RED FLAGS:
Identifying Victims of IPV under Supervision
PRACTICE BRIEF

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Intimate partner violence (IPV) is one of the most prevalent forms of violence in the United States.

IPV, also known as domestic or dating violence, cuts across all boundaries of gender, race, age, social class, sexual orientation, and ability, impacting the lives of millions of individuals including those involved with the criminal justice system.

According to the National Intimate Partner and Sexual Violence Survey\(^1\), 36 percent of women and 33 percent of men will experience, or have already experienced, intimate partner violence. Because the vast majority of victims are women—nearly 87 percent, according to the Bureau of Justice Statistics Victimization Analysis Tool — it is important to understand women’s pathways into the criminal justice system.

The most common pathway for women into the criminal justice system is based on survival of previous abuse:

- Most women with criminal convictions are victims of domestic violence.
- For many women who are abused, substance abuse and poverty are secondary outcomes of the abuse.

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Studies indicate that the majority of women under community corrections supervision are or have been victims of IPV at some point in their lives. Studies also show that over 90% of incarcerated women have experienced severe physical or sexual violence in their lifetimes and 37% were raped before being incarcerated. In addition, 93% of women who were convicted of killing an intimate partner were also abused by an intimate partner in the past.\footnote{Kraft-Stolar, Tamar; Brundige, Elizabeth; Kalantry, Sital; Kestenbaum, Jocelyn Getgen; Avon Global Center for Women and Justice at Cornell Law School; and Women in Prison Project (Correctional Association of New York), “From Protection to Punishment: Post-Conviction Barriers to Justice for Domestic Violence Survivor-Defendants in New York State” (2011). Avon Global Center for Women and Justice and Dorothea S. Clarke Program in Feminist Jurisprudence. Paper 2. Retrieved June 2019, from http://scholarship.law.cornell.edu/avon_clarke/2}

For those who have already been identified as victims of IPV, officers have a wide range of supervision strategies available to help support safety and minimize unintended consequences of conditions designed to develop probationer or parolee competencies.

Not all victims of previous violence are identified as such before they are placed under community corrections supervision. Some may become victims of violence while on supervision. For victims, being on supervision may expose them to additional violence as some Orders and Conditions of community corrections supervision may put a victim of IPV at increased risk.

There are specific strategies that a community corrections officer can employ to identify the occurrence of IPV and provide supervisees with support and resources if they are being abused.

**Possible Signs of Intimate Partner Violence**

Through the every day experiences of domestic violence advocates and community corrections professionals who interact with victims of IPV, several behaviors or attributes of clients may indicate that they are experiencing abuse. It is not the intent of this document to imply that every instance of these behaviors is indicative of abuse, but this list is meant to be a guide of signs for further consideration.

**Client…**

- Moves in or gets engaged to partner within 6 months
- Mentions partner wants to be with them all the time by themselves
- Acts emotionally dependent on partner (i.e. justifies behaviors with true love or love at first sight)
- Mentions partner’s mood swings, stress or pressure
- Seems more focused on the relationship than themselves
- ‘We’ instead of ‘I’ statements
- Mentions doing things they don’t want to do because of the relationship
- Begins missing appointments, relapses or becomes otherwise noncooperative suddenly
- Is highly deferential to partner especially when in their presence

• Has a good income/is working consistently but has limited or no access to funds and/or all bills, their lease, and their phone are in their partner’s name
• Has unexplained injuries
• Clothing is not seasonally appropriate (i.e. Wears too many clothes in summer or too few in winter)
• Changes manner of dress or makeup suddenly
• New tattoos (i.e. of a partner’s name or face or matching tattoos with someone)

Client’s partner...

• Always attends supervision meetings with client
• Answers questions directed at the client
• Calls or texts several times during meeting or is adamant about being present for meetings
• Reports the client for violating
• Calls asking about the person/checking in
• Visits the client at school or work
• Has rigid concepts of gender roles and responsibilities

Client’s home...

• Becomes unusually unkempt or tidy
• Contains seemingly person-made damage like holes in the walls or broken furniture
• Has locked doors or areas the client doesn’t want you to enter or see

Client’s Family and Friends...

• Are concerned about the relationship or otherwise distrustful of the partner
• Are spending less time with or hearing less from the client
• Seem nervous or angry around the partner
• Are stepping in more to care for children than before
Working with Victims

Engaging with an abused client as a victim, helps probation officers understand what makes the ongoing situation dangerous and what might signal reoccurring violence.

Let’s start with Safety—Whatever the setting, the following safety considerations are essential in community supervision contacts with victims of IPV:

- Always interview out of the abuser’s sight and hearing
- Describe all terms and limits of confidentiality
- Ask about and document safe procedures for future contact
- Offer to provide copies of Order(s) of Protection, or any other requested court document that you can legally provide.
- Discuss a preliminary safety plan and refer to community-based advocacy
- Provide police contact information

From the beginning and throughout client interactions, phrase questions that convey permission to talk and that create a safe, supportive environment. For example:

- How can I be helpful to you?
- What would you like to talk about?
- Please, take your time.
- I can see this is hard for you to talk about.
- That must have been very frightening.
- I can see that you care about . . . are concerned about . . .

As a victim feels respected and listened to, the likelihood they will be candid and share information relevant to their safety or needs increases. Utilizing a strengths-based approach reinforces opportunities for interaction and engagement, from the point of first contact onward. This requires being attentive to and acknowledging an abused client’s strategies and successes in trying to stay safe, protect their children, and manage the demands of daily life and probation. An acknowledgement of success could be something as seemingly minor as saying “you were ten minutes early for our appointment and I know that’s hard to do when you have to get your kids to school and deal with the traffic to get here!”

You can reduce shame by normalizing issues. If the individual is late or combative, the officer might say something like: “Given what you have been through, if you didn’t have stressful reactions, weren’t depressed, had a short fuse at times, dwelled on what happened, then I would be really concerned. In my experience what you are feeling is normal for someone who has experienced trauma or abuse.”

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It is vital for an officer to engage and listen when abuse is suspected rather than turning to a checklist of yes-and-no questions.

1. **Convey understanding of the impact of IPV.**
   - Avoid reinforcing any justifications or excuses a victim might offer for the abuse; do not collude in reinforcing an abuser’s messages of blame.
   - Acknowledge examples of power and control tactics as abusive.
   - Provide examples of how coercion and control are used.
   - Identify criminal behaviors.
   - Validate a victim’s experiences and acknowledge their strengths in attempting to stay safe.

2. **Listen for indicators of heightened risk and lethality, such as:**
   - A separation, divorce, or return to living together
   - Strangulation or choking
   - Stalking behaviors
   - A victim’s level of fear and expression of increased concerns about the offender’s behavior
   - Concerns related to children and access to children
   - A victim’s concern that the offender is feeling adrift, hopeless, isolated, or suicidal
   - Increase in frequency, severity, or type of violence in recent months
   - Almost daily impairment by alcohol or drugs

3. **Use open-ended questions or observational statements and qualifiers. Such an approach opens a path for a victim to share information about the impact of the abuse or their concerns about their partner’s behavior or the conditions of probation. For example:**
   - A lot of people have told me . . .
   - Often when this happens . . .
   - It has been my experience . . .
   - Research indicates . . .
   - Sometimes / often we see . . .
   - I can see that you . . .
4. **Guard against shutting down the conversation by telling the victim what to do, criticizing the batterer, or victim-blaming.** Victims of IPV are bombarded with messages about how “stupid” and “crazy” they are. They are told repeatedly that no one will believe them or help them, particularly anyone connected to the criminal legal system. A probation agent can help counteract those messages.

   - Pose questions about possible alternatives rather than telling the victim what to do. For example, “What would you like to see happen?” “Here are some options.” “Let’s look at how they might work for you.”
   - Avoid statements that carry blame, such as “how did you let that happen” or “why didn’t you.”

5. **Avoid command statements, such as: “you need to” or “you should” or “If I were you.”**

   - Use every opportunity, regardless of how seemingly small, to reinforce their strengths.
   - Be alert to inadvertently reinforcing the abuser’s behavior and justifications for the abuse. For example, if they say, “I guess I should have shut up” or “I know I provoked him,” make it clear that whatever they may or may not have said or done, the abuse is not their fault or responsibility. A person does not have to earn the right to be free of violence and abuse.
   - At the same time, avoid criticizing or attacking the batterer as a person. Acknowledge their concern for the abuser’s well-being, if expressed.

6. **Avoid assumptions that the person before you sees themselves as a victim or survivor of IPV.** For many people, “victim” is a highly charged and offensive word, even when all indicators of what they have experienced suggests that IPV is a reality in their lives and that they have been the victims of crimes. It may clearly be a reality and they may also be at high risk of serious injury or death, or at risk of killing their partner. People use many strategies to manage the violence in their lives, including fighting back, threatening to expose the abuser to others, or threatening to hurt them emotionally or economically. It is common to hear people say “I stand up for myself” or “I’m no doormat” or “I got my licks in first.”

   - Listen for how a person describes themselves and follow their lead. If they say outright, “this ‘domestic violence’ form doesn’t apply to me, I’m not a victim,” pay attention. Acknowledge that it is a general form for the type of crime and perhaps it does not apply in their situation.
   - Use open-ended, observational, non-judgmental, and non-blaming questions and statements. Follow their lead.
   - Reinforce any statements of concern for the abuser.
7. **Conclude with a last question focused on the victim’s concerns and needs, and a review of next steps.**

- Is there anything you were hoping we would talk about that we haven’t covered.
- A victim-centered interview begins and ends with the victim’s concerns and needs. This final question opens a path for a victim to raise questions or problems that they may not have thought to bring up at the start of the conversation but that have emerged as the conversation has gone on. Perhaps it is a concern related to safety or second thoughts about what might happen if the abuser sees what they have said written in a report or a question to clarify another concern.

8. **Here is what will happen next . . .**

- A victim should leave a meeting with their PO with a clear understanding of what comes next. There should be no mystery or confusion about where information will go and who will see it, nor should they have unanswered questions about confidentiality.

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**Collaboration and What to Do If You are Supervising a Victim of IPV**

There are many resources available to probation and parole officers who have identified a victim of IPV on their caseload. Establishing a working relationship with the domestic violence program and other services in your community will make the supervision process easier. Local domestic violence advocates are the experts on victim safety issues and can help strengthen cases and significantly improve victim safety.

**What is a Domestic Violence Advocate?**

An advocate is a specially trained person that provides support to victims of domestic violence/IPV, helps victims understand their options, and provides referrals to additional services. This support can include:

- Confidential 24-hour hotline for crisis help, safety planning, emotional support, and help finding resources including safe shelter, counseling, and legal assistance;
- Crisis intervention;
- Individual case management;
- Safety planning from a strengths-based and victim-centered perspective;
- Information about available support groups, children’s services, and transportation; and
- Assistance with navigating the various systems that victims may choose to access.

Some advocates can accompany victims to court, the police station, the emergency room, social services, or probation and parole offices to provide support if they choose to file charges related to their abuse or leave the abusive situation.
There Are Several Ways to Find Help from Domestic Violence/IPV Advocates

**National Domestic Violence Hotline Numbers:**

National Domestic Violence 24 Hour Hotline: 1-800-799-7233 or 1-800-787-3224 (TTY)
National Deaf Hotline Videophone 9am-5pm: M-F 1-855-812-1001 or deafhelp@thehotline.org

**State and U.S. Territory Domestic Violence Coalitions**

Domestic violence coalitions serve as statewide and territory-wide leaders in the efforts to end domestic violence. These organizations connect local domestic violence service providers and are valuable resources for information about services, programs, legislation, and policies that support survivors of domestic violence within their state or territory.

The National Network to End Domestic Violence maintains a list of state and territory domestic violence coalitions on their website at: https://nnedv.org/content/state-u-s-territory-coalitions/

State and territory coalitions can provide referrals and contact information for local domestic violence advocacy services in their respective state or territory.

**What to Expect When Calling A Local Domestic Violence Program**

Victims of IPV do not need to call the police or initiate any criminal justice proceedings in order to receive services from a local community-based domestic violence advocacy program.

Callers to local domestic violence programs do not have to provide their name to receive general information. However, if the caller wants to receive services like shelter and advocacy, the caller will usually be asked to complete an intake process. Domestic violence services are confidential. The only time information will not be kept confidential is if there is a report that children are being abused or neglected.

**Important Note:** When choosing to get help, it is important to understand that even though crime victim liaisons or victim coordinators are available at government agencies, these staff may not be held to the same confidentiality requirements as a community-based nonprofit domestic violence/IPV advocate. Thus, it’s important for community corrections professionals to know and understand differing roles and responsibilities of professionals who can help, while building strong relationships with community-based advocates.

**Conclusion**

Individuals experiencing IPV often have complex needs that are beyond the capacity or expertise of community supervision agencies. Community supervision officers, however, can play a critical role in identifying dangerous situations and both linking victims to services and advocating for these victims within the court system.