tr>
<td>Adj R^2</td>
</tr>
<tr>
<td>N</td>
</tr>
</tbody>
</table>

Probability > F for treatment, gender, race, and model all held at 0.0000. Age was 0.0002 giving the ANOVA treatment success for all in good standing. The R-squared at 0.1598 and adjusted R-squared at 0.1570 hold the variable constant in their respective observations. The degrees of Freedom for the model are 5 and match the treatment, age, race and gender within the model. Less than .05 for all variables, the ANOVA holds for Ha and rejects the null hypotheses Ho (See Table 4.4).

Table 4.4
ANOVA Treatment Success by Age, Race & Gender; ANOVA success treat age3 rrace gender

<table>
<thead>
<tr>
<th>Number of observations = 1533</th>
<th>R-squared = 0.1598</th>
</tr>
</thead>
<tbody>
<tr>
<td>Root MSE = .458615</td>
<td>Adjusted R-squared = 0.1570</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Prob &gt; F</th>
<th>Source</th>
<th>Partial SS</th>
<th>df</th>
<th>MS</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>0.0000</td>
<td>Model</td>
<td>61.0617097</td>
<td>5</td>
<td>12.2123419</td>
<td>58.06</td>
</tr>
<tr>
<td>0.0000</td>
<td>treat</td>
<td>37.7046367</td>
<td>1</td>
<td>37.7046367</td>
<td>179.27</td>
</tr>
<tr>
<td>0.0002</td>
<td>age3</td>
<td>3.56252388</td>
<td>2</td>
<td>1.78126194</td>
<td>8.47</td>
</tr>
<tr>
<td>0.0000</td>
<td>rrace</td>
<td>7.83343933</td>
<td>1</td>
<td>7.83343933</td>
<td>37.24</td>
</tr>
<tr>
<td>0.0000</td>
<td>gender</td>
<td>6.80329353</td>
<td>1</td>
<td>6.80329353</td>
<td>32.35</td>
</tr>
<tr>
<td></td>
<td>Residual</td>
<td>321.170515</td>
<td>1527</td>
<td>.210327776</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>382.232224</td>
<td>1532</td>
<td>.249498841</td>
<td></td>
</tr>
</tbody>
</table>

T-test also confirms that just knowing that someone has been placed in the treatment group is not good enough to predict outcomes, that is, that outcomes are age-
group-dependent. This is clear below because the HA: diff<0 probability is 0.00.

Therefore, the null hypothesis cannot be rejected since there is no significant difference between groups, despite differences in the means between the groups.

The mean standard of non-treatment is 35.91% and those offenders in treatment are 69.37 with a differential of 33.46% The research holds it’s validity as the standard deviation holds near consistent with .4800683 and .4612125 respectively. The degrees of freedom hold at 1546 giving the research support for a two-sample t-test for treatment. With a $t = -13.9842$, this is large enough to confirm significance. As the Ha results on the end confirm the probability this difference is higher than 0 is perfectly predicted, that is, this is statistically significant as it is below .05 (See Table 4.5).

Table 4.5
Two Sample T-test for Treatment; t-test success, by (treatment)

<table>
<thead>
<tr>
<th>Group</th>
<th>Observe</th>
<th>Mean</th>
<th>Std. Err.</th>
<th>Std. Dev.</th>
<th>95% Conf. Interval</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>774</td>
<td>.3591731</td>
<td>.0172557</td>
<td>.4800683</td>
<td>.3252995 .3930467</td>
</tr>
<tr>
<td>1</td>
<td>774</td>
<td>.6937984</td>
<td>.0165779</td>
<td>.4612125</td>
<td>.6612553 .7263416</td>
</tr>
<tr>
<td>combined</td>
<td>1548</td>
<td>.5264858</td>
<td>.0126945</td>
<td>.4994594</td>
<td>.5015856 .551386</td>
</tr>
<tr>
<td>diff</td>
<td></td>
<td>-.3346253</td>
<td>.0239288</td>
<td></td>
<td>-.3815616 -.287689</td>
</tr>
</tbody>
</table>

$t = -13.9842$

Ho: diff = 0

Ha: diff < 0

Ha: diff != 0

Ha: diff > 0

Pr(T < t) = 0.0000

Pr(|T| > |t|) = 0.0000

Pr(T > t) = 1.0000
Age of offenders has been placed into three categories with those under twenty-one years of age being the first evaluated. Offenders between the ages of twenty-one and fifty will be discovered second. Finally, offenders above the age of fifty will be discussed.

The $P>|z|$ of treatment is 0.876 and is not significant for those offenders under the age of twenty-one as $P>|z|$ should be less than .05. Only those under twenty-one age group has a probability chi-squared not measuring 0.0000, but instead 0.0388. With a $z$ of –0.16 and a coefficient of –.0356375 and standard error of .2277186, the treatment for youthful offenders is not significant when all other variables are held constant. At .018 gender is significant for those under twenty one, but race is not at 0.118, again not being under .05 (See Table 4.6).

Table 4.6
Differences in Treatment by Age Under Twenty-One; probit success treat gender race age3 if age3==1

<table>
<thead>
<tr>
<th>Probit regression</th>
<th>Number of observations = 134</th>
<th>LR chi2(4) = 8.38</th>
<th>Prob &gt; chi2 = 0.0388</th>
<th>Pseudo R2 = 0.0471</th>
</tr>
</thead>
<tbody>
<tr>
<td>Log likelihood = -84.833016</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| success          | Coef.  | Std. Err. | z     | P>|z| | 95% Conf. | Interval |
|------------------|--------|-----------|-------|-------|-----------|----------|
| treat            | -.0356375 | .2277186 | -0.16 | 0.876 | -.4819577 | .4106827 |
| gender           | .7237616 | .3054062 | 2.37  | 0.018 | .1251764  | 1.322347 |
| race             | .35405  | .2262438 | 1.56  | 0.118 | -.0893797 | .7974797 |
| age3 0 (omitted) |        |           |       |       |           |          |
| cons             | -.5645346 | .2070434 | -2.73 | 0.006 | -.9703322 | -.158737 |
Table 4.7 will show the differences in treatment for those offenders between the ages of twenty-one and fifty. Holding all variable constant, the P>|z| holds constant at 0.0000 for all. As well, the probability chi-squared is at 0.0000. Age, race and gender are all statistically significant in this age category. The interval of -0.4905726 holds as significant for this analysis. Treatment is successful for those in this age group.

Table 4.7
Differences in Treatment by Age Twenty-One up to Fifty; probit success treat gender race age3 if age3==2

<table>
<thead>
<tr>
<th>Iteration 0: log likelihood = -919.20785</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iteration 1: log likelihood = -803.68559</td>
</tr>
<tr>
<td>Iteration 2: log likelihood = -803.45005</td>
</tr>
<tr>
<td>Iteration 3: log likelihood = -803.45004</td>
</tr>
<tr>
<td>Probit regression</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Log likelihood = -803.45004</td>
</tr>
<tr>
<td>success</td>
</tr>
<tr>
<td>treat</td>
</tr>
<tr>
<td>gender</td>
</tr>
<tr>
<td>race</td>
</tr>
<tr>
<td>age3</td>
</tr>
<tr>
<td>cons</td>
</tr>
</tbody>
</table>

The following analyzes statistics for those offenders above the age of fifty.

Treatment is statistically significant with P>|z| being 0.000. While age above fifty is a significant indicator of treatment success, age is even more important than gender at 0.278 and race at 0.242. These p values above 0.05 indicate these two are statistically insignificant variables for those above fifty. With the constant interval at -.3711868 the findings are significant (See Table 4.8).
Table 4.8
Differences in Treatment by Age Twenty-One over Fifty; probit success treat gender rrace age3 if age3==3

<table>
<thead>
<tr>
<th>Probit Regression</th>
<th>Number of observations = 1332</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LR chi2(4) = 231.52</td>
</tr>
<tr>
<td></td>
<td>Prob &gt; chi2 = 0.0000</td>
</tr>
<tr>
<td>Log likelihood = -803.45004</td>
<td>Pseudo R2 = 0.1259</td>
</tr>
</tbody>
</table>

| success          | Coef. | Std. Err. | z     | P>|z|  | 95% Conf. | Interval |
|------------------|-------|-----------|-------|-----|-----------|----------|
| treat            | 1.622271 | .3574812 | 4.54  | 0.000 | .9216204  | 2.322921 |
| gender           | .9150931 | .3559053 | 1.08  | 0.278 | -.739867  | 2.570053 |
| rrace            | .4166214 | .3559053 | 1.17  | 0.242 | -.2809403 | 1.114183 |
| age3 (omitted)   | 0      | (omitted)|       |       |           |          |
| cons             | -.9695616 | .3052989 | -3.18 | 0.001 | -.1567936 | -.3711868 |

Therefore, based on the final probit (where age3==3), treatment does actually make a difference for those age 50 and above. The only group for whom treatment makes no significant difference is those below 21 years of age. Therefore, treatment matters for those 21 and above. One interesting note is that treatment actually makes more of a difference than exogenous variables for those over 50; that is, for those above 50, treatment matters more than what race they are or their gender, both of which are statistically insignificant predictors of recidivism in this age range. The P-values, which indicate the statistically insignificant variables in the third age group, are above 0.05 and have a p-value of 0.05, which indicates statistical significance at the 95% confidence level, and 0.10 at the 90% level.
Table 4.9
T-Test Success by Age Under Twenty-One
t-test success if age3==1, by (treat)

<table>
<thead>
<tr>
<th>Group</th>
<th>Observed</th>
<th>Mean</th>
<th>Std. Err.</th>
<th>Std. Dev.</th>
<th>95% Conf.</th>
<th>Interval</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>60</td>
<td>.3833333</td>
<td>.0632976</td>
<td>.4903014</td>
<td>.256675</td>
<td>.509916</td>
</tr>
<tr>
<td>1</td>
<td>74</td>
<td>.3783784</td>
<td>.0567629</td>
<td>.4882932</td>
<td>.26525</td>
<td>.491506</td>
</tr>
<tr>
<td>combined</td>
<td>134</td>
<td>.380597</td>
<td>.0421011</td>
<td>.4873555</td>
<td>.2973227</td>
<td>.4638714</td>
</tr>
<tr>
<td>diff</td>
<td></td>
<td>.004955</td>
<td>.0849846</td>
<td>-.1631529</td>
<td>.1730628</td>
<td></td>
</tr>
</tbody>
</table>

diff = mean(0) - mean(1)
t = 0.0583
Ho: diff = 0
degrees of freedom = 132
Ha: diff < 0
Ha: diff != 0
Ha: diff > 0
Pr(T < t) = 0.5232
Pr(|T| > |t|) = 0.9536
Pr(T > t) = 0.476

This t-test analyzes if there are significant differences based on treatment between the groups. This indicates that there is no significant difference between the groups. It is clear the treatment does nothing to predict recidivism for those under the age of 21. A reasonable number of subjects fall into this age group, so it can be confident with this finding. The Ha results on the end confirm the probability this difference is higher than 0 is perfectly predicted, that may also be stated as, this is statistically significant as it is below .05.

The next table demonstrates the same test, but for those between the age of twenty-one and fifty for evaluation.
Table 4.10
T-test success if age3==2, by(treat); t-test success if age3==1, by(treat)

Two-sample t test with equal variances

<table>
<thead>
<tr>
<th>Group</th>
<th>Observed</th>
<th>Mean</th>
<th>Std. Err.</th>
<th>Std. Dev.</th>
<th>95% Conf. Interval</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>677</td>
<td>.3633678</td>
<td>.0184988</td>
<td>.4813251</td>
<td>.3270457 .3996899</td>
</tr>
<tr>
<td>1</td>
<td>655</td>
<td>.7206107</td>
<td>.0175455</td>
<td>.4490421</td>
<td>.6861583 .75506</td>
</tr>
<tr>
<td>combined</td>
<td>1332</td>
<td>539039</td>
<td>.0136632</td>
<td>.4986608</td>
<td>.5122352 .5658428</td>
</tr>
</tbody>
</table>

diff = mean(0) - mean(1)

t = -13.9956

Ho: diff = 0
degrees of freedom = 1330

Ha: diff < 0
Ha: diff != 0
Ha: diff > 0

Pr(T < t) = 0.0000 Pr(|T| > |t|) = 0.0000 Pr(T > t) = 1.0000

Treatment matters significantly for those between 21 and 49, resulting in a mean difference of 0.3524 (.7206-.36336) rate of recidivism for those treated. That is, on average, those treated were 35.24% less likely to recidivate post-treatment than those not treated. This will be similar to the pr change, or probability change, figures, but this t-test uses no controls, acknowledging the lack of statistical controls for gender and race. The Ha results on the end confirm the probability this difference is higher than 0 is perfectly predicted, that is, this is statistically significant as it is below .05.

Next, results for those above fifty years of age will be analyzed using a two-sample t-test with equal variances by the treatment.
Table 4.11
T-test success if age3==3, by(treat); t-test success if age3==1, by(treat)

### Two-sample t test with equal variances

<table>
<thead>
<tr>
<th>Group</th>
<th>Observed</th>
<th>Mean</th>
<th>Std. Err.</th>
<th>Std. Dev.</th>
<th>95% Conf. Interval</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>30</td>
<td>0.2333333</td>
<td>0.0785403</td>
<td>0.4301831</td>
<td>0.0727003 - 0.3939663</td>
</tr>
<tr>
<td>1</td>
<td>37</td>
<td>0.8108108</td>
<td>0.0652765</td>
<td>0.3970613</td>
<td>0.678424 - 0.9431976</td>
</tr>
<tr>
<td>combined</td>
<td>67</td>
<td>0.5522388</td>
<td>0.0612089</td>
<td>0.5010166</td>
<td>0.4300313 - 0.6744464</td>
</tr>
<tr>
<td>diff</td>
<td></td>
<td>-0.5774775</td>
<td>0.1012628</td>
<td>-0.7797132</td>
<td>-0.375241</td>
</tr>
</tbody>
</table>

**diff** = mean(0) - mean(1)  
\[ t = -5.7028 \]

**Ho:** diff = 0  
**degrees of freedom = 65**

<table>
<thead>
<tr>
<th>Ha: diff &lt; 0</th>
<th>Ha: diff ! = 0</th>
<th>Ha: diff &gt; 0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pr(T &lt; t) = 0.0000</td>
<td>Pr(</td>
<td>T</td>
</tr>
</tbody>
</table>

Results are very similar to those for the second age group; that is, treatment makes a significant difference on recidivism. In fact, the mean difference is even higher between groups (.8108-.2333 = 0.5775). Those offenders over 50 years old have a significant likelihood of not being recidivist. The Ha results on the end confirm the probability this difference is higher than 0 is perfectly predicted, that is, this is statistically significant as it is below .05.

Lastly, a statistical analysis was run on pr change using STATA to determine what the differences are by treatment groups, holding all other variables at their means.

The following are the success probabilities for all groups.
1. Pr(y|x): probability of observing each y for specified x values for recidivist at 47.01% and non-recidivist at 52.99%.

2. The average change (Avg|Chg|): average of absolute value of the change across categories:

3. Min->Max: change in predicted probability as x changes from its minimum to its maximum, so a minimum of 36.39% to a maximum of 69.10% with a differential of 32.71%.

4. When 0->1: change in predicted probability as x changes from 0 to 1 holds constant as well.

5. The following treatment of -+1/2: change in predicted probability as x changes from 1/2 unit below base value to 1/2 unit above holds the same when difference is 32.72%.

6. The -+sd/2: change in predicted probability as x changes from 1/2 standard deviation below base to 1/2 standard deviation above showing from 44.56% to 61.29% with a difference of 16.73%.

7. The marginal effect (MargEfct): the partial derivative of the predicted probability/rate with respect to a given independent variable holding at 33.69% (Introduction to SAS).

Table 4.12
Success Probabilities by Groups; prchange treat, from to; probit: Changes in Probabilities for success

<table>
<thead>
<tr>
<th>Treatment</th>
<th>from:</th>
<th>to:</th>
<th>dif:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>x=min</td>
<td>x=max</td>
<td>min-&gt;max</td>
</tr>
<tr>
<td>Treatment</td>
<td>0.3639</td>
<td>0.6910</td>
<td>0.3271</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Treatment</th>
<th>from:</th>
<th>to:</th>
<th>dif:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>x=0</td>
<td>x=1</td>
<td>0-&gt;1</td>
</tr>
<tr>
<td>Treatment</td>
<td>0.3639</td>
<td>0.6910</td>
<td>0.3271</td>
</tr>
</tbody>
</table>
This can be interpreted by saying that, holding all other variables at their means, treating a batterer with the experimental protocol changes the probability of success – not being recidivist or not returning to jail - from 36 % to 69 % or a 33% rounded increase. This treatment is consistently important to success across groups.

The results presented below show treatment effects - holding all other variables at their means - among non-Caucasians only.

Table 4.13
Success Probability among Non-Caucasian; prchange treat, from to;
probit: Changes in Probabilities for success
Among non-Caucasians, holding all other variables at their means, the probability of success increases from 28.72% without treatment to 61.23% with the treatment protocol, a difference of 32.51%.

Figure 4.1
Predicted Probability of Success After Incarceration by Race
The above referenced chart also shows the predicted probability of success for Caucasians in the research design. Caucasians not in treatment are 44.43% non-recidivist, and increase by 31.58% when provided the court-ordered treatment with a non-recidivist rate at 76.02%. The Pr(y|x) holding all others constant show a significance of recidivism at 36.85% moving up to 63.15% being non-recidivist (see Table 4.14).

Table 4.14
Success Probability among Caucasians; prchange treat if rrace==1, from to; probit: Changes in Probabilities for success

<table>
<thead>
<tr>
<th>Treatment</th>
<th>from:</th>
<th>to:</th>
<th>dif:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>x=min</td>
<td>x=max</td>
<td>min-&gt;max</td>
</tr>
<tr>
<td>Treatment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>from:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Treatment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>from:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Treatment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>from:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Treatment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>from:</td>
<td>x-1/2</td>
<td>x+1/2</td>
<td>+1/2</td>
</tr>
<tr>
<td>Treatment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>from:</td>
<td>x-1/2sd</td>
<td>x+1/2sd</td>
<td>+sd/2</td>
</tr>
<tr>
<td>Treatment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>from:</td>
<td>x-1/2</td>
<td>x+1/2</td>
<td>+1/2</td>
</tr>
<tr>
<td>Treatment</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>from:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Treatment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>from:</td>
<td>x-1/2sd</td>
<td>x+1/2sd</td>
<td>+sd/2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recidivist</th>
<th>Non-Recidivist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pr(y</td>
<td>x)</td>
</tr>
<tr>
<td>treat</td>
<td>.561856</td>
</tr>
<tr>
<td>gender</td>
<td>.146907</td>
</tr>
<tr>
<td>rrace</td>
<td>1</td>
</tr>
<tr>
<td>age3</td>
<td>0</td>
</tr>
</tbody>
</table>

Based on the aforementioned research, treatment – Family Violence Court – holds up to a variety of tests as an indicator court treatment may reduce recidivism.
Hypothesis I

According to the literature review, court-ordered treatment should have no difference in treating offenders and reducing recidivism compared to a control group with no treatment.

With the exception of those under the age of 21, treatment has a positive effect on batterers. Those offenders above the age of 21 are more likely to remain non-recidivist than those not receiving treatment. As the offender becomes older, they are even more likely to stop the cycle of violence when they complete the court’s treatment program.

Prior analyses had not found that gender, age or race have an effect on the likelihood of committing new offenses. Therefore, Court-ordered treatment would have little effect on preventing further acts of violence according to the literature (Bernard, & Bernard, 1984). This study has found a statistically significant difference between those offenders in treatment and those without treatment, therefore, reject the hypothesis.

Treatments through the Family Violence Court have a positive effect on those offenders above the age of 21. In group 2, ranging from 21 thru 50, offenders in the control group – no treatment - are just 36.34% likely to remain violence free and non-recidivist. That means 63.66% are recidivist without the treatment. This contrasts with the treatment group who are 72.06% free from acts of violence and non-recidivist. Only 17.04% of those who received the treatment are recidivist. Among those offenders who received court-ordered treatment, 472 individuals (72%) of the 655 offenders in this age category successfully remained free of recidivism. In the control group of offenders only 246 individuals (36%) of the 655 offenders were able to break the cycle of violence (See Figure 4.2).
For those over the age of 50, treatment is even more important as a predictor of success than race or gender. Among those not receiving treatment are just 23.33% are likely to stop the cycle of violence, i.e. 76.67% are recidivist. In contrast, 81.08% of those who received treatment were able to control acts of violence and be non-recidivist, a mere 18.92% were recidivist. This means of the 37 offenders in the treatment program, 30 offenders (81%) broke the cycle of violence compared with only 7 offenders (23%) of the 30 being able to remain recidivist free. Treatment was a strong indicator of success in breaking the cycle of violence and remaining recidivist free (Figure 4.3).
The variable most recognized for failure in the treatment program are those offenders under the age of twenty-one. For those under the age of 21, the results are similar whether in the Family Violence Court program or not in treatment. The treatment group was less likely to remain non-recidivist with only 37.84% compared with 38.33% for those receiving no treatment in the control group. While only 23 (38%) of the 60 offenders in the treatment program were able to remain free of recidivism, the percentages of numbers were nearly identical with only 28 (38%) of the 74 offenders under the age of twenty-one remaining free of acts of domestic violence. This means
62.16% and 61.67% of young adults under 21, respectively, were recidivist. Treatment had no effect on learning and breaking the cycle of violence with these batterers (Figure 4.4).

Figure 4.4
Observed Differences in Mean Treatment Effect on Recidivism; By Age 21 and Under

Based on the final probit (where age3==3), treatment makes a difference for those age 21 and above. The only group for whom treatment makes no significant difference is those below 21 years of age. Therefore, treatment matters for those 21 and above. One interesting note is that treatment actually makes more of a difference than exogenous
variables for those over 50; that is, for those above 50, treatment matters more than what race they are, or their gender, both of which are statistically insignificant predictors of recidivism in this age range. (Figure 4.5).

Figure 4.5
Predicted Probability of Success After Incarceration;
By age group

Hypothesis II

Male offenders are not likely to break the cycle of violence and remain recidivist when treated through a court-ordered program.
Statistically, male batterers are more likely to stop acts of violence when they complete court-ordered treatment. For male offenders, the treatment is statistically valid as the only cause of differences in recidivism between treatment and control groups.

Predicted probability of success after incarceration by male offenders goes from 33.51% without court intervention to 66.31% success when following court-ordered treatment intervention (Figure 4.6).

Figure 4.6
Predicted Probability of Success after Incarceration; by Gender

As discussed in Chapter 2, male offenders, who are more prone to violence, are more likely to reject treatment. Based on this, it was anticipated that there would be at
most a minor decrease in recidivism for those males who received treatment compared to offenders who received no court treatment.

This research suggests that men who have been through treatment have a greater chance of refraining from acts of violence. Men who do not receive treatment were 32.28% likely not to be recidivist, while men receiving treatment were at 67.67%. (450 male offenders remained free of recidivism of the 665 participants). In the control group had only 215 offenders break the cycle of the 666 offenders analyzed (Figure 4.7).

Figure: 4.7
Observed Differences in Mean Treatment Effect of Recidivism; By Men

![Graph showing observed differences in mean treatment effect of recidivism by men. The y-axis represents percentages from 0% to 80%. The x-axis is divided into two bars labeled 'Control Group' and 'Treatment Group'. The 'Control Group' bar indicates 32.28% and the 'Treatment Group' bar indicates 67.67%. The color of the bars is gray, and the graph is labeled 'Male'.]
Hypothesis III

Women are more likely to succeed and be non-recidivist through court-ordered treatment than are men.

The difference in means in t-test for women is not statistically significant. The predicted probability of success after incarceration for females is 55.09% without the treatment and moves to 83.52% with the treatment intervention (see Figure 4.6).

Given that only 217 observations are female offenders, it is possible that the results are not showing statistical significance because the requisite sample size has not been met. Women in the treatment group were 79.81% successful at remaining non-recidivist, while those who did not receive treatment did well at 58.33%. So therefore, 87 female offenders (80%) broke the cycle of violence out of the 109 participants in the program. While 63 offenders (58%) of the 108 offenders analyzed broke the cycle of violence (Figure 4.8).

Referencing Chapter 2, feminist theorists would argue the results are correct as many women who do not receive treatment are likely to remain non-recidivist as they were not the aggressor when arrested, but often protecting themselves or family members (Gregory, & Erez, 2002). Gender differences should be recognized when dealing with the differences between male and female offenders of domestic violence regarding court ordered treatment. The foundation of the act of aggression should be further explored and evaluated. According to Yllö & Bograd (1988), women are less likely to be the aggressor of acts of domestic violence but instead defender of the family, and therefore treatment is easier as they already understand the problems associated with domestic violence against them.
The assumption that women would be more likely to be non-recidivist without treatment (Bachman & Saltzman, 1995) is borne out by these data. While those women receiving treatment exhibit greater success in being non-recidivist, there are confounding issues. For example, the standard practice for police in response to a domestic violence call is to arrest both parties (Hirschel & Buzawa, 2002). Such practices mask who is the offender and who is the victim. Ending the cycle of violence in this case may be a matter of changed circumstances rather than intervention and treatment.
Hypothesis IV

Non-Caucasian should be less successful at treatment and remain recidivist than Caucasians.

Based on the literature presented in Chapter 2, it was anticipated that non-Caucasians would be more likely to be recidivist. Williams and Becker (1994) recognize cultural differences have a direct effect on recidivism. The African American male often wears the mantel of domestic violence as a symbol of control over woman and children. Treatment would mean giving up that control to the court, and woman thereby not dominating the family direction. The batterers influence would diminish with treatment.

Williams (1993) suggests African American women have increasingly sought protections from the police and court after decades of hiding in the shadows. Police interference in predominate African American neighborhoods were scarce according to battered women, and they felt unprotected from their aggressor, therefore, the feared contacting police.

The results of this study suggest that the probability of success after incarceration by non-Caucasians moves from 28.72% without court intervention up to 61.23% for those in the treatment program (see Figure 4.1). While Caucasian were more able to achieve success by not repeating the offense, increasing from 44.43% without court-ordered treatment up to 76.02% for those in the court program, analysis of non-Caucasian were statistically improved by following though with court-ordered treatment. Of the 332 non-Caucasian offenders, 208 (62.65%) broke the cycle of domestic violence. Control group offenders observed had 120 offenders (27.78%) of the 432 remain free of violence (Figure 4.9).
While the level of success may not reach that of Caucasians, non-Caucasians are able to be successful, and therefore, not be recidivist when receiving the intervention from the court-ordered offender program.

Caucasians in the court-ordered treatment group were successful with 329 offenders (74.43%) breaking the cycle of violence and remaining free of violence for over a year following treatment compared with 158 control group offenders (46.20) of the 342 Caucasian offenders (see Figure 4.10).
Summary

This chapter presented the statistical data and results regarding the hypothesis. Those offenders under the age of 21 were not likely to break the cycle of domestic violence, whether in the treatment program or without treatment. The two groups had
nearly statistically identical results. Court-ordered treatment had no effect on batterers in this age range. Of the 134 youthful offenders, just 51 were likely to remain recidivist free. Treatment for offenders above the age of twenty-one were highly successful with a total of 502 (72.54%) treatment offenders of the 692 completing a successful treatment and reducing the recidivism rate in the court system. Control group offenders observed were 253 (36.93) successfully remaining recidivist free of the 685 total offenders.

The Akron Family Violence Court program outside the area aforementioned showed success including both gender and race. While men were more likely to be successful in the treatment program than without intervention, women were even more successful by their percentage of increase even if they were only a smaller portion of offenders. Further research into the effects of women in treatment programs should be explored as this study reviewed two hundred seventeen women offenders but the statistical significance may not be strong enough to support the findings presented by this study.

In summary there were differences between those offenders of domestic violence who received the intervention through a court-ordered treatment program compared to those offenders who did not receive treatment. The research clearly demonstrated male offenders can stop the cycle of violence when treated with court-ordered programs. Only those offenders below the age of 21 could be isolated as not having a difference between treatment and no treatment. Therefore, this research makes a contribution to the literature by demonstrating court-ordered treatment can make a difference in reducing recidivism. Research shows that men and women, and Caucasians and non-Caucasians, have success completing court-ordered treatment.
CHAPTER V

SUMMARY, IMPLICATIONS AND CONCLUSIONS

This chapter presents a summary of the study, an outline of the procedures and a summary of the findings. It provides a discussion of the research findings and conclusions. Chapter 5 will also address the study limitations and make recommendations.

Summary of the Study

This research was conducted through a court treatment program designed to oversee domestic violence offenses in a mid-size court district of approximately two hundred fifty thousand residents. All study participants were of the legal age of eighteen or older and arrested on domestic violence charges. In exchange for entering the Family Violence Court program, individuals entered a guilty plea for the charge of domestic violence. The court suspended the sentence of the court pending the programs outcomes. Failure to complete the program would result in the original charge of guilty being reimposed and sanctions enforced. Successful program completion would include dismissal of the case and a sealing of the record known in the court as an expungement more commonly recognized as a sealing of the record. A control group was randomly
drawn from the remaining 2,788 for a comparison between those offenders who received treatment as opposed to no treatment at all.

Restatement of the Problem

This study is designed for the Akron Municipal’s Family Violence Court to determine if educating court-ordered offenders about domestic violence decreases the number of repeat escalating domestic violence incidents. Court-ordered education may have a causal effect on recidivism of batterers. Recidivism rates have consensual validity as a measure of a batterers’ ability to reform.

Treatment programs address the needs of the offender and the psychological history that may cause domestic violence. By treating the batterer, the likelihood of repeating acts for domestic violence may decrease (Dutton, 1988; Saunders, 1993). Treatment programs ordered by the court deal with the offenders’ hierarchy of needs discussed by Maslow (1943). Class sessions help with additions such as alcohol and drugs. Learning to cope with grief and loss provides the necessary skills for remaining free of violence. As well, building up self-esteem and working on the foundations of relationship further empower the offender to deal with with stress that may lead to acts of violence. According to Saunders (1993), the very diversified nature of the offender, and psychological history of abuse should be evaluated for a treatment program to be effective.

With nearly four million women battered each year accounting for one every nine seconds according to the U. S. Bureau of Statistics, domestic violence is a key public policy issue for public administrators to research and discover public programs to lessen the effects of domestic violence in society. According to Russo, Koss, & Goodman
(1995), an estimated one in every four wives are victims of acts of violence by their partner.

Hypothesis

The hypothesis was developed as an extension to the research question; what are the differences between individuals who successfully complete or terminate from the Family Violence Court diversion program? The hypothesis stated that participants of the Family Violence Court program who received treatment would have nearly the same results as the control group (Buzawa & Buzawa, 2003). Literature research showed those with a proclivity to have acts of domestic violence will continue to repeat acts of violence with or without court-ordered treatment (Bryant, 1994). Offenders would not stop the cycle of abuse because of a court-ordered treatment, but merely go through the steps to avoid jail time and have the case removed from their public record (Tolman & Bennett; Sonkin, 1988).

Minorities are less likely to be successful at reducing the likelihood of violent acts of domestic violence through court-ordered treatment (Gondolf, et al., 1988; Saunder, 1993). Minority offenders would be less likely to stop the violence than Caucasian offenders. The court system may favor Caucasians who have better access to private legal counsel instead of court appointed attorneys (Bowman, 1992). Many minorities have less access to private legal counsel, and therefore their court appointed attorneys might be over worked in their caseload, and less likely to be actively involved in a vigorous defense compared with a personal attorney paid by a more wealthy, educated offender.
Court-ordered treatment is not as effective as volunteerism (DeMaris & Jackson, 1987). Self-referred male offenders are considered more likely to stop the act of domestic violence as compared with those sanctioned by the court (Sonkin, 1988).

Outline of the Procedures

This research was conducted through a judicially created specialty court program in a mid-size municipal court district. Judges created the Family Violence Court program in 1998 through a court-ordered directive. A majority vote of the six elected judges is required for any changes, or creation of specialty courts within the courts jurisdiction. The statistics used for this study were from the first four years of the program. Police officers charged all individuals in the program with the offense of domestic violence within the court districts multiple police jurisdictions.

Participants were those individuals who chose to voluntarily enter the Family Violence Court program, and enter a plea of guilty for the charge of domestic violence. Seven hundred seventy-four participants were in the initial four years of the program (N=774). The research design reviewed age, race and gender. These areas were cross-factored with the program status.

All participants were of the legal age of at least eighteen years old. The age range of participants in the study was between eighteen and eighty-years old. Age ranges were broken down into five groups:

1 = 18 thru 20 years old
2 = 21 thru 25 years old
3 = 26 thru 35 years old
4 = 36 thru 50 years old
5 = 51 and older
Statistical purposes collapsed the age ranges from twenty-one through fifty into one group for evaluation from the final analysis. The median age of the treatment group was thirty-one years old compared with thirty-three years old for offenders in the control group.

Of the Family Violence Court participants, 85.9% of the participants were male (N=665) and 14.1% were female (N=109). The randomly selected control group consisted of one less male and one more female for comparison of the two groups in the study.

Race consisted of two categories: Caucasian and non-Caucasian. Non-Caucasian consisted of all minority groups outside of Caucasian as defined by collected court records as observed by police officers during the arrest stage, and completion of paperwork. According to Heckart and Gondolf (2000), while the arresting police office creates the report, their observations of the subject may be more objective than future recounts by individuals involved in the case. With forced box selection on police arrest forms, police officers are required to check the box or fill in the most appropriate description for race, gender, age, height and weight. Officers use a narrative section for detailed information regarding the arrest. First hand discussion with the offender may produce a more accurate description of race based on the offender, and the observation of police. In the treatment group, Caucasian consisted of 57.1% of participants (N=442) and 42.9% were non-Caucasian (N=332).

A comparison group of 774 individuals was randomly selected from the 2,788 cases of domestic violence within the court from the 3,562 cases filed in the court district. This selection was comparable with the Family Violence Court group in age, race and
gender. Following is a table of organization, which shows the direct comparison between
the Family Violence Court program treatment group and control group.

Table 5.1
Treatment by All Groups

<table>
<thead>
<tr>
<th></th>
<th>FVC Group</th>
<th>Control Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>665</td>
<td>666</td>
</tr>
<tr>
<td>Female</td>
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<td>108</td>
</tr>
<tr>
<td>Race</td>
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</tr>
<tr>
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<td>342</td>
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<tr>
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<td>332</td>
<td>432</td>
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<tr>
<td>Age</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18-20</td>
<td>74</td>
<td>60</td>
</tr>
<tr>
<td>21-25</td>
<td>175</td>
<td>104</td>
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<tr>
<td>26-35</td>
<td>233</td>
<td>305</td>
</tr>
<tr>
<td>36-50</td>
<td>255</td>
<td>275</td>
</tr>
<tr>
<td>Over 50</td>
<td>37</td>
<td>30</td>
</tr>
</tbody>
</table>

This research used an ex-post facto design using archival data consisting of court
and police records. Staff in the court probation department tracked participants in the
Family Violence Court program. As well, data was collected from police reports filed on
domestic violence charges with the Akron Municipal Clerk of Court’s office. Arrest
tickets listed demographic information of age, race and gender submitted to the court by police officers. As police officers arrested each defendant, administrative staff gathered data at the county jail, and figures regarding the demographic information were confirmed. Offenders' arrest information remains part of the public record up until what time a judge may seal, or expunge the case from public view upon completion of the program.

Study Limitations

This study is an attempt to evaluate the effect of the Family Violence Court standards and the criminal justice system. While the analysis provides valuable information, limitations must be considered in respect to program requirements, participant conflicts, research complexities and reporting inconsistencies.

One study limitation was the bias in those accepted in the program. The Family Violence Court has not accepted offenders with a history of aggression into the program; hence, they do not permit those with severe emotional and behavioral problems in the study group. Often, the program participant is a first time offender with a limited criminal history, thereby allowing those most likely to succeed in the program and weeding out those offenders who may not be considered able to avoid being recidivists.

Various personal conflicts prevent individuals from entering the program. Individuals may be successful in the Family Violence Court program who do not enter the program derived from conflicts in scheduling. Individuals may not be able to commit the time necessary to complete the ten weeks and twenty-six week treatments mandated by the program. Factors such as work schedules and educational obligations would
contribute to their inability to agree to the program requirements. As an original entry of guilty is a requirement upon agreeing to the program, built in failure may only predict jail time. Those offenders realize the difficulty of completing a program based on someone else’s timetables may not be advantageous.

Other work restrictions may also limit an individual’s ability to enter the program. As they do not permit offenders to carry a firearm during the program’s year-long requirement, individuals whose job depends on state certified license to carry a weapon would not be eligible. This would also include individuals who serve in the armed forces. If they enter the program, law enforcement and military offenders could lose their job, and their livelihood (Balos & Trotsky, 1988; Buzawa & Buzawa, 2003).

Research complexities create the need for additional research. No one requires offenders in the control group to report in on a regular basis, nor do authorities regularly question the victim. Offenders in the sample group may be able to more readily intimidate their victim into not reporting further acts of domestic violence (Ptacek, 1999). Research suggests that the fear of death at the hands of the offender prevents victims from continuing to report acts of violence against them when the offender is prevalent in their life (Buzawa & Buzawa, 2003).

The study group within the Family Violence Court program had one offender who died during the program and removed during the four-year period. It is possible that individuals may in the control group also have died during the period reviewed in the control group. Research would erroneously count these individuals as non-recidivist with no further charges of domestic violence being discovered.
Further limitations in following offenders in the sample group include not being able to track individuals who no longer live in the area of the court district. An offender upon receiving a charge of domestic violence may opt to move out of the area to avoid ongoing arrest as law enforcement officials know them to police as offenders of domestic violence (Dutton, 1986). Upon moving they may still arrest them for charges of domestic violence, but would not be counted as recidivist as they are outside the scope of the court district review.

Other offenders who meet all the requirements for the Family Violence Court program may choose not to enter the program based on legal counsel. More affluent offenders may be able to afford an attorney who is well versed and successful on having domestic violence charges reduced to assault or a lesser charge, dismissed, or found not guilty in a trial (Sonkin, 1988). These offenders who do not enter the program in the control group may inadvertently be counted as those who are not recidivists.

Reporting inconsistencies can contribute to inaccurate data collection. Research may not recognize individuals in the control group as recidivist because of routine errors in data entry on the court. When a court employee accidentally misspells a name or incorrectly enter a social security number, the ability to find additional cases of domestic violence may occur. Crosschecking data on the computer with popular last names who have multiple individuals with the same first name as well will further complicate differentiating between individuals. As individuals move, using addresses to determine if the same name individual is recidivist may not be used as a sound source for discovering additional acts of violence.
According to the U. S. Census Bureau of Statistics (2010), the overall court district is approximately two hundred fifty thousand in total. (Appendix A) The court district represents a core central city of Akron of just fewer than two hundred thousand residents. Akron is 62% Caucasian and 39% non-Caucasian. Aside from the city of Akron, the district includes one small city, three villages and three townships with a total population just fewer than two hundred fifty thousand residents.

With 15% of the population not holding a high school degree over the age of twenty-five, the average median income is $34,190. Northwest suburbs are more affluent and educated including one small city of approximately seven thousand five hundred residents. More wealthy townships and a village of the northwest area are roughly eighteen thousand five hundred residents. The average mean income of the wealthiest area is $148,382 compared with the overall court district mean income of $54,492. Southeast suburbs are more rural and less educated with one village having 19% of their residents without a high school education. The court district is overall 68% Caucasian and 32% non-Caucasian. While the study is limited including an evaluation from a mid-size court district in a Midwest state, the overall statistics of the court district represents a good mix of race, age, education and income comparable with other districts throughout the country.

Summary of the Findings

Based on a review of the literature, it was anticipated that findings would show little difference in the rate of recidivism between those offenders who attend court-ordered treatment and offenders who receive no treatment. According to Straus and
Gelles, (1986) and Tolman and Bennett (1990), court-ordered treatment may not be as successful as offenders willing to voluntarily enter treatment. The review of literature suggested that minorities would be less successful in court-ordered treatment compared with those offenders who did not receive treatment. Research also showed those individuals who are better educated, in better communities, and financially able to secure private legal counsel would have a better chance to avoid being a recidivist (Buzawa & Buzawa, 2003). Buzawa (2003) also asserts that the heavy court dockets allow prosecutors to lessen charges more easily because of budget, staffing and time constraints.

Statistical analysis tested the research hypothesis to determine the successful outcome of treatment in the Akron Family Violence Court. The research outcomes showed an overall difference between those offenders who attend court-ordered treatment in the program and those who do not have treatment in all three areas: gender, age and race. One exception exists, offenders under the age of twenty-one. The youngest age group of offenders between the legal, adult age of eighteen and less than twenty-one years old had the least success in the treatment program compared with those not receiving treatment. Statistically there was no difference between the treatment group and control group.

While 23 of the 60 treatment offenders (37.84%) under the age of twenty-one were not recidivists, as compared with 28 of the 74 (38.33%) control group offenders were not recidivists. Therefore, the difference of avoiding acts of domestic violence between the two groups is negligible. Moreover, 62% of young violent offenders repeated acts of violence in both groups. Treatment for those less than twenty-one years
of age was not comparatively successful, but nearly the same as those offenders who received no treatment at all. Recognizing differences between groups of offenders would confirm what Gondoff, Fisher, and McFerron (1988) supposed that not all offenders can be placed in standardized treatment. Instead, specialized treatment within a program may be more effective on some groups than others.

Treatment group participants between twenty-one and fifty years of age were more like to stay free of acts of violence and remain recidivist free when 472 offenders of the 655 (72%) were successful in the program. The control group had only 246 offenders (36%) of the 655 offenders remain violence free during the same period of time. Twice as many control group offenders were recidivist compared with those who went through the court-ordered treatment program.

Those in the treatment group above fifty years of age were more dramatic with only 7 (23%) of the 30 offenders in the control group remaining free of acts of violence. Treatment for those over fifty were statistically significant with 30 offenders (81%) of the 37 having a positive outcome with treatment, and remaining free of acts of violence. The research concluded further that above the age of fifty years old, age played a greater factor in success with treatment than does race or gender.

Race did not play a factor in the court treatment of outcomes. The research discovered no major statistical differences between Caucasians and non-Caucasians when it comes to recidivism between the control group and treatment groups. Both racial categories were more successful in the treatment group as compared with the control group.
Non-Caucasians were successful at remaining free of recidivism in the treatment group with 208 of the 332 offenders (62.65%) compared with just 120 offenders of the 432 (27.78%) in the control group.

Caucasians in the treatment group were less likely to become recidivists in the program with 329 of the 442 offenders (74.43%) remaining violence free compared with 158 of the 342 offenders (46.20%) in the control group.

Gender differences were found when comparing completion of the program for men and women. Women were more likely to be successful at preventing further acts of violence than men both in treatment, 87 of the 109 women offenders (79.81%) and without treatment at 63 of the 108 offenders (58.33%). Feminist authors suggest that women arrested for acts of domestic violence are often some victims of police arrests’ policies and state laws as well as aggressive actions for the protection of their children (Yllö & Bograd, 1988).

Treatment benefited men in the program with success of remaining free from acts of violence with 450 of the 665 male offenders (67.67%) compared with just 215 of the 666 offenders (32.28 %) of men in the control group. More than twice the number of voluntary treatment offenders remained free of acts of violence compared with those not receiving treatment. Dutton (1988) would suggest that treatment does not have a causal effect on reducing male aggression, but results from the Family Violence Court program would differ.
Recommendations

This study is only a first step in the process of collecting empirical evidence about those in the Family Violence Court diversion program. A study continuation regarding treatment offenders will aid in the ongoing development of research. Historical and concurrent comparison are lacking as this is the first four years of the Family Violence Court program in the Akron Municipal Court. Additional comparisons should be expanded. Future researchers should examine the rate of recidivism based on those who attended and completed treatment programs beyond the original inception. A follow up with interval years should discover long-term effects of the treatment program and long-term recidivism.

The Family Violence Court should have offenders participating in the program sign a waiver in order to conduct future research at set intervals. This would allow the program administrators, and court administrators to determine not only the short-term effects of reductions in recidivism, but also the long-term implications of the program as compared to other programs.

Furthermore, the successful completion or termination of an offender from the program is not a statistically significant indicator regarding age. Nevertheless, age by range as a predictor of program status is statistically significant, but this information should be considered tentatively compared to the entirety of the treatment program. Based on this finding, a recommendation will be made to the Family Violence Court officials suggesting that age specific violence reduction programming should be
considered and implemented as compared with the current program, which attempts to target all participants regardless of age.

Program officials should consider a survey questionnaire for those offenders closest to the legal age of eighteen. While the treatment program focuses on important needs based on Maslos’s (1943) hypercritical needs pyramid, the foundation beyond food and shelter may be discovered. While treatment providers educate offenders about key issues of family finances and emotional support, the very foundation of a job may be discovered as a key issue. If youth do not have a high school degree or equivalent, then securing a job may be the root issue of concern in preventing acts of domestic violence. Without the basic opportunity of securing a job for lack of work history, skills, and education, young offenders have a further complication of becoming non-recidivist.

A specific study should be undertaken to determine if those youngest offenders continued to have arrests for acts of domestic violence and aggression. Long-term analysis should discover if additional programs may have a casual effect on recidivism of legal aged youth.

Future research would also address construct validity of the measures with a replication study. This study permitted enough time to pass for each offender in the program to succeed or fail following his or her arrest for domestic violence. Further evaluations of standards would be useful, including evaluations that differentiate between men and women and the cause of violence (Yllö & Bograd, 1988). Research should now evaluate a second four-year group of participants to learn trends within domestic violence court programs.
Researchers should expand research analysis to learn the success of the Family Violence Court program as compared with similar programs. With a four-year period of data available and other states having created other programs to reduce recidivism of domestic violence offenders, a research design should undertake a comparison between the Akron Family Violence Court program and similar domestic violence courts.

Conclusion

Treatment of the male offender is critical to the reduction in domestic violence cases (Sonkin, 1988; Saund, 1993). The question is whether court-mandated programs have an effect on reducing domestic violence (Gondolf & Russell, 1986; Tolman & Bennett, 1990). The need for court-ordered programs may be essential to the reduction of domestic violence. Males are less likely to know about treatment programs, as they are not as well publicized as those for women.

Court mandates can require treatment, but treatment success is not always a condition of completion of the program. A comparison between court-mandated and voluntary treatment will help to learn if court-ordered education is a better approach to ending domestic violence. The use of recidivism rates can determine the successful outcome of treatment.

This research makes a contribution to the literature, and fills the gap regarding successfully completing court-ordered treatment, and offenders remaining without charges of domestic violence. While the research discovered those batterers under the age of twenty-one were not successful in the treatment program created by the court, those above the age of twenty-one had success. Offenders who were older were even more
affected by the treatment when it came to ending the cycle of violence. Treatment had a causal effect on reforming the batterer.

Both men and women were successful in the treatment program compared with those offenders who received no court intervention. Batterers were also successful at being non-recidivist compared to those offenders who received no court-ordered treatment intervention.

Although the act of domestic violence has not changed throughout the years (Bryant, 1994), the laws, support services and treatment programs have changed during the past few decades (Arriaga & Oskamp, 1999). It is the inherent duty of public administrators to focus their efforts by continued exploration and research in an attempt to alleviate societal problems. As the patriarchal paradigms of society continue to shift, it is necessary to further research the intricacies of abusive relationships in an effort to manage effectively and reduce domestic violence.
REFERENCES


Brigner, M., Family Violence Prevention Center (Ohio), et al. (2003). *The Ohio domestic violence benchbook: a practical guide to competence for judges & magistrates*. [Columbus], Family Violence Prevention Center Ohio Office of Criminal Justice Services.


City of Akron Prosecutor’s Office; Domestic Violence Unit, January 2002.


## APPENDIX A

### AKRON MUNICIPAL COURT DISTRICT STATISTICS

<table>
<thead>
<tr>
<th></th>
<th>Akron</th>
<th>Fairlawn</th>
<th>Richfield Twp</th>
<th>Richfield Vll</th>
<th>Bath</th>
<th>Mogadore</th>
<th>Lakemore</th>
<th>Springfield</th>
<th>Totals</th>
<th>Adjust by Pop</th>
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<td><strong>Population</strong></td>
<td>199,110</td>
<td>7,437</td>
<td>3,648</td>
<td>2,517</td>
<td>9,678</td>
<td>3,853</td>
<td>3,068</td>
<td>14,707</td>
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<tr>
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<td>62.20%</td>
<td>82.10%</td>
<td>96.80%</td>
<td>97.80%</td>
<td>92.00%</td>
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<td>95.40%</td>
<td>94.60%</td>
<td>87.80%</td>
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<td>123,848</td>
<td>6,108</td>
<td>3,531</td>
<td>2,462</td>
<td>8,904</td>
<td>3,761</td>
<td>2,927</td>
<td>13,913</td>
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<tr>
<td><strong>% non-caucasian</strong></td>
<td>37.80%</td>
<td>17.90%</td>
<td>3.20%</td>
<td>2.20%</td>
<td>8.00%</td>
<td>2.40%</td>
<td>4.60%</td>
<td>5.40%</td>
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<td><strong># non-caucasian</strong></td>
<td>77,056</td>
<td>1,331</td>
<td>117</td>
<td>55</td>
<td>774</td>
<td>92</td>
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<td>2.90%</td>
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<td><strong>High School</strong></td>
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<td><strong>some colleg/assoc</strong></td>
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<tr>
<td><strong>bachelors</strong></td>
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<td>10.10%</td>
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<tr>
<td><strong>graduate/Professional</strong></td>
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<td>14.20%</td>
<td>23.00%</td>
<td>29.50%</td>
<td>4.60%</td>
<td>2.50%</td>
<td>6.00%</td>
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<tr>
<td><strong>Median Income</strong></td>
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<td>73,816</td>
<td>99,542</td>
<td>96,224</td>
<td>46,781</td>
<td>43,724</td>
<td>47,397</td>
<td>62,210</td>
<td>39,696</td>
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<tr>
<td><strong>Mean Income</strong></td>
<td>46,299</td>
<td>78,000</td>
<td>111,649</td>
<td>135,145</td>
<td>148,382</td>
<td>57,773</td>
<td>48,743</td>
<td>57,424</td>
<td>85,427</td>
<td>54,090</td>
</tr>
<tr>
<td><strong>Below Fam</strong></td>
<td>19.90%</td>
<td>2.50%</td>
<td>1.70%</td>
<td>2.00%</td>
<td>2.90%</td>
<td>6.60%</td>
<td>9.10%</td>
<td>7.90%</td>
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<tr>
<td><strong>Below Pov Ind</strong></td>
<td>25.80%</td>
<td>2.70%</td>
<td>1.90%</td>
<td>2.20%</td>
<td>3.50%</td>
<td>9.30%</td>
<td>12.30%</td>
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