

System Alert

ARIZONA'S CRIMINAL JUSTICE RESPONSE
TO DOMESTIC VIOLENCE



October 2007

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MORRISON INSTITUTE
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SYSTEM ALERT:

Arizona's Criminal Justice Response to Domestic Violence

Commissioned by

Governor's Commission to Prevent Violence Against Women

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Executive Summary

SYSTEM ALERT:

ARIZONA'S CRIMINAL JUSTICE RESPONSE TO DOMESTIC VIOLENCE

Domestic violence is a highly destructive force in Arizona's families and communities. Throughout the state, it ranks among the most frequent violence-related crimes reported to Arizona law enforcement. Often highly repetitive, domestic violence (DV) spawns other crime and social dysfunction, imposes significant public-sector costs, and takes a lasting toll on children.

Domestic violence poses special and substantial challenges to the state's criminal justice system, which is charged with fulfilling the twin goals of victim safety and offender accountability.

Looking through the eyes of its principal officers and (DV) victims, *System Alert: Arizona's Criminal Justice Response to Domestic Violence* examines how well the system fulfills these charges. Data were gathered statewide from more than 800 surveys completed by prosecutors, judges, probation officers, victim advocates, and victims^a; 71 in-depth individual interviews supplemented the questionnaires. *System Alert* completes an examination of DV attitudes and outcomes in Arizona that began with *Layers of Meaning: Domestic Violence and Law Enforcement Attitudes in Arizona* (2005). That report noted widespread frustration among Arizona law enforcement officers over the functioning of the state's current "pro-arrest" DV policy. *System Alert* seeks to tell the rest of the story, so as to further assist Arizona policymakers in their efforts to reduce and prevent domestic violence.

System Alert, sponsored by the Governor's Commission to Prevent Violence Against Women, finds that, despite its successes, Arizona's criminal justice system is falling short of achieving victim safety and offender accountability. According to the system's front-line professionals, DV remains as big a problem as ever. Considering Arizona's rapid growth, the consequences of failing to improve the state's response to this extremely common violent offense will be substantial. As this research shows, criminal justice professionals and domestic violence victims have much to say about what those improvements should be.

Themes from Research with Prosecutors, Judges, Victims, Victim Advocates, and Probation Officers

A number of themes stand out from this research:

- Consensus was strong among judges, prosecutors, victim advocates, and probation officers in support of the central tenets of Arizona's criminal-justice response to domestic violence. Support for the criminalization of domestic violence was nearly universal. Most criminal justice professionals said, however, that the system is failing to achieve its goals.
- Victims and victim advocates consistently expressed disappointment with how well the system responds to victims' needs.
- Victims expressed gratitude for the efforts of victim advocates, but tended to display frustration with judges' and prosecutors' actions and attitudes.

a This report uses the term "victim" to refer to individuals who say they have suffered domestic abuse. Some people argue that "survivor" is a more appropriate term, while others maintain that "alleged victim" is more accurate. However, "victim" is the term most commonly used throughout Arizona's criminal justice system.

- The low level of victim involvement in prosecution was cited by all professionals as a key weakness in the system’s operation.
- Victim advocates stand out in their support for a victim-centered approach in the criminal justice system. A victim-centered approach would take more seriously a victim’s desire for “justice” as the victim sees it, not necessarily only as the system does.
- Agreement is strong across the professional ranks on expanding training about domestic violence and tailoring it to each group’s roles and responsibilities.
- Many professionals are looking for more options to help Arizona reduce and prevent domestic violence.

Major Findings from Each Group

System Alert reports and analyzes the views of one group at a time, starting with prosecutors. The sections use headlines to identify key insights into the feelings and experiences of each group. Taken together, the headlines present a concise summary of the research and are used below to brief readers on what was learned.

Prosecutors

Prosecutors play arguably the most powerful role in shaping Arizona’s criminal-justice response to domestic violence. First-responding police officers are the “gatekeepers” to the justice system; but Arizona’s “mandatory arrest” law has reduced the discretion of officers who answer 911 calls, effectively shifting some decision-making power to prosecutors.

- ▶ Prosecutors say DV presents special challenges
- ▶ Prosecutors believe “mandatory arrest” works well enough
- ▶ Police do their best to collect evidence, but are often swamped
- ▶ Prosecutors believe more training would help everybody
- ▶ And think too many judges are too easy on offenders
- ▶ Prosecutors say victims need help — and to help themselves
- ▶ Prosecutors say it’s their job to control the case
- ▶ Prosecutors believe victims need more support
- ▶ Feelings about orders of protection are mixed
- ▶ Prosecutors think some victims misuse OPs
- ▶ Prosecutors are divided on punishment, uncertain about treatment
- ▶ Advocates are valued for various reasons
- ▶ Prosecutors question how well the system can work
- ▶ Lower-court prosecutors are more supportive of the system
- ▶ Numerous differences surface between urban-area and rural-area prosecutors
- ▶ Male prosecutors express more traditional views

Judges

Arizona’s judges preside at the central decision point in the system’s response to DV: the finding of guilt or innocence. They also issue orders of protection; approve plea agreements between prosecutors and defendants — which is how most criminal DV cases are resolved; sentence convicted offenders; and deal with offenders who violate probation.

- ▶ Judges say attitudes and laws have improved
- ▶ The system’s not perfect, but it’s working
- ▶ Judges hold mixed views on “mandatory arrest”

- ▶ Victims stir judges' sympathy and frustration
- ▶ Some victims' wishes do not come first
- ▶ Punishment may be sufficient, but current treatment efforts are questionable
- ▶ Orders of protection are common and controversial
- ▶ Many judges want more training
- ▶ Judges say they lack the facts for effective sentencing
- ▶ Victim advocates play valuable roles
- ▶ Does Arizona have two DV justice systems?
- ▶ Lower-court judges are less likely to subscribe to prevailing views of DV
- ▶ Varied differences appear between urban-area and rural-area judges
- ▶ Male judges express more support for the justice system

Victims

Victim safety is one of the two pillars supporting Arizona's criminal-justice response to domestic violence. It is identified as a fundamental value by all actors in the system, from police officers to probation officers; it's the goal of orders of protection, of supervised probation, and of the treatment mandated for convicted abusers. However, the justice system's structure and operations — in Arizona as elsewhere — seem in fact better attuned to serving the other major objective: offender accountability.

- ▶ Victims want the system to help them
- ▶ Victims have the most experience with the police
- ▶ Victims give thanks for advocates' work
- ▶ But many victims are unhappy with prosecutors
- ▶ Most victims report dissatisfaction with judges
- ▶ Victims cite mixed feelings about probation officers

Victim Advocates

Victim advocates are both insiders and outsiders in Arizona's criminal justice system. They work in a system whose operations are tightly circumscribed by laws and policies, yet they lack official standing as peace officers or court officers. They are supposed to help victims get what they want from the system, while at the same time helping the system function smoothly. Advocates working in Arizona can be employed by police agencies, city and county prosecutors' offices, or by private, usually nonprofit agencies such as shelters.

- ▶ Advocates see a system that is not working
- ▶ Advocates criticize police, but understand their frustration
- ▶ Advocates think prosecutors could do more
- ▶ Advocates feel judges sentence too lightly
- ▶ Advocates agree that OPs can be used and abused
- ▶ Advocates say the system too often re-victimizes victims
- ▶ Offenders deserve stiffer sanctions and better treatment
- ▶ Advocates in prosecutors' offices are more supportive of the system
- ▶ Rural advocates are less supportive of victims

Probation Officers

Most people convicted of crimes in Arizona are not sentenced to prison or jail. Instead, they are placed on probation, typically for one to three years, and required to pay fines and restitution, obtain treatment, perform community service or other tasks, and observe restrictions in such matters as where they live and with whom they associate. Offenders' compliance with such requirements is monitored by probation officers (POs).

- ▶ Despite PO frustrations, "mandatory arrest" works for most
- ▶ Prosecution and sentencing need improvement according to POs
- ▶ POs call for more training
- ▶ POs have mixed views of victims
- ▶ Lukewarm support is shown for orders of protection
- ▶ Offenders are the key to their own success
- ▶ Probation officers' opinions by location and gender
- ▶ Urban and rural POs differ on many issues
- ▶ Male POs hold less sympathetic views of victims

Practical Recommendations from the Field

Suggestions and input from more than 800 criminal justice professionals and domestic violence victims noted many areas where the system could be improved, from relatively minor administrative fixes to broader reevaluations of policy. Respondents acknowledged how difficult it can be to effect changes in a system that must process a high volume of cases, and that is a sometimes uneasy blending of separate missions, responsibilities, bureaucratic cultures, and levels of government. Improvements were recommended in four areas:

- ◆ **Attending to Victim Needs**
 - Remove barriers to victim participation
 - Develop a guide for victims on how the criminal justice system works
 - Serve victims in more and better ways
 - Increase advocacy across the system
- ◆ **Ensuring Offender Accountability**
 - Strengthen and diversify sentencing practices
 - Supervise more offenders at the misdemeanor level
 - Help indigent offenders pay for treatment
 - Screen offenders more effectively for treatment and other options
- ◆ **Enhancing the Criminal Justice System**
 - Improve the amount, quality, and sharing of data across jurisdictions
 - Review issuance and enforcement of orders of protection
 - Consolidate civil and criminal cases
 - Improve coordination and communication among all agencies
 - Expand training for all system professionals
- ◆ **Building Knowledge for Continuous Improvement**
 - Assess the effectiveness of diversion programs
 - Assess the efficacy of DV courts
 - Evaluate treatment policies, programs, and practices to ensure positive outcomes

Looking for the Next Generation of Responses to Reduce and Prevent Domestic Violence

These recommendations from the field are aimed at developing a more efficient and effective criminal justice response to domestic violence. They are suggestions for further improvements to a system that has already shown the benefits of 30 years of sustained effort. There have been substantial increases in public attention and resources devoted to addressing DV, major developments in law and public policy, improvements in the attitudes of justice system officials, and clear advances in training and public education. At the same time, however, agreement is widespread among all types of respondents that Arizona's response to DV still is not reaching its goals. Thus, it would be useful to ask whether Arizona has gone too far in trying to force the complexities of DV to fit into the categories and processes of a justice system that, try as it might, is only partially equipped to deal with them.

This is not to suggest that Arizona's current criminal justice response to DV should be, or could be, replaced with another. Nobody can dispute that the criminalization of DV was necessary. But it's worth considering how to go beyond the current "one-size-fits-all" approach by adding more choices for victims and system professionals seeking options in addition to straight prosecution.

This enhancement might start with addressing one of the system's central stumbling blocks — lack of victim involvement — by introducing a more victim-centered approach. This approach would take more seriously victims' desires for "justice" as the victims see it, not necessarily as the system does. This would mean more and different choices for victims, more early intervention services for victims, and a more robust community-wide program of public education and domestic violence prevention. Punitive sanctions remain vital, and there is good reason to believe that providing victims more choices at the outset of system involvement would boost victim empowerment and participation in prosecution.

Determining what system modifications would be useful requires input from all groups involved in the system, from a broader range of Arizonans, and from policymakers. Some areas to explore include:

- Adding a requirement for "mandatory action" by victim-service providers to law enforcement's "mandatory arrest" policy
- Making counseling for victims available at any point in the process
- Providing alternatives to prosecution for selected low-risk offenders who admit responsibility, using appropriate risk instruments and after consultation with victims
- Seeking greater involvement of victims' and offenders' families, friends, and communities in the resolution of DV cases
- Evaluating the effectiveness of counseling and treatment programs for offenders

Thirty years ago, Arizona began stepping up its efforts against domestic violence, with laudable results. Yet DV today remains an extremely common and widespread social ill, arguably as devastating as substance abuse or DUI. It continues to ruin lives, shatter families, destroy the capacity for intimacy, sap personal finances and productivity, impose substantial public-sector costs, promote other crime and dysfunction, and inflict lasting scars on the children. There is no better time to begin a statewide dialogue on how to continue making strides towards domestic peace in Arizona.

FRAMING THE ISSUE

Domestic violence is a highly destructive force in Arizona’s families and communities. Beyond the consequences for victims,¹ it presents substantial challenges to the state’s criminal justice system, which is charged with fulfilling the dual goal of victim safety and offender accountability. This study, sponsored by the Governor’s Commission to Prevent Violence Against Women, examines how well the system fulfills this dual charge through an assessment of the attitudes and outlooks of its principal officers and those most directly affected, domestic violence victims.

This study completes a comprehensive look at domestic violence (DV) attitudes and outcomes among victims and key actors in the criminal justice system that began with *Layers of Meaning: Domestic Violence and Law Enforcement Attitudes in Arizona* (2005). With funding from Arizona Peace Officer Standards and Training Board (AzPOST), Arizona Department of Public Safety, and the Governor’s Commission to Prevent Violence Against Women, that research examined the opinions of the state’s police officers and sheriffs’ deputies. It reported that most frontline officers believe domestic violence arrests too seldom lead to full, effective engagement by the rest of Arizona’s criminal justice system. The report uncovered widespread frustration among Arizona law enforcement officers with how the state’s “pro-arrest” DV policy functions.

Law enforcement officers are, of course, only one set of actors in the system — participants who readily acknowledged their colleagues’ good intentions and efforts. But the strength and consistency of frontline officers’ convictions underlined the need to examine outlooks on what happens to domestic violence cases and victims *after* arrest. The results of this research, therefore, aim to tell the rest of the story so that policymakers can improve Arizona’s efforts to reduce and prevent domestic violence.

In 1980, the Arizona Legislature passed its first statute to address domestic violence. More than a quarter-century later criminal justice practitioners, policymakers, researchers, and advocates in Arizona continue to wrestle with such basic issues as:

- How can criminal justice and community institutions operate as a true “system” across key decision points and through separate bureaucracies with different missions and desired outcomes?
- What are the respective contributions of victim advocacy, prosecutorial discretion, judicial decision-making, and probation supervision to the outcomes of DV cases?
- How are prosecutors, judges, victims, probation officers, and advocates similar and different in their attitudes towards and knowledge of domestic violence?

¹ This report uses the term “victim” to refer to individuals who say they have suffered domestic abuse. Some people argue that “survivor” is a more appropriate term, while others maintain that “alleged victim” is more accurate. However, “victim” is the term most commonly used throughout Arizona’s criminal justice system.

- How are DV victims perceived by principal criminal justice actors, and how do victims rate their treatment by the system?
- Which supports and barriers encountered by victims most directly affect their level of participation in or outcome of their case?

This study sought answers to these and related questions by interviewing and surveying victims, victim advocates, prosecutors, judges, and probation officers, as well as by analyzing available cases, to better understand variations in DV case outcomes across county and municipal jurisdictions in the Arizona criminal justice system.

National Consensus Is Increasingly Questioned

Domestic violence in the U.S. has been treated as a criminal matter only in the last three decades. This is a significant departure from times when domestic violence was considered a private matter outside the scrutiny of government. This shift is a response to and a cause of dramatic changes affecting modern American society, including: 1) the changing role of women, which directly affected the way domestic violence was recognized as an important public policy issue; 2) the influence of the women's movement, which in the 1960s and 70s called attention to the prevalence of domestic violence, the inadequacy of law enforcement responses, and the plight of battered women; 3) the decision by domestic violence victims themselves to sue police agencies for failing to provide equal protection under the law; 4) the impact of research in the 1980s that suggested that arrests of suspected offenders would better deter them from further violence; and 5) the national movement towards more punitive measures in dealing with social problems. This has resulted in growing reliance on and greater expectations of the criminal justice system.

The most influential practical approach to combating domestic violence began with a 1981 program in Duluth, Minnesota, originally called the Domestic Abuse Intervention Project, now commonly referred to as the Duluth Model.

The most influential practical approach to combating domestic violence began with a 1981 program in Duluth, Minnesota, originally called the Domestic Abuse Intervention Project, now commonly referred to as the Duluth Model. The program created and popularized the widely adopted "Power and Control Wheel" used to explain domestic violence, treat abusers, and empower victims. The model's theoretical roots are found in feminist views of patriarchy, female subjugation, and the notion of victim empowerment. The Duluth Model focuses on four elements: 1) stopping the offender's use of violence, rather than seeking to fix the abusive relationship; 2) using the power of the state through arrest and prosecution to control offender behavior; 3) providing victims with emergency housing, orders of protections, and information; and 4) tracking cases and working with law enforcement, the courts, and advocacy programs to ensure interventions conform to agreed upon policies. Their curriculum for treating offenders, *Creating a Process of Change for Men Who Batter*, is the most widely used in the country and, arguably, the world. However, 25 years after its inception, its appropriateness for dealing with everything that counts as domestic violence and its adaptability as conditions and knowledge change are increasingly being called into question.

The Duluth Model remains an inspiration for those dealing with domestic violence issues and its basic principles have been adopted throughout the country, including Arizona. Whether it has changed the prevalence of domestic violence, however, is vigorously debated.² Some of the Duluth Model's opponents say that male privilege is not a predominant cause of domestic violence and not an adequate explanation for

² Dutton, Donald G. (2007). *Rethinking Domestic Violence*, UBC Press.

its prevalence. In addition, they say the Duluth Model overlooks such critical factors as offender mental health issues, substance abuse, and childhood history of violence. Further, the Duluth Model is predicated on victims leaving their abusers in order to be safe, which precludes other approaches that might also have value. Finally, the model is criticized for resting exclusively on male on female violence, thus overlooking same sex relationships, female offenders, and other family members that engage in violence.

The National Institute of Justice (NIJ), in a 2003 report on the efficacy of the Duluth Model and other batterer intervention programs³ reported that when batterers received the Duluth Model as treatment, it merely suspended the violent behavior for the extent of the program without yielding long-term effects. A follow up from the creator organization of the Duluth Model specifically refuted this claim with research compiled by a different source. The NIJ report also stipulated that for those offenders who do not fit the single Duluth Model category (that is, men who purposely dominate women), the intervention is less effective or even ineffective. The NIJ suggested that intervention programs need to be responsive to different types of batterers and the nature and origin of their behavior, rather than the behavior itself.

These criticisms point to the fact that the consensus on the approach to domestic violence is now being questioned on a number of fronts and a search is on for the next generation of responses. As this report will show, criticism comes not only from researchers, but also from many of the criminal justice system professionals and victims interviewed and surveyed for this study. Having taken a Duluth Model-inspired approach to domestic violence in Arizona, key decisionmakers in the state increasingly question how to augment and complement it, while victims overwhelmingly report frustration and disappointment with their experience with the criminal justice system.

Understanding Arizona's Current Approach to Domestic Violence

When the criminal justice system (CJS) becomes involved in domestic violence, a complex network of police, advocates, prosecutors, judges, and, possibly, probation officers is engaged. Depending how far beyond the initial contact with the system (usually first-response police officers) a victim goes, many system officials may make decisions and orders that ultimately determine the direction victims' cases take. For most victims, entry into this maze starts a bewildering journey into the unknown. Involvement may be lengthy and require a level of determination and knowledge held by few. In short, dealing with the official response to domestic violence is a complicated and often frustrating experience. The basic steps and key decision points in Arizona's CJS response are shown on page 4.

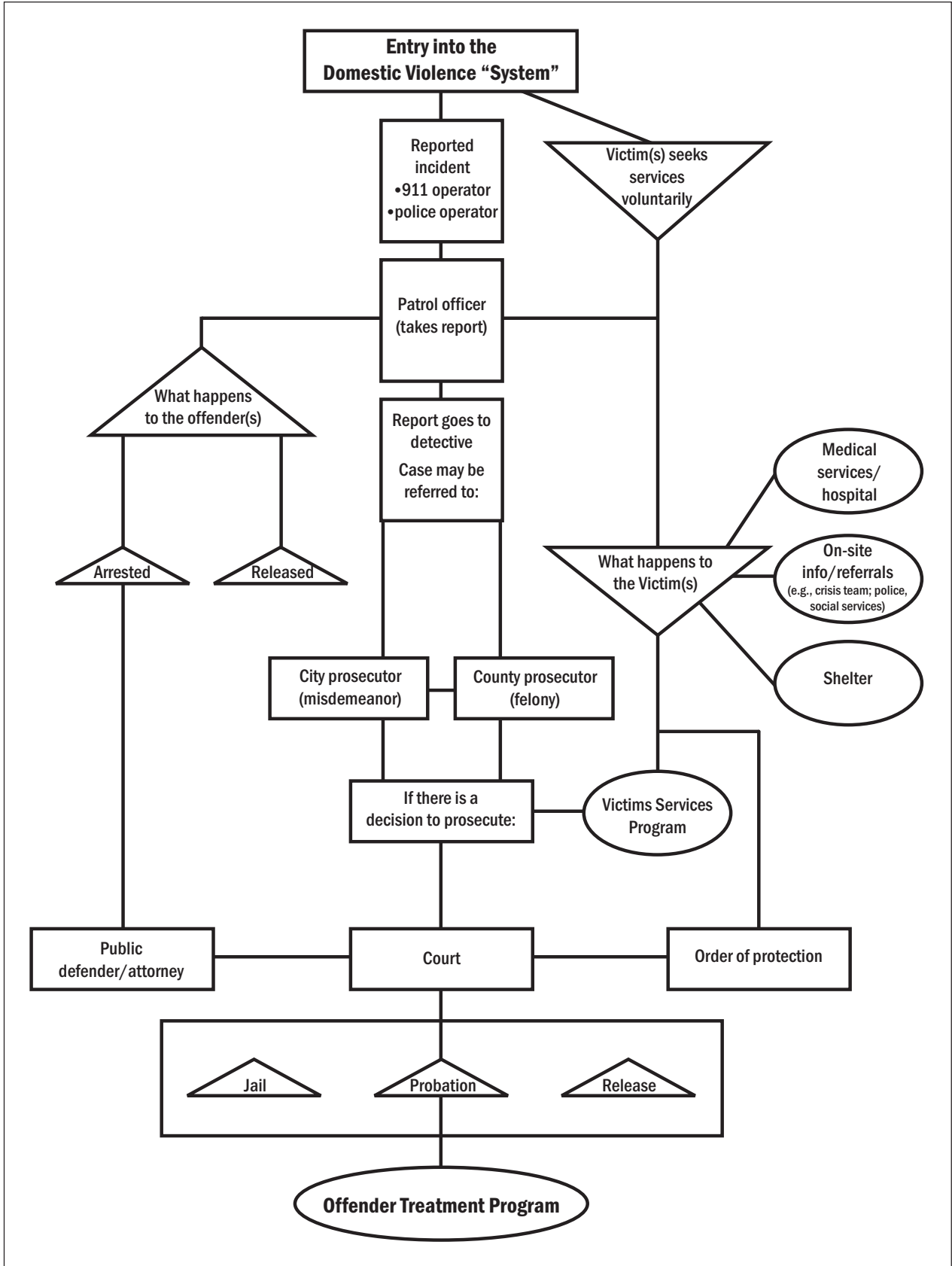
An Overview of Domestic Violence Law in Arizona

In many ways, the criminal justice response to domestic violence can be seen to operate through two sub-systems: one in municipal and justice courts for misdemeanor arrests and the other at the superior court level for felony cases. Thus, the particular crime the alleged offender is charged with determines much of what is

Having taken a Duluth Model-inspired approach to domestic violence in Arizona, key decision makers in the state increasingly question how to augment and complement it, while victims overwhelmingly report frustration and disappointment with their experience with the criminal justice system.

³ Jackson, Shelly et al. (2003). *Batterer Intervention Programs: Where Do We Go from Here?* NIJ (NCJ195079).

The Criminal Justice Response to DV Includes Many Actors and Numerous Options



Source: Morrison Institute for Public Policy, Arizona State University, 2007.

to follow. Domestic violence is not categorized as a separate crime by Arizona law (except for aggravated domestic violence, which can be charged when a suspect commits multiple domestic violence crimes).⁴ Instead, the phrase refers to any of nearly two dozen crimes committed between individuals who are or were related by “blood, marriage or household residency.”

Arizona Revised Statutes 13-3601 cites 21 crimes as potential incidences of domestic violence, including:

- Endangerment
- Threatening or intimidating
- Simple or aggravated assault
- Custodial interference
- Criminal trespass
- Criminal damage
- Disorderly conduct
- Harassment
- Stalking

The majority of domestic violence cases processed by the Arizona justice system involves misdemeanor assault, which is a minor crime that typically is punishable by a maximum of six months in jail. In practice, most suspects are taken to jail upon arrest but are released on bond within a day; their cases typically are later settled by plea bargains in which those convicted pay fines and/or restitution, are placed on unsupervised probation, and required to attend counseling.

Understanding “Mandatory Arrest”

Arizona, like many other states, has a “mandatory arrest” policy. The key change from the past is that, under certain circumstances, police officers responding to the scene of an alleged DV incident are *required* to make an arrest even if they did not witness the offense, their own judgment at the scene directs otherwise, and the victim does not desire it. This requirement does not apply in all cases. For most domestic violence-designated crimes – such as disorderly conduct or criminal damage – ARS 13-3601 holds that an officer with probable cause *may* make a misdemeanor or felony arrest, with or without a warrant, and with or without having witnessed the crime. However, in a case of “infliction of physical injury or involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument,” an Arizona peace officer with probable cause *must* make an arrest. But even this provision contains a significant caveat: An officer may forego arrest if he or she “has reasonable grounds to believe that the circumstances at the time are such that the victim will be protected from further injury.”

Dual Arrests, Weapons, Charges, and Penalties

Officers responding to DV calls sometimes find that both parties have engaged in violent behavior, making it difficult to determine whom to arrest. As a result, officers

⁴ According to ARS 13-3601.02, “A person is guilty of aggravated domestic violence if the person within a period of 84 months commits a third or subsequent violation of a domestic violence offense or is convicted of a violation of a domestic violence offense and has previously been convicted of any combination of convictions of a domestic violence offense or acts in another state, a court of the United States or a tribal court that if committed in this state would be a violation of a domestic violence offense.”

sometimes arrest both parties — known as “dual arrest.” To do so, the arresting officer must believe that both parties independently acted violently toward the other. It is also criticized by advocates and others who say it unjustly penalizes victims who respond to violence with violence in self-defense. Unlike some other states, Arizona does not have a “predominant aggressor” law that requires arresting officers to identify the person who used “more substantial” force.

Domestic Violence: Highlights from History

- 1972:** One of the country’s first battered women’s shelters, Rainbow Retreat, opens in Phoenix.
- 1978:** The National Coalition Against Domestic Violence (NCADV) created.
- 1980:** Arizona Legislature passes its first domestic violence bill. Arizona Coalition Against Domestic Violence is founded.
- 1984:** Publication of the Minneapolis Domestic Violence Experiment generates national momentum in favor of arresting offenders.
- 1984:** The U.S. Attorney General’s Task Force on Family Violence recommends that family violence be treated as a crime and that law enforcement agencies should make arrests in such cases. The U.S. Congress passes the *Family Violence Prevention and Services Act*. Phoenix Police Department adopts policy stating officers should arrest offenders even if victims object to prosecution, and when probable cause exists, officers should arrest even if a misdemeanor offense did not occur in their presence.
- 1985:** U.S. Surgeon General identifies domestic violence as a major public health concern.
- 1994:** U.S. Congress passes the *Violence Against Women Act* into law.
- 1995:** The Office of Violence Against Women is created within U.S. Department of Justice.
- 1997:** Arizona Legislature creates the Domestic Violence Shelter Fund, a dedicated funding source for shelter services in the state.
- 2000:** U.S. Congress reauthorizes the *Violence Against Women Act*, adding the *Trafficking Victims Protection Act* of 2000.
- 2000:** Arizona Legislature passes ARS 13-3601.02. *Aggravated Domestic Violence* to hold repeat offenders accountable and make anyone convicted of aggravated domestic violence guilty of a Class 5 Felony.
- 2004:** Governor’s Commission to Prevent Violence Against Women releases *The State Plan on Domestic and Sexual Violence: A Guide for Safety and Justice*. Arizona Legislature amends ARS 33-1315 to ensure that people living in rental housing are able to call law enforcement for domestic violence without a threat of being evicted.
- 2005:** Arizona Legislature eliminates a law providing lesser penalties for sexual assault of a spouse than for sexual assault of a stranger.
- 2006:** Arizona Legislature amends ARS 33-1315 to ensure that people living in rental housing are able to call law enforcement for assistance on any matter, not just domestic violence, without a threat of being evicted for disturbing the peace of the neighborhood.

Sources: Ferraro, 1989; Governor’s Commission to Prevent Violence Against Women, 2004; Arizona WomensLaw.Org, 2007.

A law enforcement officer can remove a weapon from a DV scene if it is in plain sight, if consent to search the premises is obtained, or if the officer believes there is imminent risk of bodily harm or death should it remain in the home, at the scene, or in the owner’s possession. However, the owner may get that weapon back in some circumstances. A federal measure, in contrast, known as the *Domestic Violence Offender Gun Ban* or the *Lautenberg Amendment*, requires that individuals convicted of certain types of DV offenses or subject to an order of protection not possess firearms for life.

Law enforcement officers must indicate in their initial report that the charge also falls within the definition of domestic violence. In most cases, it is then up to the prosecutor to continue with the DV designation or not. Some prosecutors agree to leave out the DV designation as part of a plea bargain; others have what are sometimes called “no drop” policies, which are aimed at building a record of DV convictions so as to require repeated misdemeanor defendants eventually to face felony charges for aggravated DV.

The penalties for domestic violence offenders vary greatly across jurisdictions. In the case of misdemeanors, most first-time offenders are eligible for “diversion” from prosecutors, which means that the case will be dismissed if the offender ceases the abuse, attends counseling sessions, and complies with other requirements. Other offenders typically receive a sentence of probation, which usually includes required treatment; the offender must pay the costs of probation and treatment. Offenders who continue committing new DV offenses can face increasingly stiffer penalties, including imprisonment.

Orders of Protection and Safety at Workplaces

Many victims are advised by the arresting officer or victim advocates to seek an order of protection (OP) against the alleged offender. Any Arizona court may issue an OP. The order may prohibit the defendant from committing an act of domestic violence, grant the victim exclusive use of the home, forbid contact between the victim and defendant directly or indirectly,

prohibit the defendant from possessing or purchasing a firearm, and require the defendant to surrender firearms to a law enforcement agency within 24 hours of service of the OP. In order for an OP to be effective, the defendant must be served in person with the order within a year of the date it was signed by a judge. Once served, the OP is valid for one year from that date. Only the victim can have the OP quashed or modified. Although it is initiated as a civil matter, an OP allows the police to make an arrest if an offender violates the order. Arizona law also stipulates that OPs issued and served in other jurisdictions within the United States, including those issued by tribal courts, are to be honored.

An OP may be obtained on an emergency basis, when a judge, magistrate, or justice of the peace has reason to believe that the petitioner is in imminent danger.

During the past decade, Arizona has adopted further safeguards for DV victims. State law now ensures that victims cannot be evicted from their homes if they call the police for assistance with DV. In addition, an employer who is concerned for an employee's safety and that of other employees in the workplace may obtain an injunction against harassment, preventing a defendant from coming near, intimidating, or harassing anyone associated with the employer or the employee while they are at work. Further, law enforcement is now required to provide victims with information and referrals to services and victim protection.

Misdemeanor DV Cases in Arizona

For this research, the Arizona Administrative Office of the Courts (AOC) provided the available statewide data on domestic violence cases. The information provides an important picture even without data from some places.⁵ The data details misdemeanor case outcomes in many court systems and account for approximately half of cases in limited jurisdiction (municipal and justice of the peace) courts.

AOC reported on 3,046 Justice of the Peace (JP) court and 11,127 municipal court DV terminations, for a total of 14,173 charges that were terminated in 2006. Most cases involve multiple charges, but taking only the most serious charge as a proxy for the number of individuals involved, there were 1,874 JP and 6,698 municipal cases terminated in 2006. The following table shows cases by their most serious charge:

DV Cases Appear in Three Arizona Courts

Superior Courts. The Superior Court of Arizona has locations in each of the state's 15 counties. Judges in counties with fewer than 250,000 residents are elected; judges in larger counties are appointed by the governor. Superior courts handle a variety of civil cases, criminal felonies (crimes punishable by imprisonment of at least one year), and appeals from justice and municipal courts. In addition, the court has jurisdiction over cases involving "dependent, neglected, incorrigible, or delinquent children" less than 18 years of age. Superior courts' probation departments supervise offenders on probation.

Municipal Courts. Also known as city or magistrate courts, Arizona's 84 municipal courts handle misdemeanor crimes and petty offenses committed within city or town limits. Municipal court judges hear civil traffic cases, misdemeanor criminal traffic cases, and other violations. They also issue orders of protection and injunctions against harassment. Most city or town councils appoint their judges.

Justice of the Peace Courts. The state's 79 justice of the peace (JP) courts handle cases within geographic districts called precincts, which typically include a city or town plus parts of other communities. JPs, elected officials who need not be attorneys, hear a variety of lesser criminal and civil cases, including traffic, domestic violence, and harassment cases. JPs also conduct preliminary hearings on felony cases, which they may dismiss or send on to superior court.

Source: Adapted from http://www.supreme.state.az.us/guide/Ltd_Jurisdiction.htm and Smith, Z. A. (ed). (2002) *Politics and Public Policy in Arizona*. Westport, CT, Praeger Publishing.

⁵ Jurisdictions not included: Maricopa county justice courts, Pima consolidated and Prescott justice courts, Phoenix, Mesa, Chandler, Tempe, Paradise Valley, Gilbert, Kingman, Bullhead City, Lake Havasu, Colorado City, and Prescott municipal courts, none of which are part of AOC's Data Warehouse system. Analysis also excluded courts with less than 10% of misdemeanor DV cases, because of inconsistent data reporting that could skew results. These data are for filed cases and, therefore, do not include all 911 calls to the police.

ASSAULTS WERE THE MAJOR CATEGORY OF OFFENSES

Most serious offense category	JP court		Municipal court		Total*	
	%	Count	%	Count	%	Count
Assault related	57%	(1,061)	58%	(3,884)	58%	(4,945)
Trespassing & Burglary	1%	(26)	2%	(114)	2%	(140)
Damage to property	12%	(231)	16%	(1,100)	16%	(1,331)
Interfering with judicial proceeding	5%	(98)	8%	(556)	8%	(654)
Offense against public order	19%	(352)	16%	(1,040)	16%	(1,392)
Family offenses	6%	(106)	0%	(4)	1%	(110)
Total*	100%	(1,874)	100%	(6,698)	100%	(8,572)

* Totals may not always equal 100% due to rounding.

Source: Arizona Administrative Office of the Courts, 2007.

The distribution of the most serious type of offenses was similar for JP and municipal courts. Most cases (58%) were for assault-related offenses, followed by offenses against public order (16%) and damage to property (16%). “Interfering with judicial proceeding offenses” (8%) were for violations of orders of protection. The following table shows the disposition of these cases:

MORE THAN HALF OF DV MISDEMEANORS WERE DISMISSED

Most serious disposition	JP court		Municipal court		Total*	
	%	Count	%	Count	%	Count
Guilty	51%	(951)	42%	(2,788)	44%	(3,739)
Acquittal	1%	(21)	1%	(43)	1%	(64)
Dismissed	46%	(855)	57%	(3,845)	55%	(4,700)
Transferred out	2%	(34)	0%	(19)	1%	(53)
Other	1%	(13)	0%	(3)	0%	(16)
Total*	100%	(1,874)	100%	(6,698)	100%	(8,572)

Source: Arizona Administrative Office of the Courts, 2007.

In JP courts, a majority of cases were found guilty (51%), whereas in municipal courts most cases were dismissed (57%). Overall 55% of cases in both courts were dismissed. AOC reported that the dismiss category combines those dismissed by the court with those dismissed by the prosecutor. Court dismissals include cases where there was an initial court appearance but in which no complaint was filed. Prosecutor dismissals include cases where the defendant has successfully completed a diversion program.

The following table shows the sentence for those 3,739 cases where the defendant was found guilty of a domestic violence offense:

SENTENCES VARIED FOR THOSE FOUND GUILTY OF DV OFFENSES

Most serious sentence	JP court		Municipal court		Total	
	%	Count	%	Count	%	Count
Corrections	0%	(6)	0%	(3)	0%	(9)
Corrections and probation			0%	(1)	0%	(1)
County/city jail	11%	(106)	8%	(223)	9%	(329)
County/city jail and probation	15%	(139)	54%	(1,496)	44%	(1,635)
Probation & monetary penalty/public service	20%	(189)	9%	(243)	12%	(432)
Probation only	11%	(108)	9%	(259)	10%	(367)
Monetary/public service/diversion only	32%	(305)	8%	(221)	14%	(526)
Suspended/unsupervised probation	6%	(56)	11%	(297)	9%	(353)
Unknown/unavailable	4%	(42)	2%	(45)	2%	(87)
Total	100%	(951)	100%	(2,788)	100%	(3,739)

Source: Arizona Administrative Office of the Courts, 2007.

In JP courts, the most prevalent sentence is monetary, public service, and diversion (32%), whereas for municipal court it is county or city jail and probation (54%). Overall, the most common sentence is county or city jail and probation (44%).

A comparison of domestic violence and non-domestic violence charges (that is, of comparable charges with and without the domestic violence designation) was made by AOC to see if there were any differences. DV cases did show a higher rate of dismissal than non-DV cases – 7% more in justice courts and 10% more in municipal courts – and, therefore, a lower conviction rate as the following table shows.

DV CASES HAVE A LOWER CONVICTION RATE THAN COMPARABLE NON-DV CASES

Most serious disposition	JP court		Municipal court		Total	
	Non-DV	DV	Non-DV	DV	Non-DV	DV
Guilty	54%	51%	52%	42%	53%	44%
Acquittal	1%	1%	0%	1%	1%	1%
Dismissed	39%	46%	47%	57%	45%	55%
Transfer	5%	2%	0%	0%	1%	1%
Other	1%	1%	0%	0%	0%	0%
Total	100%	100%	100%	100%	100%	100%

Source: Arizona Administrative Office of the Courts, 2007.

Domestic violence imposes an enormous burden on Arizona. It affects thousands of families, costs substantial amounts of public dollars, and places demands on agencies in every branch of government at all levels. These human and monetary costs will likely only increase, and multiply through future generations. By examining the outlooks and attitudes of DV victims and of professionals in the justice system, *System Alert* shows it is time to consider how to complement and augment the current work of Arizona’s criminal justice system.

Guide to *System Alert: Arizona's Criminal Justice Response to Domestic Violence*

The results reported in *System Alert* come from five separate surveys and 71 individual interviews (see the Appendix for a summary of methodology). Results are presented for each survey in turn, together with survey comments and extracts from interviews. The order is prosecutors, judges, victims, victim advocates, and probation officers. For comparative purposes, an analysis of statements that were included in three or more of the surveys of criminal justice system professionals is presented in *Survey Statements in Common*, which also includes some items from the survey of police reported in Morrison Institute's *Layers of Meaning* (2005).

For ease of reference, the section of the report for each professional group — prosecutors, judges, advocates, and probation officers — contains a table of survey statements, showing respondents' levels of agreement on a summarized three-point scale (agree, neither, disagree). Results of the full five-point scale used in the surveys ("strongly agree," "agree," "Neither agree nor disagree," "disagree," and "strongly disagree") are included in the Appendix for

all surveys. The results sections of the report contain tables showing statistically significant differences in levels of agreement by key demographic variables, such as region (defined as urban or non-urban counties), level of court (superior and lower courts), and gender of respondent. Maricopa and Pima are "urban" while all other counties are "non-urban."

Some judges commented in their survey responses that the term "victim" should only be used where cases result in conviction. Here, those who report having suffered from domestic violence are referred to as victims, following standard practice in the criminal justice community, whether or not cases result in conviction. Similarly, the term "offender" is used generically, whether or not cases result in conviction.

The terms "advocate" and "victim advocate" are used interchangeably to refer to anyone who has identified themselves as an advocate for domestic violence victims, regardless of the type of organization for which they work or volunteer.

PROSECUTORS

Prosecutors play arguably the most powerful role in shaping Arizona’s criminal-justice response to domestic violence. First-responding police officers are the “gatekeepers” to the justice system; but Arizona’s “mandatory arrest” law has reduced the discretion of officers who answer 911 calls, effectively shifting some decision-making power to prosecutors. Judges rule on guilt or innocence, issue sentences, and decide other critical matters, but they can only rule on cases that are selected, prepared, and presented by prosecutors. Prosecutors review cases presented by police and decide which to pursue and which to dismiss. They determine what charge to file against a suspect, and whether it will be a felony or misdemeanor. As a case moves through various court hearings, prosecutors decide at each point how — or whether — to proceed. Prosecutors decide what plea bargains to offer defendants and whether to accept counter offers. In DV cases, prosecutors alone can offer first-time offenders a “diversion” program that can result in erasing the defendant’s criminal conviction.

In Arizona, prosecutors either work for one of 15 county attorneys or for municipal prosecutors’ offices. The former typically handle felony cases in superior courts and misdemeanor cases in justice courts; city prosecutors pursue misdemeanor cases in city courts.

In the 183 completed surveys and 14 interviews, most Arizona prosecutors were generally supportive of the existing system. They acknowledged the significance of DV as a social problem — 92% agreeing that “DV is a significant problem in my jurisdiction” — and as a proper target of criminal prosecution: 90% rejected the statement that “DV is best handled as a private matter, rather than by the justice system.” A clear majority (69%) also disagreed that “DV cases take too much of the criminal justice system’s time and effort.” Most said they supported “mandatory arrest” and felt that police were improving in their DV investigations, that punishment has value as a deterrent to future abuse, that victim advocates play an important role, and that orders of protection can serve a useful purpose. On the other hand, many Arizona prosecutors said they were overwhelmed by the volume of DV cases, concerned that judges were too easy on offenders, were ignorant or skeptical of the value of current treatment efforts, and had a conflicted view of DV victims.

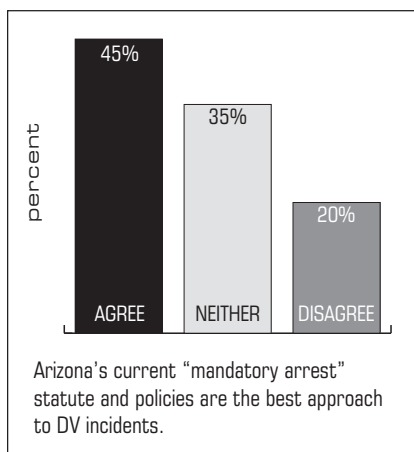
Indeed, prosecutors’ comments underlined the central importance of the prosecutor-victim relationship to the system’s response to DV. Though sympathetic to victims, prosecutors identified victims’ reluctance to participate in prosecution as the major obstacle to the successful criminal justice resolution of cases; many prosecutors said well over half of their cases must be dismissed because victims back out. Complicating the prosecutor-victim relationship, they added, is the surprise, disappointment, and even anger felt by many victims when they realize that prosecutors’ primary role in a given criminal case is to represent the State of Arizona,

% of respondents who have had special training specifically concerning DV	76%
% where office has a special DV prosecutor or unit	49%
% who are DV prosecutors or members of special unit	20%
% where office employs one or more individuals who work with DV victims	90%
Average number of years as prosecutor	9 years
Average % of cases in last 12 months that were DV cases	34%

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

“...we all have relationships that have good days [and] bad days...and judges are as susceptible to that as prosecutors and as police officers are.”

—city prosecutor



Source: Morrison Institute for Public Policy, Arizona State University, 2007.

“I think that [mandatory arrest is] good in that there's a cooling down period.”

—city prosecutor

not the individual victim. That means prosecutors will sometimes make decisions — pursuing charges that a victim wants dismissed, for example, or accepting a plea bargain that the victim opposes — over a victim's objections.

Prosecutors Say DV Presents Special Challenges

In interviews, most prosecutors readily agreed that DV cases contain elements that make them more difficult to pursue than similar non-DV matters. A city prosecutor said:

It's messy, it's emotional, [and] it involves additional work.... Domestic violence cases are almost unique in that the victims often times, and in fact I would say most of the time, do not want to cooperate in any way and in fact are actively hostile to the prosecution.

Another city prosecutor agreed, and mentioned the impact of lingering “traditional” attitudes about pursuing DV cases:

DV cases I think, are the most challenging of cases...because you don't have other evidence. You don't have witnesses that will come in. And a lot of people think, “It's behind closed doors. And you know, it's none of my business. And so I don't want to get involved.”

And a third city prosecutor noted that DV crimes are different from others because they strike uncomfortably close to home for many justice officials:

...we all have relationships that have good days [and] bad days...and judges are as susceptible to that as prosecutors and as police officers are. And that's another dynamic that's different from most [criminal cases]... You know, most officers don't ever deal with an [personal] issue where they're trying to decide whether they are going to rob the Circle K or not.

Prosecutors Believe “Mandatory Arrest” Works Well Enough

Arizona, like most states, takes a so-called “mandatory arrest” approach to DV enforcement. Many — though not most — prosecutors endorsed this approach, with 45% agreeing that “Arizona's current ‘mandatory arrest’ statute and policies are the best approach to DV incidents.” In response to a related statement, 47% disagreed that “AZ's ‘mandatory arrest’ laws have forced the system to deal with too many minor DV cases,” while 25% marked neither, and 28% agreed. A city prosecutor said:

I think that [mandatory arrest is] good in that there's a cooling down period. You know, it gets the defendant out of the situation and there is some time to cool off and there you have a safety plan.... [And] often that is the only time that [offenders] actually do jail.

Another city prosecutor agreed, adding that her initial concerns about overzealous officers have not been borne out:

I had some concern that some folks that are normally law-abiding citizens — that maybe things got a little bit out of hand, but not involving physical violence, assaults, or anything like that — that we'd start getting a lot of those [arrested], especially if like neighbors are calling 911...but I don't think that's panned out.

On the other hand, some prosecutors said the “mandatory arrest” laws and policies have resulted in too many needless arrests. In a written survey comment, one prosecutor noted that Arizona's law does not strictly require officers to arrest someone at a DV scene, and that officers should exercise the non-arrest option more often:

The mandatory arrest statute...does not require an arrest where the officer is reasonably sure that the risk of imminent violence isn't substantial. Too often officers make an arrest believing they have to, which can make the situation completely untenable when the parties reunite....

Another prosecutor wrote a similar comment:

The pendulum has swung too far in recent years. Mandatory arrests in some cases [are] not helpful. A little more discretion up front would aid prosecution by allowing us to concentrate more effectively on cases that really need attention.

Police Do Their Best to Collect Evidence, But Are Often Swamped

In DV cases, prosecutors rely heavily on police officers to conduct solid on-scene investigations because independent witnesses and evidence are often lacking, leaving a prosecutor and judge to face two conflicting stories of what happened. And because, according to prosecutors, so many victims later change their stories or refuse to participate, prosecutors who wish to pursue a case without victim testimony must have on-scene statements, photographs, or other separate evidence to use. In the 2005 Morrison Institute report on police attitudes towards DV, more than half of survey respondents complained that prosecutors fail to follow up adequately on DV arrests. However, in interviews for this report, many prosecutors said that they were unable to pursue many DV cases because of flawed police investigations. But in the survey, 45% of prosecutors agreed that “In my experience, most DV cases are adequately investigated by police,” while 30% marked neither and 25% disagreed. A county prosecutor said:

They're generally pretty good. I've been impressed. Some of the issues are more training issues....But with the emphasis being on domestic violence, I think law enforcement agencies are training their officers better. And it's not too often that I'm [looking at a police report and saying] like, "Oh, my God. I can't believe [officers] did this." Or, "I can't believe they didn't do this."

Another county prosecutor said officers in rural areas sometimes face complications not experienced by their urban colleagues:

[Police] have the dilemma of, you know, in the smaller towns where everybody kind of knows everybody. And maybe it is that one case where things just did get out of hand and they don't know what to do.... I had an interesting case in one of the smaller towns where they didn't know what to do so they just arrested somebody just to kind of get the situation to die down...[and] there was really no case.

Another frequently mentioned issue was the difficulty police have dealing with the high volume of DV cases. A prosecutor wrote:

Given the huge number of reports that they receive, they can't spend the proper amount of time on the cases that are deserved. As a result, many cases are not prosecutable because the investigation isn't sufficient. Usually, it isn't the police's fault. They don't have the time.

Another prosecutor wrote:

There needs to be more detectives so that they have more time to perform competent follow up on cases. Most often they will just send postcards to suspects and hope that they get called. Most interviews are done over the phone. Most detectives get burned out, even the most dedicated.

“The pendulum has swung too far in recent years. Mandatory arrests in some cases [are] not helpful.”

—prosecutor survey comment

“...many cases are not prosecutable because the investigation isn't sufficient. Usually, it isn't the police's fault. They don't have the time.”

—prosecutor survey comment

“Most detectives get burned out, even the most dedicated.”

—prosecutor survey comment

“I find that when I make my presence known and ask for [the sentence] I want, I tend to get it.”

—city prosecutor

“Judges actually need to punish offenders. They bitch about wanting sentencing discretion (take it away from prosecutors) and then they never use it.”

—prosecutor survey comment

Prosecutors Believe More Training Would Help Everybody

Most prosecutors (62%) agreed that “More training would improve my handling of DV cases.” Indeed, the issue of training was one of their most common topics when asked what would help them most with DV cases. Many prosecutors strongly recommend more training for themselves, judges, and police officers. One wrote that Arizona needs “*more training for law enforcement to prepare cases for prosecution in the case the victim recants [and] more training on victimology for judges for sentencing purposes.*”

Another asked for:

More training for officers on the street and detectives investigating these offenses. So that all or as much evidence is collected as close in time to the incident as possible – witness statements, statements from victims, photos, evidence collection, statements of suspects, etc.

And Think Too Many Judges Are Too Easy on Offenders

Prosecutors seemed generally content with the performance of judges in DV matters, but many considered judges too lenient. Prosecutors gave a mixed response to the statement, “In my experience, judges tend to be too sympathetic to DV offenders;” 42% agreed, 28% marked neither, and 30% disagreed. On the other hand, a clear majority (69%) rejected the statement that “In my experience, judges tend to be too sympathetic to DV victims.” And a bare majority (51%) disagreed that “Most judges impose appropriate sanctions on DV offenders who violate probation.” In addition, most (78%) disagreed that “Most offenders convicted of non-injury DV misdemeanors are sentenced too severely.”

One city prosecutor said she usually can persuade judges to give stiffer sentences:

I find that when I make my presence known and ask for [the sentence] I want, I tend to get it. But left to their own devices, [judges give] a lot of slaps on the wrist.

On the survey, one prosecutor wrote that some judges pass sentence without considering the broader DV context: “*Too often the judges are too lenient with the offenders when there are no prior documented cases, even when the cycle of violence has been ongoing in the relationship.*”

And a city prosecutor said she too often finds judges questioning the culpability of the victim:

One of the major problems that I see with our judges here is that...there still seems to be this, “What’s [the victim] doing here? What’s her part in this?” And inevitably, there’s something to be found. It doesn’t justify the defendant’s behavior. But there’s always sort of that undertone.

But another city prosecutor said she thinks judges do a good job dealing with the complications of DV cases:

...oftentimes the victim doesn’t want jail [for the offender] or you know, the defendant says he’s going to counseling or he’s changed his life. And the judge takes that into consideration. So I’m not going to say that judges don’t do well on the bench. I think that they do.

And one prosecutor showed frustration in a written comment:

Judges actually need to punish offenders. They bitch about wanting sentencing discretion (take it away from prosecutors) and then they never use it. They treat every defendant the same. How about giving prosecutors actual ability to deal out punishment?

PROSECUTORS' SURVEY RESULTS

Statement	Agree		Neither		Disagree	
	%	Count	%	Count	%	Count
DV is a significant problem in my jurisdiction.	92%	168	7%	12	1%	2
In my experience, most DV cases are adequately investigated by police.	45%	82	30%	54	25%	46
Too many cases cannot be prosecuted successfully because victims fail to assist prosecution.	88%	160	9%	17	3%	5
Prosecuting DV offenders seldom helps reduce future DV incidents.	24%	43	26%	48	50%	91
Many DV cases would better be handled through mediation than through prosecution.	21%	39	21%	39	57%	104
In my experience, judges tend to be too sympathetic to DV victims.	7%	12	25%	45	69%	125
Orders of protection are effective in deterring future DV incidents.	23%	42	31%	57	46%	83
DV cases are my least favorite criminal cases to handle.	25%	45	31%	57	44%	80
Arizona's mandatory arrest laws have forced the system to deal with too many minor DV cases.	28%	51	25%	45	47%	84
Many DV victims could easily leave their relationships, but don't.	26%	47	19%	35	55%	100
I only prosecute protection-order violations if a separate crime has been committed.	3%	6	15%	28	81%	148
Most victims are safer as soon as they leave an abusive relationship.	30%	54	22%	40	48%	88
A major problem with DV is that there are too many repeat cases.	69%	125	21%	38	10%	19
DV cases take too much of the criminal justice system's time and effort.	8%	15	23%	42	69%	125
DV cases should be prosecuted only when there is clear evidence of injury.	7%	12	5%	9	88%	161
I will not proceed with a case if the victim is reluctant to do so.	8%	14	13%	24	79%	144
DV victims are often as responsible for the incident as the person arrested.	7%	13	20%	36	73%	133
The current statute that makes a DV arrest a felony after previous misdemeanor convictions is too severe.	1%	2	10%	19	88%	160
The definition of a "relationship" in Arizona's DV statutes is too broad.	33%	60	13%	23	54%	98
Substance abuse by the victim is a primary cause of DV.	19%	35	18%	33	63%	114
I believe most DV victims are satisfied with the system's handling of their case.	14%	25	35%	64	51%	92
Most DV incidents occur because of offenders' anger-control problems.	60%	104	21%	37	19%	33
Most DV incidents are isolated events in otherwise good relationships.	1%	2	15%	26	84%	146
DV offenders should be prosecuted even when the victims don't want prosecution.	80%	139	12%	21	8%	14
DV victims often exaggerate the amount of violence involved.	8%	13	27%	46	66%	114
I recommend jail time for most DV offenders who violate probation.	73%	127	18%	32	8%	14
DV victims too often defeat protective orders by initiating contact with the offender.	62%	108	30%	52	8%	14
DV victim advocates play a valuable role in the court process.	87%	151	10%	18	3%	5
Most DV offenders convicted of misdemeanor assault deserve jail even on their first offense.	35%	61	29%	51	35%	61
There should be a limit on how many cases are filed involving a victim who repeatedly refuses to prosecute.	15%	26	18%	31	67%	117
Too many victims try to use DV prosecution to help them in family law disputes.	28%	48	43%	74	30%	52
Supervised probation is effective in holding DV offenders accountable.	56%	98	33%	58	10%	18
Conviction of a DV offense should not affect a parent's visitation or custody rights.	6%	11	36%	63	57%	100
Anybody who violates an order of protection should be prosecuted or held in contempt.	70%	122	18%	32	11%	20
A victim advocate's main job is to ensure that victims aid prosecution.	7%	13	22%	39	70%	122
In my experience, judges tend to be too sympathetic to DV offenders.	42%	72	28%	49	30%	52
Court-ordered DV treatment seldom reduces future violence.	28%	49	38%	66	34%	59
A DV victim's wishes should be the primary influence on a prosecutor's decisions.	4%	7	21%	37	75%	130
Most judges impose appropriate sanctions on DV offenders who violate probation.	20%	34	29%	50	51%	86
Most DV victims are receptive to prosecution of their offenders.	7%	12	20%	34	73%	126
Most offenders convicted of non-injury DV misdemeanors are sentenced too severely.	2%	3	20%	35	78%	134
Most DV incidents stem from abusers' need for power and control over victims.	77%	134	20%	34	3%	5
Most DV victims who fail to assist in prosecution have good reasons for doing so.	19%	33	46%	80	35%	60
Substance abuse by the offender is a primary cause of DV.	55%	96	20%	35	25%	43
DV is best handled as a private matter, rather than by the justice system.	2%	3	9%	15	90%	155
Arizona's current "mandatory-arrest" statute and policies are the best approach to DV incidents.	45%	77	35%	61	20%	35
More training would improve my handling of DV cases.	62%	108	20%	34	18%	32
Orders of protection would be more effective if they applied to both parties.	51%	87	23%	39	27%	46

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

“Let me put it this way, we’re surprised when the victims show up.”

—county prosecutor

Prosecutors Say Victims Need Help — And to Help Themselves

As noted above, most prosecutors identified victims’ reluctance to support prosecution as their primary source of frustration and the major obstacle to more successful pursuit of DV cases in Arizona. In interviews, prosecutors regularly reported that more than half of their DV cases — one said as high as 85% — had to be abandoned because victims refused to appear (or could not be found), changed their stories, or asked that charges be dropped. At the same time, prosecutors expressed sympathy for victims and did not blame them for their predicament. Most (73%), for example, rejected the notion that “DV victims are often as responsible for the incident as the person arrested;” 63% disagreed that “Substance abuse by the victim is a primary cause of DV;” 66% rejected the statement that “DV victims often exaggerate the amount of violence involved;” and 55% disagreed that “Many DV victims could easily leave their relationships, but don’t.”

But 73% disagreed that “Most DV victims are receptive to prosecution of their offenders.” And 88% agreed that “Too many cases cannot be prosecuted successfully because victims fail to assist prosecution.” In a typical comment, a city prosecutor said:

I’ve had to back off of how aggressive I make a plea in some cases because if I don’t know if I have [the victim’s] cooperation.... Then, if [the defendant] doesn’t want to take the offer, I have no alternative but to dismiss. Which I really hate.

Another city prosecutor said:

And I’ve got to say, nine out of 10 times the listed victim will come into court at the arraignment with the defendant — which, you know, sends up all types of signals as to what’s going on in their lives now. Rarely do I have them sitting across the bench glaring at each other.

And a county prosecutor was more succinct:

Let me put it this way, we’re surprised when the victims show up. That, I think, probably says it better than anything.

“I always make it clear so that there’s no false sense [that] I’m representing [a victim] and what they want.”

—county prosecutor

Prosecutors Say It’s Their Job to Control the Case

One possible reason for friction between prosecutors and victims is a disagreement over who should control the case, and why. Many DV victims express disappointment with the Arizona justice system because they feel officials too often fail to listen to their wishes. In the survey and interviews, prosecutors made it clear that the legal system places them in charge of the case, not the victim. Further, while their goals and the victim’s goals are usually the same, sometimes they are not; in such instances, prosecutors note, they are duty-bound to seek justice on behalf of the State of Arizona rather than the victim.

Thus, a clear majority of prosecutors (80%) agreed that “DV offenders should be prosecuted even when the victims don’t want prosecution;” 79% rejected the statement “I will not proceed with a case if the victim is reluctant to do so;” and 75% disagreed that “A DV victim’s wishes should be the primary influence on a prosecutor’s decisions.” A city prosecutor said:

The duty of a prosecutor is to search for the truth and determine the truth. We’re not always going to make that victim happy, okay? But they are not our client.

And a county prosecutor concurred:

I always make it clear so that there's no false sense [that] I'm representing [a victim] and what they want. I always make it very clear that I've got accountability to the people of Arizona and to holding that [defendant] accountable for what they've done....

Prosecutors said they understand that many DV victims are bound to abusers by emotional and family ties, are afraid of retaliation, or are otherwise reluctant to prosecute. Still, only 19% agreed with the statement that “Most DV victims who fail to assist in prosecution have good reasons for doing so,” while 46% marked neither, and 35% disagreed. A city prosecutor who did agree said:

I think that sometimes they are terrified of what could happen if they prosecute. And it's difficult for me to say as a prosecutor that you know, “You should want to prosecute,..” when I'm not going to have to go home and I don't have to deal with that person after that court day. And so I think that they do have legitimate reasons.

Another city prosecutor said:

...[a victim is] doing what she needs to do to protect herself because, what the biggest flaw is, we can't protect them. Bottom line. Bottom line, when they leave here, we're done, I'm done. “I can't protect you. The police can't protect you.”

Prosecutors determined to force reluctant victims to testify can threaten those who change their stories with arrest for false testimony, or can try to persuade a judge to issue a warrant for a victim's arrest for failure to answer a subpoena. But it does not always work. A county prosecutor said:

I have tried. I have told my judge, you know, “I don't ask you to throw these [victims] in jail. But at least, make them come. Have a discussion with them why you have issued an order...regarding their lack of appearance and at least slap them with a little fine....” And nope, she would not do it.

And many prosecutors said they should not go that far. Another county prosecutor said:

I've never charged someone for recanting. I've asked...for warrants for their arrest when they failed to appear under a subpoena...in appropriate cases. We certainly don't want to be in a position where we're re-victimizing victims. And putting them in jail. But if I think that their safety is in danger or the community is in danger, then I'll resort to the warrant.

In a related matter, some prosecutors said they were also wary of DV victims who pursue criminal cases against the same person with whom they're also involved in a divorce or custody dispute. In response to the statement “Too many victims try to use DV prosecution to help them in family law disputes,” 28% of prosecutors agreed, 43% marked neither, and 30% disagreed.

Prosecutors Believe Victims Need More Support

Many prosecutors said they were aware of DV victims' disappointment with the criminal justice system. For example, just over half (51%) disagreed that “I believe most DV victims are satisfied with the system's handling of their case.”

A city prosecutor put it this way:

...If you go to a restaurant and you get bad service, what do you do? I don't go back.... And [for victims] it starts with a 911 operator all the way through the sentencing. If they don't get good service, they're not coming back.... And we're stunned when they don't come back....

“Bottom line, when they leave here, we're done, I'm done. ‘I can't protect you. The police can't protect you.’”

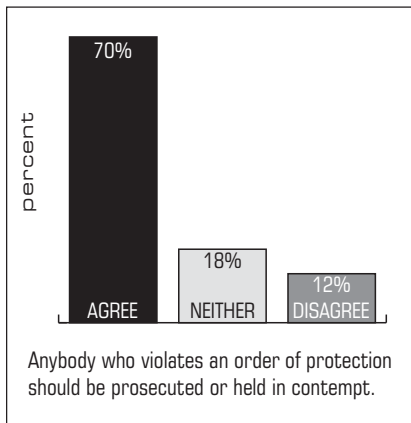
—city prosecutor

“...[for victims] it starts with a 911 operator all the way through the sentencing. If they don't get good service, they're not coming back.”

—city prosecutor

“There has to be a system in place to just get them a new life. Literally, I mean, they have to get a new life.”

—city prosecutor



Source: Morrison Institute for Public Policy, Arizona State University, 2007.

“[OPs are] basically useless for most people. A person who wants to violate an order of protection will violate an order of protection.”

—city prosecutor

A number of prosecutors said that DV victims’ needs go well beyond a guilty verdict in court. One prosecutor wrote: “...a system that does not offer alternatives to the victims of domestic violence — education, training, employment, relocation, anonymity, and THERAPY — cannot be effective....”

In a survey comment, another wrote:

More victims of domestic violence need counseling which informs them, for instance, that they don’t deserve to be treated like they are, they are not at fault for the violence, they can survive without the abuser if need be, and they can be loved by another mate.

A county prosecutor said:

We should have more shelters [and] more means to make them feel secure — physically safe, and for long enough.... My major thing is empowerment. Give the women the tools so that they stop being victims. They can stand on their two feet.

A city prosecutor said: “There has to be a system in place to just get them a new life. Literally, I mean, they have to get a new life.”

Feelings About Orders of Protection Are Mixed

Orders of protection (OP) are civil orders issued by judges at a person’s request that prohibit a named individual from contacting the complainant, usually for one year. Violating an OP is a crime, and many DV defendants end up in criminal court this way. Many prosecutors noted the benefits of OPs — for example, they usually can be obtained quickly — and most said they should be taken seriously: 70% agreed that “Anybody who violates an order of protection should be prosecuted or held in contempt.”

Yet prosecutors expressed mixed feelings about the overall effectiveness of OPs. Only 23% agreed that “Orders of Protection are effective in deterring future DV incidents,” while 31% marked neither, and 46% disagreed. Those who supported OPs noted that it was much easier for police to arrest somebody who violated an OP than for officers to try to figure out what happened at a DV scene. One county prosecutor said:

First of all, it’s easier to get the police to intervene. And second, I love those cases — because if there is an OP, and the person is where he shouldn’t be, these cases I can make them, easy....

Other prosecutors were less enthusiastic. A city prosecutor said:

They’re basically useless for most people. A person who wants to violate an order of protection will violate an order of protection.... They’re very difficult to prosecute because smart defendants will make sure that they violate the order in such a way that it leaves no evidence. That...puts the case into a “he said, she said,” sort of position. And we generally lose those because we have to prove our case beyond a reasonable doubt.

Many prosecutors took a more neutral position, like a city prosecutor:

I mean, they work sometimes. You know, not for all people. Some people, it doesn’t matter if there’s an order of protection; they continue to violate over and over and over again. Other people, they get the order of protection and that’s enough for them to not go back.

Unfortunately, as a county prosecutor said, the worst offenders may be the least likely to obey an OP:

A piece of paper that says if you violate this piece of paper and make contact, you are committing a crime — I think that it does deter [law-abiding] folks. Now, other kind of folks that are racking up all kinds of misdemeanor crimes — marijuana, drug paraphernalia, criminal damage, disorderly conduct, you know, who don't really care about misdemeanor convictions — a piece of paper probably isn't going to prevent [them]....

One municipal prosecutor said a major problem with OPs is that victims don't realize that they have to provide evidence to authorities that the offender actually violated the order — such as a recording of a prohibited phone call — to ensure successful prosecution:

If they understand that [an OP] can be a very valuable tool. And it can really be that rope that ties up the defendant. Because if they get a...violation we can convict [the offender] of that fairly simply.... And once we have that we can wrap him up.

“[An OP] can be a very valuable tool. And it can really be that rope that ties up the defendant.”

—city prosecutor

Prosecutors Think Some Victims Misuse OPs

OPs in Arizona apply only to the person named in the order, typically prohibiting him/her from contacting the complainant in person or via telephone, etc. However, the person who obtains an order (the complainant) is not prohibited from contacting the prohibited person and breaks no law by doing so. The prohibited person, meanwhile, does break the law by making contact even if he/she is invited to do so by the complainant. Many prosecutors complained that these legal provisions allow too many DV victims to undermine OPs or use them as weapons in relationships. Most prosecutors (62%) agreed that “DV victims too often defeat protective orders by initiating contact with the offender.” A city prosecutor said, “*unfortunately and candidly, 75% to 80% of orders are misused, abused. Victims are using them when they want to and allowing contact.*”

In extreme cases, they said, victims obtain an OP, then invite the offender back into a relationship; after a period of days or even weeks, when the relationship again founders, the victim will call police and demand that the offender be arrested for violating the OP. A number of prosecutors, like this city prosecutor, said they refuse to prosecute such cases:

I don't think it's fair to prosecute people for those, because what I see far too often is the protected party using the order of protection as a means of controlling the other party.

“[W]hat I see far too often is the protected party using the order of protection as a means of controlling the other party.”

—city prosecutor

Prosecutors' concern over the issue was widespread enough that just over half (51%) agreed that “Orders of protection would be more effective if they applied to both parties.”

In a survey comment, one wrote:

Making a clear declaration in the order that it applies to the applicant, or making it an independent crime to invite or inveigle another to violate an order, or clarifying the law to make clear that it is a crime to do so would assist in making orders useful.

A city prosecutor said:

I wish that there would be some way to craft that order that it is a two-way street. And either party can request a hearing with due process rights to the other party to come in and say, “This is why it shouldn't be a mutual order of protection,” or, “This should be limited.”

Prosecutors Are Divided on Punishment, Uncertain about Treatment

Like other Arizona criminal-justice officials, prosecutors seemed to view offenders' motivation as a complex issue that defied a simple answer. A strong majority (77%) agreed that "Most DV incidents stem from abusers' need for power and control over victims." That view is in line with mainstream research and training, and is shared by virtually all officials, advocates, and researchers associated with DV. But 60% of prosecutors also agreed with a related statement, that "Most DV incidents occur because of offenders' anger-control problems." Can both be true? This dual posture was also reflected in the responses of advocates, judges, and probation officers, all of whom most strongly supported the "power and control" factor, but also endorsed the "anger-control" explanation by more than 50%.

Prosecutors displayed no ambivalence in their views of DV relationships, with 84% rejecting the statement that "Most DV incidents are isolated events in otherwise good relationships." More than half (57%) also disagreed that "Conviction of a DV offender should not affect a parent's visitation or custody rights." But prosecutors were less unified on the issue of punishment. Most DV offenders receive probation, and prosecutors were split on whether "Most DV offenders convicted of misdemeanor assault deserve jail even on their first offense," with 35% agreeing, 29% marking neither, and 35% disagreeing. Still, most (56%) agreed that "Supervised probation is effective in holding DV offenders accountable," and an even higher percentage (73%) agreed that "I recommend jail time for most DV offenders who violate probation."

The probationary sentence given most DV offenders in Arizona typically includes a requirement that they attend a series of weekly education and counseling sessions, often for a minimum of 26 weeks and perhaps as long as a year. But prosecutors were divided on whether this treatment was effective. In response to the statement "Court-ordered DV treatment seldom reduces future violence," 28% agreed, 38% marked neither, and 34% disagreed. In a survey comment, one wrote: "DV counseling does not help people who don't want to be helped. It's easy for people to show up and not be forced to get anything out of the treatment." In an interview, a city prosecutor was more blunt: "I don't think treatment helps them.... I think it helps each other figure out how to do it better."

Another city prosecutor gave a more balanced appraisal:

I believe that with the people who are first-time offenders, especially the people who come from a little bit higher socio-economic scales, who have committed fairly minor offenses, who don't have a history of criminal behavior, I believe the treatment works very well....The people who treatment...is least effective for are multiple offenders...who have used violence routinely throughout their life....

Some rural prosecutors said that offenders from remote areas might agree that they could use some counseling — until they find it would last for 26 weeks, that they would have to pay for it, and that they would have to travel to a city that had counseling services. And other prosecutors expressed deep skepticism, like this one:

I see repeat offenders and... I have to almost conclude that for a certain portion of the domestic violence population, something in counseling is not working.... I think something

"DV counseling does not help people who don't want to be helped."

— prosecutor survey comment

Almost half of the prosecutors think DV incidents are caused by both power and control issues and anger-control problems.

		Most DV incidents stem from abusers' need for power and control over victims.		
		Agree	Neither	Disagree
Most DV incidents occur because of offenders' anger-control problems.	Agree	48%	10%	2%
	Neither	13%	7%	1%
	Disagree	16%	2%	3%

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

"[H]ave we just created a cottage industry of social workers and psychologists that are simply milking the cow?"

—city prosecutor

needs to be investigated about are we getting the most bang for the buck, or have we just created a cottage industry of social workers and psychologists that are simply milking the cow?

Advocates Are Valued for Various Reasons

Many DV victim advocates in Arizona are employed by police agencies and prosecutor's offices, while others work for shelters and other and private organizations. They help victims obtain OPs, aid them in understanding and negotiating the criminal-justice system, and provide other services as well as emotional support. Most prosecutors were quite supportive of advocates' work, with 87% agreeing that "DV victim advocates play a valuable role in the court process." What is that role? In general, it has two elements: One is simply to provide aid and support to a victim, whatever he or she decides to do in response to the DV incident; the other is to help keep the victim engaged in the legal process so as to enhance the possibility of a successful prosecution.

Most prosecutors said they did not view advocates primarily as helpers in obtaining DV convictions, with 70% rejecting the statement that "A victim advocate's main job is to ensure that victims aid prosecution." But that function was brought up frequently in comments and interviews. One city prosecutor said, *"I think in terms of victim contact, advocates are essential. Because the more contact we have with the victim, the more success we have with the prosecution."* A county prosecutor agreed:

A lot of times, what you will find is if you do get a victim to show up,...typically she's concerned that if she testifies there's going to be adverse consequences.... And the victim-witness people are really very adept and professional at doing what they can to foster support.

Other prosecutors said advocates also serve as buffers between them and victims, deal with a multitude of small issues, and act as a "witness" in conversations between prosecutors and victims so the latter won't later be able to claim that the prosecutor promised something he/she didn't deliver. A city prosecutor said:

What I think the advocate's bigger job is... is being a go-between between me and the victim. Because I don't have time to be on the phone for an hour, talking about, you know, "He turned off the electricity and I don't know what to do."

A county prosecutor noted:

[Advocates] are just sort of a go-between, which is good because I think they're able to deal with the victims on a more personal level....[Victims have] been through a traumatic episode and as a prosecutor, sometimes it's difficult to deal with them on a real personal level.

Prosecutors Question How Well the System Can Work

As key actors in Arizona's criminal-justice response to DV, prosecutors might be expected to be champions of the current, predominately punitive approach in which arrest and conviction are the primary goals. Yet many prosecutors expressed doubts about how well this approach is working. Half (50%) disagreed with the statement that "Prosecuting DV offenders seldom helps reduce future DV incidents;" but 26% marked neither and 24% of prosecutors agreed. One city prosecutor reflected a generally positive view:

I think overall, the system does fairly well in trying to look at everybody and their perspective, the victim, the defendant, you know, the family situation and the family unit, in trying to come up with a good answer of what's best for this [victim].

"[T]he victim-witness people are really very adept and professional at doing what they can to foster support."

—county prosecutor

"Prosecution is becoming less and less productive."

—prosecutor survey comment

“I don’t think any one part of the system, police, prosecution, courts, is set up effectively to handle DV.”

—city prosecutor

“[T]he bottom line is in the end you’ve just got to try to keep [victims] safe and have one less person die out there.”

—city prosecutor

And a county prosecutor noted that nobody likes being arrested and convicted:

...once you have gone through the program, then you think twice about coming and getting it again. That doesn’t work all the time. We have repeat offenders. But a lot of people think twice about getting in that situation again.

However, other prosecutors pointed out what they called basic flaws in the justice system when it comes to DV. A city prosecutor said:

I don’t think any one part of the system, police, prosecution, courts, is set up effectively to handle DV. We could have more police teams that go out earlier with an advocate. We could have prosecution units that that’s all they do is DV. And we could have courts dedicated to DV. If you had all three of those, I think it would work....

A county prosecutor said:

Our experience in [justice court] is very poor on having victims or defendants appear. Typically bench warrants get issued. There are no resources to follow up on bench warrants, so we just kind of wait for them to walk into the net. Our active cases are probably 10 percent of the files in [our file room]. The other 90 percent are active warrants. Well, what’s that tell you?

In a survey comment, a prosecutor wrote:

Prosecution is becoming less and less productive. I believe more energy should be spent on giving resources to agencies that can help the victim get out of an abusive relationship, if they want to. That way, those who want the help could receive it.

A city prosecutor described the system as having the least impact on offenders who need it most:

Domestic violence abusers, who are regular abusers and are familiar with the system, know how to get out of a case without being convicted. The defendants who tend to take domestic violence cases seriously are the ones who are often first time offenders, especially those with clean criminal records. So ironically, the ones that need the prosecution the most are the ones that aren’t getting it and the ones that need the prosecution the least, are the ones that are getting it.

And another city prosecutor seemed to express the frustration of colleagues who do their best in a difficult task:

It’s hard because you want to do a good job. I want to do a good job. And like I said, what’s a good job? What’s the right answer? It’s hard to know. And the bottom line is in the end you’ve just got to try to keep [victims] safe and have one less person die out there.

Prosecutors' Opinions by Court Level, Location, and Gender

Lower-court Prosecutors Are More Supportive of the System

The table below shows eight statements in which there were statistically significant differences ($p < .05$)⁶ between the responses of prosecutors practicing in superior courts and those in municipal and justice courts. In general, prosecutors in lower courts tend to be more supportive of the existing criminal-justice response than those in superior court. For example, lower-court prosecutors are more likely to agree that most DV cases are adequately investigated by police and that OPs are effective in deterring future DV incidents. However, superior court prosecutors say they are more likely to recommend jail time for offenders who violate probation, and to recommend jail for DV offenders even on their first offense.

STATISTICALLY SIGNIFICANT DIFFERENCES BY COURT LEVEL

Statement	Court level	N	Mean*	Standard deviation	t-test signif.level
In my experience, most DV cases are adequately investigated by police.	Superior	67	3.15	.875	4.284 p=.000
	Municipal & JP	97	2.55	.902	
Orders of protection are effective in deterring future DV incidents.	Superior	67	3.61	.834	4.014 p=.000
	Municipal & JP	97	3.04	.934	
I only prosecute protection-order violations if a separate crime has been committed.	Superior	66	3.85	.846	-3.915 p=.000
	Municipal & JP	96	4.34	.752	
The definition of a "relationship" in Arizona's DV statutes is too broad.	Superior	67	3.64	1.151	2.340 p=.021
	Municipal & JP	96	3.20	1.219	
I believe most DV victims are satisfied with the system's handling of their case.	Superior	67	3.60	.799	2.036 p=.043
	Municipal & JP	96	3.32	.877	
I recommend jail time for most DV offenders who violate probation.	Superior	67	2.03	.758	-2.294 p=.023
	Municipal & JP	96	2.33	.925	
Most DV offenders convicted of misdemeanor assault deserve jail even on their first offense.	Superior	67	2.69	.957	-2.442 p=.016
	Municipal & JP	96	3.08	1.063	
Supervised probation is effective in holding DV offenders accountable.	Superior	67	2.72	.934	3.357 p=.001
	Municipal & JP	97	2.26	.740	
More training would improve my handling of DV cases.	Superior	67	2.22	.755	-2.311 p=.022
	Municipal & JP	97	2.55	1.031	

* The lower the average (mean), the more respondents agreed with the statement.

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

⁶ "Statistically significant" results are those unlikely to have occurred by chance.

Numerous Differences Surface Between Urban-area and Rural-area Prosecutors

The table below shows that there were statistically significant differences ($p < .05$) between Maricopa and Pima county prosecutors and those in the rest of Arizona in their levels of agreement on 42% of the survey statements. These differences cut across a number of topics. Of note, however, is that prosecutors outside of Maricopa and Pima counties were more likely to place some responsibility with the victims of DV incidents. For example, these prosecutors were more likely to agree that DV victims are often as responsible as the person arrested and that victim substance abuse is a primary cause of DV.

STATISTICALLY SIGNIFICANT DIFFERENCES BY LOCATION

Statement	Location (urban & other)	N	Mean*	Standard deviation	t-test signif.level
In my experience, most DV cases are adequately investigated by police.	Maricopa & Pima	90	2.50	.864	-4.053 p=.000
	Other Counties	92	3.03	.907	
Too many cases cannot be prosecuted successfully because victims fail to assist prosecution.	Maricopa & Pima	90	1.50	.753	-2.160 p=.032
	Other Counties	92	1.75	.807	
Prosecuting DV offenders seldom helps reduce future DV incidents.	Maricopa & Pima	89	3.51	1.067	2.345 p=.020
	Other Counties	92	3.14	1.023	
In my experience, judges tend to be too sympathetic to DV victims.	Maricopa & Pima	90	4.00	.779	3.071 p=.002
	Other Counties	92	3.62	.888	
Orders of protection are effective in deterring future DV incidents.	Maricopa & Pima	90	3.16	.935	-2.149 p=.033
	Other Counties	92	3.46	.954	
DV cases are my least favorite criminal cases to handle.	Maricopa & Pima	90	3.44	1.029	2.704 p=.008
	Other Counties	92	3.02	1.079	
DV cases should be prosecuted only when there is clear evidence of injury.	Maricopa & Pima	90	4.36	.812	2.519 p=.013
	Other Counties	91	4.05	.794	
I will not proceed with a case if the victim is reluctant to do so.	Maricopa & Pima	90	4.23	.808	3.068 p=.002
	Other Counties	92	3.84	.929	
DV victims are often as responsible for the incident as the person arrested.	Maricopa & Pima	90	4.19	.820	3.957 p=.000
	Other Counties	92	3.70	.861	
Substance abuse by the victim is a primary cause of DV.	Maricopa & Pima	90	3.89	1.194	2.559 p=.011
	Other Counties	92	3.45	1.142	
DV victims too often defeat protective orders by initiating contact with the offender.	Maricopa & Pima	90	2.49	.851	2.154 p=.033
	Other Counties	84	2.23	.750	
DV victim advocates play a valuable role in the court process.	Maricopa & Pima	90	1.57	.750	-2.308 p=.022
	Other Counties	84	1.83	.774	
Most DV offenders convicted of misdemeanor assault deserve jail even on their first offense.	Maricopa & Pima	90	3.10	1.039	2.152 p=.033
	Other Counties	83	2.76	1.043	
Supervised probation is effective in holding DV offenders accountable.	Maricopa & Pima	90	2.32	.791	-2.180 p=.031
	Other Counties	84	2.61	.932	
Court-ordered DV treatment seldom reduces future violence.	Maricopa & Pima	90	3.24	.865	2.801 p=.006
	Other Counties	84	2.86	.959	
Most offenders convicted of non-injury DV misdemeanors are sentenced too severely.	Maricopa & Pima	90	3.98	.580	2.312 p=.022
	Other Counties	82	3.76	.677	
Substance abuse by the offender is a primary cause of DV.	Maricopa & Pima	90	2.77	1.050	2.486 p=.014
	Other Counties	84	2.38	.993	
DV is best handled as a private matter, rather than by the justice system.	Maricopa & Pima	90	4.50	.691	2.325 p=.021
	Other Counties	83	4.24	.774	
Arizona's current "mandatory-arrest" statute and policies are the best approach to DV incidents.	Maricopa & Pima	90	2.56	.913	2.798 p=.006
	Other Counties	83	2.92	.844	

* The lower the average (mean), the more respondents agreed with the statement.

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

Male Prosecutors Express More Traditional Views

This table shows that on nearly all of the statements that reveal a statistically significant difference ($p < .05$) by the respondent's gender, male prosecutors are less likely than female prosecutors to express sympathy for DV victims. For example, male prosecutors are more likely to agree that victims could easily leave abusive relationships, and that victims often exaggerate the amount of violence that occurs in DV incidents.

STATISTICALLY SIGNIFICANT DIFFERENCES BY GENDER

Statement	Gender	N	Mean*	Standard deviation	t-test signif.level
Too many cases cannot be prosecuted successfully because victims fail to assist prosecution.	Male	93	1.78	.870	3.185 p=.002
	Female	72	1.43	.552	
Many DV victims could easily leave their relationships, but don't.	Male	92	3.14	1.154	-3.575 p=.000
	Female	72	3.74	.919	
Most victims are safer as soon as they leave an abusive relationship.	Male	93	2.89	1.078	-6.061 p=.000
	Female	71	3.87	.955	
I will not proceed with a case if the victim is reluctant to do so.	Male	93	3.84	.959	-3.134 p.002
	Female	72	4.25	.727	
The definition of a "relationship" in Arizona's DV statutes is too broad.	Male	92	3.21	1.200	-2.007 p=.046
	Female	72	3.58	1.184	
Substance abuse by the victim is a primary cause of DV.	Male	93	3.51	1.203	-2.272 p=.024
	Female	72	3.92	1.084	
DV offenders should be prosecuted even when the victims don't want prosecution.	Male	93	2.13	.912	2.642 p=.009
	Female	72	1.78	.755	
DV victims often exaggerate the amount of violence involved.	Male	93	3.55	.773	-3.105 p=.002
	Female	71	3.92	.732	
DV victim advocates play a valuable role in the court process.	Male	93	1.83	.789	2.476 p=.014
	Female	72	1.53	.750	
Most DV incidents stem from abusers' need for power and control over victims.	Male	92	2.09	.794	2.186 p=.030
	Female	72	1.82	.757	
Substance abuse by the offender is a primary cause of DV.	Male	93	2.39	1.011	-2.647 p=.009
	Female	72	2.81	1.002	

* The lower the average (mean), the more respondents agreed with the statement.

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

JUDGES

Arizona's judges preside at the central decision point in the system's response to DV: the finding of guilt or innocence. They also issue orders of protection; approve plea agreements between prosecutors and defendants — which is how most criminal DV cases are resolved; sentence convicted offenders; and deal with offenders who violate probation. But judges' powers are far from unlimited; and, like their colleagues in the system, they must make difficult decisions with limited information and under pressure from crowded dockets. When ruling on cases, for example, they may lack a complete record of the defendant's prior offenses. Another example: State law requires them to sentence many DV offenders to treatment programs whose effectiveness has not been demonstrated.

In 204 completed surveys and 16 interviews, Arizona's judges expressed many of the same frustrations with DV as those raised by their justice system colleagues. They noted the sheer volume of cases, number of repeat cases, reluctance of victims to participate, difficulty of determining the facts of a case, and the questionable impact of treatment. Many also voiced a basic concern with how well any justice system can expect to cope with such a complex, deeply embedded problem as abusive behavior among intimates. However, judges also voiced more general satisfaction than other officials with how Arizona's system currently operates. With important qualifications, most judges said they were fairly content with the plea process, the work of victim advocates, orders of protection, available punishments, and supervised probation — while adding that most or all of these needed greater resources to function successfully. On the other hand, they cited several needs that directly affect their performance, including more training, better criminal history data on offenders, more resources for victims, and greater use of supervised probation.

Can judges express opinions?

Some judges commented that the statements contained in their survey were too broad. Or, they felt that expressing opinions on these matters might compromise their impartiality. One judge wrote, *"I felt I wasn't able to express my opinion through this survey due to having an 'it depends' response to many questions (which wasn't an option)."* Unfortunately, to have offered "it depends" as a category would have rendered the responses un-analyzable. Instead, respondents were offered a middle category of "neither agree nor disagree." Judges chose this middle option an average of 14 times out of 49 statements. This suggests that most judges were indeed able to respond to the statements.

Judges Say Attitudes and Laws Have Improved

Most judges agreed that judicial attitudes concerning DV have improved in recent decades. A municipal judge said:

Since I've been on the bench, judges' attitude toward domestic violence has changed dramatically. I mean, even when I started it was like, "Oh, gee, I'm glad that domestic violence case went away. You know, it's a family matter, don't want to get involved."

Another judge said:

I think...that there's been a significant improvement in the way that the courts respond to domestic violence allegations and a greater recognition of the uniqueness of the crimes of domestic violence.

But another municipal judge was less sure:

I think judges are more cautious because they don't want to get in the paper. But I'm not sure that has changed their mindset.

Despite the challenging aspects of DV cases, only 7% of judges agreed that “DV cases take too much of the criminal justice system’s time and effort.” Several wrote they would like to have more time to devote to these cases. One wrote:

DV is insidious across all groups of people, all education levels, all income levels, all ages, all ethnicities. This year alone, I have had 5 family court cases randomly assigned to me where the man killed the woman. This violent conduct has far reaching consequences to many people involved with the court system.

“DV is insidious across all groups of people, all education levels, all income levels, all ages, all ethnicities.”

—judge survey comment

The System’s Not Perfect, But It’s Working

Judges also backed other elements of Arizona’s DV statutes. For example, 49% rejected the statement “The definition of ‘relationship’ in the Arizona DV statute is too broad.” And 65% disagreed that “The current statute that makes a DV arrest a felony after two previous DV misdemeanor convictions is too severe.” Most judges (89%) also disagreed that “DV is best handled as a private matter, rather than by the justice system.” Only 5% of judges agreed that “DV cases should be prosecuted only when there is clear evidence of injury.”

Characteristics of judges survey respondents	
% of respondents who have had training specifically concerning DV	79%
Average number of years as a judge	10.5 years
Average percent of cases in last 12 months that were DV cases	13%

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

For the most part, judges think Arizona’s prosecutors are doing a good job in criminal DV cases. The vast majority of these DV cases end in plea bargains, and in response to the statement, “I feel plea agreements are usually used in an effective manner in DV cases,” 53% of judges agreed. Judges were split on whether “In my experience, most prosecutors are well prepared to present DV cases;” 36% agreed, 35% marked neither agree nor disagree, and 28% disagreed. A justice of the peace (JP), in a typical

comment, said prosecutors’ handling of DV cases was hampered by the fact that prosecutors assigned to DV matters are often relatively new and inexperienced:

I always have a bunch of new prosecutors....It seems like they’re fairly well prepared. [But] they do get stuck sometimes And as a judge you’re sitting there thinking, “Unless they’re going to come up with more than this, we’re just wasting our time, you know?”

Judges Hold Mixed Views on “Mandatory Arrest”

But the state’s judges are far from uniform in their opinions, even on such fundamental issues as the state’s “mandatory arrest” approach. Arizona judges were split rather evenly in response to the statement “‘Mandatory arrest’ statutes and polices are the best approach to DV incidents,” with 26% agreeing, 45% marking neither, and 29% disagreeing. Responding to the statement, “Arizona’s ‘mandatory arrest’ law has forced the system to deal with too many minor DV cases,” 30% agreed, 30% marked neither, and 40% disagreed.

“[Mandatory arrest] gets the defendant’s attention....The other thing is, it gives the victim an opportunity to have some physical distance between them and the batterer....”

—superior court judge

A superior court judge said she favored mandatory arrest because:

First off, it gets the defendant’s attention....The other thing is, it gives the victim an opportunity to have some physical distance between them and the batterer, so that they can...think clearly and make some plans....

But a municipal judge disagreed:

I don’t know why [suspects] have to go to jail for overnight. A lot of them, that just irritates them....Then somebody could really get hurt. They say it’s a cooling-off period. But I can see madness in some of these people [when] you see them [in court] the next morning....

One JP criticized “mandatory arrest” policies as arising from “society’s lust for revenge.” And another JP said the mandatory arrest policy was a particular problem in repeat cases because “after a while, they know that one of them is going to jail,” which he fears could endanger the responding officers. He also said the policy promotes lying: “Basically, the first liar wins,” he said. “I see a lot of that.” As for minor DV cases, one judge wrote on the survey, “I see too many arrests for people arguing loudly with their mate and being arrested for disorderly conduct.”

DV courts are special post-adjudication programs that have been established in several Arizona counties (and elsewhere in the country) in which a team of officials — including judges, prosecutors, and probation officers — is assigned to handle DV cases; these teams closely monitor convicted DV offenders who are on probation. Supporters say these courts ensure that more DV cases are handled by trained and experienced officials, that victims’ desires are taken more into account, and that convicted offenders are held more accountable. Judges were divided over whether “There is a need for separate DV courts,” with 31% agreeing, 31% marking neither, and 38% disagreeing. As one judge wrote in the survey:

A dedicated DV court allows the cases to be resolved in a more efficient and timely manner. It also allows the court to deal with defendants who violate the terms of their sentence quicker.

But other judges disagreed. They questioned the wisdom of diverting resources to DV issues, and whether creating a special court would negatively affect the quality of justice. One dissenter wrote: “I believe it would create too skewed a system to have a court that just handles DV cases — a loss of perspective that may be unfair to victims and defendants.”

Victims Stir Judges’ Sympathy and Frustration

Like many of their colleagues, judges’ attitudes towards victims were a blend of empathy and frustration. Only 10%, for example, agreed that “DV victims are often as responsible for the incident as the person arrested;” only 16% agreed that “Substance abuse by the victim is a primary cause of DV;” and only 15% agreed that “DV victims often exaggerate the amount of violence involved.” In response to the statement “Many DV victims could easily leave their relationships, but don’t,” 60% disagreed. A municipal judge said:

What I see more today are the wives and girlfriends and female victims coming to court and saying he needs counseling, don’t send him to jail because we have three kids and he’s the only one that works and I don’t work. That’s what I see more than anything else these days.

Asked why she thought so many victims don’t leave, another municipal judge said:

Because they think that they can’t do any better. They can’t do any better, they can’t live without him, they can’t do this, they can’t do that. And I think women have to get this attitude that they’re just as strong as men and they can do it on their own. And it’s, if they don’t, they’re lost.

Nearly half of Arizona judges (47%) cited victim reluctance as a major obstacle to prosecution, responding to the statement “Too many cases cannot be prosecuted because victims drop out.” One municipal judge said:

They attempt to drop out...more than half the time.... Some, we just can’t find. And they don’t want to be found. Some come in and ask me to drop the case. Some will come in and change their stories.

**“They say it’s a cooling-off period.
But I can see madness in some of
these people....”**

—city judge

**“...I think women have to get
this attitude that they’re just as
strong as men and they can do it
on their own. And it’s, if they
don’t, they’re lost.”**

—city judge

Judges' frustration was also reflected in their survey comments. Asked what would help them in dealing with DV cases, they wrote:

Victims seeking prosecution.

Victims to appear at initial appearances and appear for all court proceedings. Most alleged victims do not want to see their partner prosecuted.

You can't have a perpetrator if you don't have a "victim." Victims need as much or more intervention and treatment as the perpetrator. I believe we need more focus and services on the alleged victim.

"[Victims] attempt to drop out...more than half the time....

Some, we just can't find....

Some come in and ask me to drop the case. Some will come in and change their stories."

—city judge

Some Victims' Wishes Do Not Come First

Most judges supported the system's current approach that calls for continuing with prosecution whenever possible, regardless of the victim's wishes; 61% agreed that "DV offenders should be prosecuted even if victims don't want prosecution." But some warned that, frustrated or not, the system can only do so much to help a victim without itself becoming coercive. A municipal judge said:

...Oftentimes these victims have been in these relationships long enough to know what they need to do to keep themselves safe. And it is not up to me to make that call.... I do not believe that the court should be in the business of being paternalistic towards the victims and doing what we think is best for them by forcing them to appear in court and offer testimony.

And a superior court judge concurred:

I'm very aware that I walk a very thin line, in that I do sometimes simply step into the shoes of the offender in controlling [victims'] lives.

Do judges think victims are satisfied with the system? They were split on this issue, with high percentages expressing no opinion. In response to the statement "Most DV victims are receptive to intervention by the justice system," 28% agreed, 46% marked neither, and 26% disagreed. Responding to "I believe most DV victims are satisfied with the system's handling of their case," 21% agreed, 58% marked neither, and 21% disagreed.

Punishment May Be Sufficient, But Current Treatment Efforts Are Questionable

Judges' views of DV offenders seemed to reflect a balance between an appreciation for the seriousness of DV and a determination to keep an open mind and protect defendants' rights. Like many of their colleagues, they embraced more than one explanation for the causes of offender behavior. Most (72%) agreed that "Most DV incidents stem from abusers' need for power and control over victims." But 52% agreed that "Most DV incidents occur because of the offender's anger-control problems." Further, 44% of judges agreed that "Substance abuse by the suspect is a primary cause of DV."

Most judges did not seem to consider most DV incidents to be isolated failings by law-abiding individuals, with only 6% agreeing that, "Most DV offenders do not exhibit other criminal or violent tendencies." Most judges also believed that DV offenders should face extra scrutiny as parents; 58% disagreed with the statement that "Conviction of a DV offense should not negatively affect a parent's visitation or custody rights."

Arizona judges' arsenal of punishments for DV offenders chiefly include prison (for felonies), jail, probation (supervised or unsupervised), and fines — or some

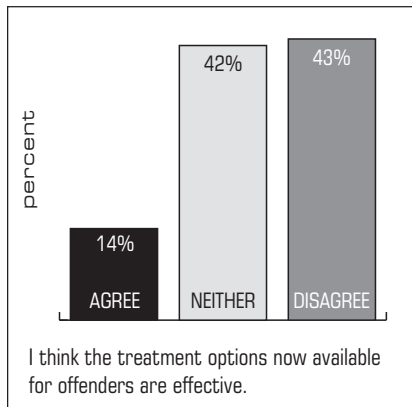
"I'm very aware that I walk a very thin line, in that I do sometimes simply step into the shoes of the offender in controlling [victims'] lives."

—superior court judge

JUDGES' SURVEY RESULTS

Statement	Agree		Neither		Disagree	
	%	Count	%	Count	%	Count
There is a need for separate DV courts.	31%	63	31%	62	38%	76
Orders of protection seldom prevent more violence by DV offenders.	18%	36	24%	47	58%	116
Most DV offenders who violate probation should be sent to jail.	40%	80	47%	93	14%	27
DV is best handled as a private matter, rather than by the justice system.	5%	10	6%	12	89%	181
Conviction of a DV offense should not negatively affect a parent's visitation or custody rights.	12%	25	30%	60	58%	117
Convicting DV offenders seldom helps reduce future DV incidents.	12%	24	21%	42	67%	136
Arizona's "mandatory arrest" law has forced the system to deal with too many minor DV cases.	30%	60	30%	61	40%	82
Anybody who violates an order of protection should be prosecuted or held in contempt.	50%	102	30%	60	20%	40
Substance abuse by the victim is a primary cause of DV.	16%	33	25%	51	59%	119
DV cases should be prosecuted only when there is clear evidence of injury.	5%	10	12%	25	83%	167
DV cases take too much of the criminal justice system's time and effort.	7%	14	22%	44	71%	145
Most DV offenders convicted of assault deserve jail even on their first offense.	15%	30	43%	87	42%	85
DV victims are often as responsible for the incident as the person arrested.	10%	21	27%	55	62%	126
Many DV victims could easily leave their relationships, but don't.	16%	32	24%	49	60%	121
Most DV incidents occur because of the offender's anger-control problems.	52%	105	25%	50	23%	46
I think victim advocates play a valuable role in the court process.	68%	136	23%	46	9%	17
A major problem with DV is that there are so many repeat cases.	47%	95	35%	71	18%	36
Substance abuse by the suspect is a primary cause of DV.	44%	89	35%	72	21%	42
I'm supplied with adequate criminal history information on the DV defendants before me.	30%	61	20%	41	50%	101
DV offenders should be prosecuted even if victims don't want prosecution.	61%	122	33%	66	6%	13
More training would improve my handling of DV cases.	49%	98	25%	50	26%	52
DV victims often exaggerate the amount of violence involved.	15%	31	42%	84	43%	87
I think the treatment options now available for offenders are effective.	14%	29	42%	86	43%	88
Most DV victims are safer as soon as they leave an abusive relationship.	31%	63	30%	60	39%	80
Too many DV cases cannot be prosecuted because victims drop out.	47%	86	39%	71	15%	27
Orders of protection are effective in deterring future DV incidents.	53%	97	30%	55	17%	32
I think the existing range of sanctions for DV offenders is adequate.	52%	95	28%	52	20%	37
Most DV victims are receptive to intervention by the justice system.	28%	51	46%	84	26%	48
Too many DV victims try to use the criminal justice system to help them in family law disputes.	36%	66	37%	67	27%	49
The primary objective in sentencing a DV offender is to ensure victim safety.	52%	96	27%	49	21%	38
In my experience, most prosecutors are well prepared to present DV cases.	36%	66	35%	64	28%	51
Many DV cases would be better handled through mediation than prosecution.	19%	35	35%	63	46%	84
Court-ordered DV treatment seldom has a positive effect on offender behavior.	10%	18	39%	72	51%	93
It's especially important in DV cases that victims play a role in sentencing.	60%	108	28%	51	12%	22
Most DV offenders do not exhibit other criminal or violent tendencies.	5%	10	39%	71	55%	101
"Mandatory arrest" statutes and policies are the best approach to DV incidents.	26%	48	45%	82	29%	52
Supervised probation is effective in holding DV offenders accountable.	60%	108	31%	56	9%	16
Most DV incidents stem from abusers' need for power and control over victims.	72%	131	23%	41	5%	9
DV cases are my least favorite cases to handle.	24%	43	35%	63	41%	75
The primary objective in sentencing a DV offender is to hold the offender accountable.	54%	98	31%	57	15%	27
Orders of protection would be more effective if they applied to both parties.	37%	68	23%	43	39%	72
I feel plea agreements are usually used in an effective manner in DV cases.	53%	96	37%	67	10%	19
The current statute that makes a DV arrest a felony after 2 previous DV misdemeanor convictions is too severe.	8%	15	27%	48	65%	118
I believe most DV victims are satisfied with the system's handling of their case.	21%	38	58%	106	21%	38
My court has a problem getting its protection orders served.	7%	12	37%	66	57%	102
The definition of "relationship" in the Arizona DV statute is too broad.	21%	39	30%	54	49%	90

Source: Morrison Institute for Public Policy, Arizona State University, 2007.



Source: Morrison Institute for Public Policy, Arizona State University, 2007.

combination. Most judges seemed content with these choices. Most (52%) agreed that “I think the existing range of sanctions for DV offenders is adequate.” And 60% agreed that “Supervised probation is effective in holding DV offenders accountable.” Only 15% agreed that “Most DV offenders convicted of assault deserve jail even on their first offense.” But judges showed less forbearance with offenders who violated probation: 40% agreed that “Most DV offenders who violate probation should be sent to jail.”

Virtually all criminal DV offenders in Arizona who are not imprisoned must attend a series of weekly treatment sessions as part of their probation; the minimum requirement is typically 26 weeks. The sessions, which are conducted by private contractors either licensed by the Arizona Department of Health Services or approved by local probation departments, consist of counseling and education aimed at changing offenders’ mindset and behavior. The cost of the treatment is borne by the offenders. But even though judges order offenders to treatment on a daily basis, many concede that they don’t know if it actually changes behavior. Some others claim flatly that it does not. Their ambivalence is reflected in responses to two statements. Most judges (51%) disagreed with the statement that “Court-ordered DV treatment seldom has a positive effect on offender behavior.” On the other hand, only 14% agreed that “I think the treatment options now available for offenders are effective.” Their uncertainty was reflected in a JP’s comment:

The [offenders] that have come back have had pretty good things to say about [treatment]. As far as how effective it is, I don’t know. I, you know, I’m thinking about my repeat [offenders]. We have a few. I don’t know. I think it’s effective.

And a municipal judge said:

Do I know if treatment works? Not really. [Offenders] could be taking the lessons in and just parroting them back because they know this is going to get them out of my court.

Another municipal judge offered a different perspective:

I don’t think [treatment] works....And I’ve talked to some [offenders], and even the counselors say, “You know, sometimes I wonder if I’m just not teaching them how to be a smarter batterer.”

Orders of Protection Are Common and Controversial

Orders of Protection (OPs) are among the most common measures used by the justice system to combat domestic violence. Still, disagreement remains among Arizona’s judges over several aspects of OPs, including their effectiveness, how they are applied, and, in some cases, why they are sought. Most, but not all, judges believe that OPs work. In response to the statement, “Orders of protection seldom prevent more violence by DV offenders,” 58% disagreed. Reacting to a similar statement — “Orders of protection are effective in deterring future DV incidents” — 53% of judges agreed. A municipal judge said:

Sometimes I will say, yes, they do work. The fact that the court now is involved and it isn’t secret any more — it’s not a private issue between the batterer and the victim — is enough to make the batterer stop....

A JP said OPs also help support the complainant:

...it’s a very helpful psychological support for them, because they realize that they have the power of the legal system on their side.

“I don’t think [treatment] works...even the counselors say, ‘You know, sometimes I wonder if I’m just not teaching them how to be a smarter batterer.’”

—city judge

At the same time, however, judges said they cautioned OP applicants that the order itself is no guarantee of safety. A superior court judge said:

One of the things that I used to say at the ex parte issuing hearing to the victim was, “This is just a piece of paper. It’s not bullet proof. You know, you still have to take safety precautions...”

A municipal judge was more blunt:

I don’t think [OPs] work in the most serious DV cases. Whenever I get somebody down there who actually scares [me], when I’m scared for [the applicant] I just feel sick writing that order because I know that order is not going to do any good.

Under current law, OPs’ prohibitions apply only to the person named in the order. Some have suggested that OPs should instead apply to both parties, so that both would be prohibited from establishing contact. Judges were almost evenly split on this question. In response to the statement “Orders of protection would be more effective if they applied to both parties,” 37% agreed, 23% marked neither, and 39% disagreed. A municipal judge who supports changing the law said:

The plaintiff [who obtains the OP] will abuse that order right and left....I’ve seen that so much. The plaintiff will keep calling, “I can do this. Ha, ha, ha. You can’t. You call me and I’ll call the police....” And they play games with it.

Judges were also split in their assessment of another controversial aspect of OPs — that they are sometimes falsely sought by someone trying to gain an advantage in divorce or custody proceedings. In response to the statement “Too many DV victims try to use the criminal justice system to help them in family law disputes,” 36% agreed, 37% marked neither, and 27% disagreed. In interviews, some judges downplayed the importance of this phenomenon; others cited it as a real and growing problem. A superior court judge said:

...I don’t think there’s any question that orders of protection are used like pawns on the table to gain advantage....It is a real problem and it is going to impede the true work that needs to be done in domestic violence.

A judge wrote on the survey questionnaire:

DV is horrible for victims and children and we all need to do what we can to eliminate or minimize it....[But] unfounded allegations of DV are also destructive to family relationships and children, and much damage is done while the system grinds away before determining the true facts.

A JP agreed, saying, “Women use [OPs]. Men use them. Lawyers use them. Kids use them. And when I say use them, I mean abuse them.”

Many Judges Want More Training

Training was an area of much greater agreement. Many judges agreed that they — as well as others in the justice system — could benefit from more training concerning domestic violence. In response to “More training would improve my handling of DV cases,” 49% agreed. This also was a topic that many judges addressed in the survey’s open-ended question about what would help in dealing with DV cases. Their comments included:

These are cases that hold too many myths. Too many people from beginning to end hold many suppositions about these cases that are not true. As a result mandatory training on an annual basis would be helpful for everyone involved in these cases from law enforcement, medical providers, social agencies, prosecutors, judges and probation officers.

“I don’t think [OPs] work in the most serious DV cases.... I just feel sick writing that order because I know that order is not going to do any good.”

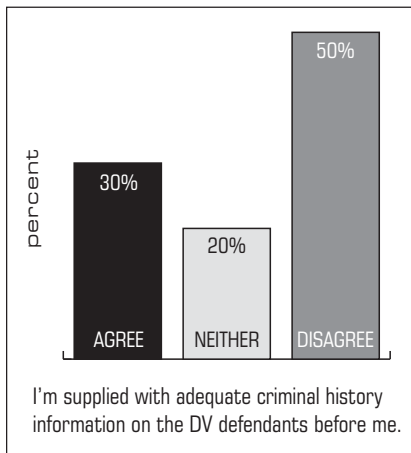
—city judge

“I don’t think there’s any question that orders of protection are used like pawns on the table to gain advantage.”

—superior court judge

“These are cases that hold too many myths.... [M]andatory training on an annual basis would be helpful for everyone involved.”

—judge survey comment



Source: Morrison Institute for Public Policy, Arizona State University, 2007.

“The system is just too hard to navigate. And so I think that the system sets [victims] up for ... frustration.”

—superior court judge

Training. I am a family court judge who needs a better understanding of the DV basics so I can talk to litigants about it.

Lower courts need to be educated. A spouse sneezes at the other and an [order of protection] is issued when there is a pending DV case. Law enforcement also needs to be educated. Many times a victim is in court because the “cop told her to get an OOP” when there is no basis for one.

Judges Say They Lack the Facts For Effective Sentencing

There was also broad agreement among judges about the lack of sufficient criminal history information on DV defendants. In response to the statement, “I am supplied with adequate criminal history information on the DV defendants before me,” 50% disagreed. In both the survey and interviews, judges complained that they had to rule on DV cases without knowing the details of a defendant’s prior offenses, or even whether he/she had any. As a JP said in a typical comment:

The judge doesn't have the information that you need to know whether I've got somebody who is a repeat offender....That's a big piece.

A municipal judge spoke of the frustration she feels:

The problem with our jurisdiction is that we are unable to determine... whether or not they're second-time offenders or they are first-time offenders. I tend to recognize people, you know; well, I don't know if I have a good [enough] memory.

Judges often cited the lack of information in response to the survey’s question about what they needed to deal better with DV:

More information on criminal history and substance abuse, mental health of accused.

More information at sentencing regarding parties current relationship, children, head of household, length of time in Arizona and whatever information that could decide the appropriate sentence for all parties.

Having more information about all parties involved, not just self-reported, on prior DV cases, or prior protective orders.

Having a statewide database of DV offenders that is accessible to judges.

Victim Advocates Play Valuable Roles

Most judges praised the work of victim advocates. Advocates, working either for independent agencies, a police agency, or in a prosecutor’s office, inform victims about the justice system and often accompany them through the process. In response to the statement, “I think victim advocates play a valuable role in the court process,” 68% of judges agreed. A superior court judge spoke of how intimidating the court system can be to DV victims:

The system is just too hard to navigate. And so I think that the system sets [victims] up for...frustration. You know, if they can't get their voice heard in an easy way, they'll just give up.

Another judge wrote:

[We need] greater involvement in criminal prosecutions by victims' advocates explaining that the primary purpose of prosecution is not to “fix” the dysfunctional — focus more on ending the relationship, especially non-marital relationships, and counsel the victim in strategies to avoid dependent relationships in the future.

But some judges remained skeptical. One JP said advocates were helpful “most of the time,” but that “sometimes they hinder...especially when you’re trying to come to some sort of a plea agreement resolution of some kind.” Another judge wrote:

DV advocates automatically believe the truthfulness of the alleged victim’s stories. In my experience, there is a fair amount of made-up or exaggerated claims, especially in a divorce/custody case.”

Does Arizona Have Two DV Justice Systems?

Overall, judges’ responses suggest that, when it comes to prosecuting criminal DV cases, Arizona has two justice systems. Superior court judges, who deal with the relatively infrequent felony DV crimes such as aggravated assault, generally feel that the system is functioning fairly well. That may be because felony cases tend to receive more attention and resources from police and prosecutors; because felony judges can threaten offenders with prison; and because they have probation departments that investigate offenders’ backgrounds and provide supervision after sentencing. But the vast majority of criminal DV cases in Arizona, as elsewhere, are misdemeanors that are handled in municipal and justice courts. The judges presiding in these courts noted that they typically lack the staff and resources available in superior court. That, they say, plus the large volume of DV cases, makes it difficult to do much more than process cases. A municipal judge said:

The problem with being in such a high-volume court and taking all these pleas is that we aren’t involved in these; you know; we just kind of process them and hope it all works.

Another municipal judge spoke of the problems keeping track of probationers:

...something that makes me really angry is when I say, “You’re on probation. Go today.” And [the offender] just walks out the door and never goes. It takes my probation office a month to tell me that. I mean, you know, they may walk out the door and kill somebody the next day.

Yet another municipal judge concurred:

Limited-jurisdiction courts are just not equipped to be able to supervise these people adequately. And these are scary people. These are people that are committing crimes against people they love and they care about, allegedly.

Such frustrations led one JP to question how much any court can do to deal with a complex problem such as DV:

I think that through our own societal ignorance, we have started looking to...the judicial branch of government to fix things....[But] we’re just here to make sure everybody plays by the rules....We’re not here to make things better...hopefully we don’t make them worse.

“DV advocates automatically believe the truthfulness of the alleged victim’s stories. ”

—judge survey comment

“Limited-jurisdiction courts are just not equipped to be able to supervise these people adequately. And these are scary people. ”

—judge survey comment

Judges' Opinions by Court Level, Location, and Gender

Lower-court Judges Are Less Likely to Subscribe to Prevailing Views of DV

The table below lists the 12 survey statements to which judges' responses showed statistically significant differences ($p < .05$) according to whether the judge presides in a superior court or in a municipal or justice court. This represented 26% of the judges' survey statements. Arizona's superior court mostly handles felony offenses. The state's municipal and justice courts handle misdemeanor cases, which include most DV cases. The responses indicate that municipal judges and justices of the peace (JPs) hold what some might describe as more traditional views about domestic violence than do superior court judges. For example, the former are more likely to agree that "DV is best handled as a private matter, rather than by the justice system." Superior court judges were more likely to agree with only two of the statements: That they are supplied with adequate criminal history information on defendants, and that their court has a problem getting its orders of protection served.

STATISTICALLY SIGNIFICANT DIFFERENCES BY COURT LEVEL

Statement	Court level	N	Mean	Standard deviation	t-test signif.level
DV is best handled as a private matter, rather than by the justice system.	Superior	96	4.50	.754	2.902 p=.004
	Municipal & JP	83	4.12	.993	
Conviction of a DV offense should not negatively affect a parent's visitation or custody rights.	Superior	95	3.86	.794	4.413 p=.000
	Municipal & JP	83	3.31	.869	
Many DV victims could easily leave their relationships, but don't.	Superior	96	3.83	.790	3.595 p=.000
	Municipal & JP	82	3.29	1.149	
Most DV incidents occur because of the offender's anger-control problems.	Superior	94	2.84	.998	2.218 p=.028
	Municipal & JP	83	2.51	1.005	
Substance abuse by the suspect is a primary cause of DV.	Superior	96	2.93	.874	2.522 p=.013
	Municipal & JP	83	2.58	.977	
I'm supplied with adequate criminal history information on the DV defendants before me.	Superior	96	2.94	.927	-5.464 p=.000
	Municipal & JP	83	3.73	1.025	
Most DV victims are receptive to intervention by the justice system.	Superior	96	3.15	.740	3.285 p=.001
	Municipal & JP	83	2.78	.733	
It's especially important in DV cases that victims play a role in sentencing.	Superior	94	2.62	.869	2.217 p=.028
	Municipal & JP	83	2.34	.801	
I feel plea agreements are usually used in an effective manner in DV cases.	Superior	95	2.71	.698	2.412 p=.017
	Municipal & JP	83	2.45	.737	
I believe most DV victims are satisfied with the system's handling of their case.	Superior	95	3.22	.639	4.757 p=.000
	Municipal & JP	83	2.76	.655	
My court has a problem getting its protection orders served.	Superior	94	3.32	.659	-5.454 p=.000
	Municipal & JP	82	3.91	.789	
The definition of "relationship" in the Arizona DV statute is too broad.	Superior	96	3.48	.794	2.781 p=.005
	Municipal & JP	83	3.08	1.062	

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

Varied Differences Appear Between Urban-area and Rural-area Judges

The following nine survey statements (20%) show statistically significant differences between judges according to whether they preside in Maricopa or Pima counties (urban-area counties) or in one of the other 13 counties (rural-area counties). These differences cover a variety of topics, including visitation rights, orders of protection, and attitudes towards victims. Urban-area judges were more likely to agree than their rural colleagues on only one statement: “I think the treatment options now available for offenders are effective.” This may reflect the fact that Maricopa and Pima counties host a greater number of treatment facilities than most rural counties.

STATISTICALLY SIGNIFICANT DIFFERENCES BY LOCATION

Statement	Location (urban & other)	N	Mean	Standard deviation	t-test signif.level
Conviction of a DV offense should not negatively affect a parent’s visitation or custody rights.	Maricopa & Pima	104	3.73	.873	2.508 p=.013
	Other Counties	98	3.43	.837	
Anybody who violates an order of protection should be prosecuted or held in contempt.	Maricopa & Pima	105	2.76	.883	2.182 p=.030
	Other Counties	97	2.47	.991	
Many DV victims could easily leave their relationships, but don’t.	Maricopa & Pima	105	3.78	.843	3.020 p=.003
	Other Counties	97	3.35	1.146	
Substance abuse by the suspect is a primary cause of DV.	Maricopa & Pima	105	2.88	.863	2.384 p=.018
	Other Counties	98	2.57	.952	
I think the treatment options now available for offenders are effective.	Maricopa & Pima	105	3.24	.687	-2.211 p=.028
	Other Counties	98	3.49	.911	
Too many DV victims try to use the criminal justice system to help them in family law disputes.	Maricopa & Pima	104	2.99	.930	2.364 p=.019
	Other Counties	78	2.65	.978	
Many DV cases would be better handled through mediation than prosecution.	Maricopa & Pima	104	3.49	.881	2.353 p=.020
	Other Counties	78	3.15	1.045	
Orders of protection would be more effective if they applied to both parties.	Maricopa & Pima	105	3.20	.984	2.479 p=.014
	Other Counties	78	2.78	1.224	
The definition of “relationship” in the Arizona DV statute is too broad.	Maricopa & Pima	105	3.47	.797	2.889 p=.004
	Other Counties	78	3.05	1.068	

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

Male Judges Express More Support for Justice System

Only five survey statements (11%) showed statistically significant differences ($p < .05$) according to judges' gender. The variations suggest that male judges are generally more supportive of the justice system's efficacy. For example, male judges were more likely to agree that "Orders of protection are effective in deterring future DV incidents," that "The range of sanctions for DV offenders is adequate," and that "Most DV victims are receptive to intervention by the justice system." Female judges were more likely than males to agree on only one statement: "The primary objective in sentencing a DV offender is to hold the offender accountable."

STATISTICALLY SIGNIFICANT DIFFERENCES BY GENDER

Statement	Gender	N	Mean	Standard deviation	t-test signif.level
Most DV victims are safer as a soon as they leave an abusive relationship.	Male	114	2.87	.991	-5.421 p=.000
	Female	61	3.70	.937	
Orders of protection are effective in deterring future DV incidents.	Male	115	2.45	.716	-4.269 p=.000
	Female	61	2.98	.904	
I think the existing range of sanctions for DV offenders is adequate.	Male	115	2.56	.819	-2.535 p=.012
	Female	61	2.89	.819	
Most DV victims are receptive to intervention by the justice system.	Male	115	2.87	.778	-2.201 p=.029
	Female	60	3.13	.700	
The primary objective in sentencing a DV offender is to hold the offender accountable.	Male	114	2.66	.818	2.644 p=.009
	Female	60	2.32	.792	

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

VICTIMS

Victim safety is one of the two pillars supporting Arizona’s criminal-justice response to domestic violence. It is identified as a fundamental value by all actors in the system, from police officers to probation officers; it’s the goal of orders of protection, of supervised probation, and of the treatment mandated for convicted batterers. However, the justice system’s structure and operations — in Arizona as elsewhere — seem in fact better attuned to serving the other major objective: offender accountability. For example, victims’ desires concerning arrest, prosecution, and punishment are frequently overridden by police officers, prosecutors, and judges. The due-process requirements of the justice system demand that the rights of defendants are protected as much as those of victims. Such provisions can frustrate even victims of “stranger” crimes — such as auto theft — but are arguably more problematic in domestic violence cases, particularly when the defendant and victim continue an intimate relationship.

For most DV victims, entry into the justice system is a journey into the unknown.

For most DV victims, entry into the justice system is a journey into the unknown. Once the system is invoked, usually through a 911 call to police or a request for an order of protection, it begins operating according to its own rules and requirements. This complex process involves public and private institutions, various branches of government, and a myriad of decision-makers. It is often a daunting experience, and, according to the survey and interviews⁷ conducted with Arizona DV victims, often also a surprising, baffling, and disappointing one. In general, victims had a discouraging story to tell; one that, with the exception of victim advocates, was critical of all system decision-makers.

Characteristics of victim survey respondents

Average number of years living in Arizona	16 years
Average age	38 years
White	54%
Hispanic	33%
African American	8%
Other	5%

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

Victims Want the System to Help Them

Most (52%) of the victims responding to the survey said they were married to the offender. The vast majority of respondents were female (perhaps all).⁸ In 95% of cases, victims reported that the offender was the opposite sex, and most respondents (58%) said they had used a domestic violence shelter at some time.

⁷ The victims’ survey, and this chapter, were structured somewhat differently from those concerning judges and other justice system personnel. That’s because not all victims have contact with all justice-system actors, meaning that the number of respondents to various survey statements can differ widely. Thus, response tables including numbers of respondents are included in the text.

⁸ Four percent did not indicate gender.

The survey included four general statements with which respondents were asked to indicate their level of agreement. The results are summarized in the following table⁹:

VICTIMS’ RESPONSES TO GENERAL STATEMENTS ABOUT DOMESTIC VIOLENCE

Statement	Agree	Neither	Disagree
If I am abused again, I will seek help from the legal system again (n=143)	67%	13%	20%
Arresting abusers is the best way to respond to DV (n=147)	65%	18%	17%
Domestic violence is best handled by family and friends, rather than police and courts (n=145)	19%	21%	61%
The abuses I suffered were isolated events in an otherwise good relationship (n=142)	16%	14%	70%

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

“[Police] did not document injuries (even ask). Did not arrest. Did not remove abuser. Did not even report that the abuser threatened to do it again.”

—DV victim

These results suggest an endorsement of the criminal justice approach. The majority of respondents (65%) believed that arresting the abuser is the best way to respond to domestic violence, and 67% indicated that they would seek help from the legal system again. However, approximately a third of responses on each item were the neither category or disagreed. Indeed, victims showed more support for DV being handled as a private matter (19%) than did any of the professional groups in the justice system to whom this question was put. This may reflect a less positive opinion of how well the justice system works for victims.

Victims Have the Most Experience With the Police¹⁰

Despite the positive responses about the system noted above, victims were mixed or negative in their responses to statements about their experience with police.

More than half of respondents (52%) indicated they were dissatisfied with the information about DV that they were given by police, and several wrote about the issue:

I received no information or assistance from police at time of incident-other than their presence. They did not document injuries (even ask). Did not arrest. Did not remove abuser. Did not even report that the abuser threatened to do it again.

I did not receive any assistance from police no matter how many times they were called.

I did not find out about [support services] until months after my attack. The police officers at the scene did not tell me about them, it wasn't until later months and beating that a female police officer told me about [them].

“I did not receive any assistance from police no matter how many times they were called.”

—DV victim

Many also felt that officers were insensitive and uncaring, reflecting the views of the 66% of survey respondents who thought the police didn't take their case seriously enough, and the 49% who thought officers were more sympathetic to the alleged abuser:

One of the times police were called, he said it would be a waste of his time to deal with the situation.

The police were unsympathetic to my case. In fact they treated me as badly as my abuser.

⁹ Approximately 74% of respondents reported their encounters with the police.

¹⁰ No statement was answered by all victim respondents, therefore, the totals (n's) are included in what follows. In addition, respondents were asked to respond to questions about particular institutions only if they had a personal experience within the last two years.

VICTIMS’ RESPONSES TO STATEMENTS ABOUT POLICE

Statement	Agree		Neither		Disagree		Total
	%	Count	%	Count	%	Count	
The police didn't take my case seriously enough.	66%	77	9%	11	24%	28	116
My abuser has been arrested for other crimes.	60%	71	11%	13	29%	35	119
Overall, the police seemed more sympathetic to my abuser than to me.	49%	57	21%	24	31%	36	117
I think calling the police for a DV incident is a waste of time.	38%	44	15%	17	48%	56	117
The police officer(s) who came to my aid made me feel safe and comfortable.	37%	43	15%	17	48%	55	115
The police followed my wishes in deciding whether or not to arrest my abuser.	36%	41	22%	25	42%	48	114
I felt satisfied with the information I received from the police officer(s).	36%	43	12%	14	52%	62	119
Arresting my abuser stopped the abuse.	13%	14	25%	28	62%	68	110

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

Police department officers do not wish to be involved (or at least with me and others I have observed) with female victims. They (except for one male and one female officer who took pictures of me and my surroundings) blamed me for my injuries. They were rude, abusive, emotionally draining, even mean and uncaring.

Responding officer tried to sweep everything under the carpet. Convincing me to disregard the entire incident and he did not even write a report.

Victims often spoke of the double impact of not only being a victim of domestic violence, but of also of being traumatized by what they experienced with the police. In one case, a victim was also arrested (referred to as a “dual arrest”) after having called the police about an assault by her husband:

...it turned out that we both were arrested. And...they had cited some statute saying that [in] domestic violence [incidents], both parties are arrested.... They said I was still involved because I protected myself. When he was choking me I used a bowl of food to push him away from me. And that was...in their opinion, an assault on him. But it was in order to protect myself. And he even told them that it was... I was devastated... I'd never been arrested in my whole life...I just totally couldn't believe it.

But certain victims did feel well treated; for example:

He [the responding police officer]...was very patient with me. Those two that came to my house that night were the most compassionate [and] understanding...

Another victim wrote about how, after a DV incident had occurred at her home, she drove off to find police officers to help:

...it was overwhelming because [the officers] were telling me about shelters. I didn't know anything about shelters.... They asked me if I needed an ambulance... But I was grateful and I was surprised, positively, in a positive way that they were asking, they were offering all this help. And they gave me a lot of information brochures about shelters, about domestic violence that I was not aware. And he also told me ... to ask for a restraining order.... And he also suggested that to get out of the house and go to a friend's house, to a safe place.

“Responding officer tried to sweep everything under the carpet. Convincing me to disregard the entire incident and he did not even write a report.”

—DV victim

“He [the responding police officer]...was very patient with me. Those two that came to my house that night were the most compassionate [and] understanding...”

—DV victim

Victims Give Thanks for Advocates’ Work¹¹

Victims felt comfortable dealing with advocates and saw them as both meeting their needs and helping produce a better result in their case. Interviewees also described advocates as significant emotional supports, especially during the court process:

11. Approximately 63% of respondents reported their encounters with victim advocates.

“[The advocate] comes from behind me and puts her hand on my shoulder and I’m like, ‘Oh, my God.’ I was so glad she was [there].”

—DV victim

[S]he helped me with an escape plan, which is very helpful. I still have that bag to this day packed. She helped.... If she had time and I called her, she would show up to my court dates. She showed up twice.

She told me, you know, “Call me, you know, when your court date is. If I can make it, I’ll be there.” The day that she wasn’t sure if she was going to be there, I mean, she comes from behind me and puts her hand on my shoulder and I’m like, “Oh, my God.” I was so glad she was, that was the day that he got sentenced and she helped me through that because that prosecutor was so mean to me.

She showed up. I mean, she even drove one time when I had a violation of restraining order; she drove all the way out to Tolleson’s court, and was in the courtroom there. I think she was really good. She was always looking out to make sure that my address was protected and things like that....

Overall, victims had a positive a view of victim advocates, as the table below shows.

VICTIMS’ RESPONSES TO STATEMENTS ABOUT ADVOCATES

Statement	Agree		Neither		Disagree		Total
	%	Count	%	Count	%	Count	
I felt comfortable dealing with a victim's advocate.	70%	69	12%	12	18%	18	99
The resources and services I was offered met my needs.	56%	54	20%	19	25%	24	97
Having a victim's advocate helped me get a better result in my case.	51%	51	26%	26	23%	23	100
I felt that I had to follow my advocate's suggestions if I wanted help.	48%	46	22%	21	30%	29	96
I could never get help from the victim's advocate at a time convenient to me.	17%	16	29%	27	54%	51	94

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

But Many Victims Are Unhappy with Prosecutors¹²

Victims expressed more mixed opinions on prosecutors than on the police or victim advocates, but they were generally more negative than positive. In particular, more than half (52%) were dissatisfied with the prosecutor’s handling of their case, almost half (49%) didn’t agree that they were able to meet with the prosecutor as much as they needed, and 43% felt the prosecutor blamed them for staying in an abusive relationship.

In their survey, many Arizona prosecutors cited a major problem with victims dropping out of cases or recanting their testimony. However, only 9% of victims in the survey indicated that they did not want their abuser to be prosecuted. They expressed split opinions on several other issues – that prosecutors were too eager to drop their case, that prosecutors treated them with respect, that prosecutors didn’t take their case seriously enough, and that they felt pressure from the prosecutor to go ahead with their case.

But victims’ opinions of prosecutors were more negative in the interviews:

The court system is horrendous here.... The prosecutors do not take DV or other abuse as seriously as they should. I was almost killed because of their apathy.

I felt like the prosecutor never took me seriously, like I was making her job more difficult by not wanting her to keep reducing the plea agreement the way she kept doing. I felt like I had no say in what she offered, and she did not care that the

“I think [my advocate] was really good. She was always looking out to make sure that my address was protected and things like that....”

—DV victim

¹² Approximately 48% of respondents reported their encounters with prosecutors.

VICTIM’S RESPONSES TO STATEMENTS ABOUT PROSECUTORS

Statement	Agree		Neither		Disagree		Total
	%	Count	%	Count	%	Count	
I feel the prosecutor blamed me for staying in an abusive relationship.	43%	31	29%	21	28%	20	72
I feel the prosecutor treated me with respect.	41%	31	21%	16	38%	29	76
The prosecutor didn’t take my case seriously enough.	41%	31	24%	18	36%	27	76
I was able to meet with prosecutors as much as I needed to.	28%	21	24%	18	49%	37	76
The prosecutor was too eager to drop my case.	32%	24	30%	22	38%	28	74
I was satisfied with the prosecutor’s handling of my case.	29%	22	19%	14	52%	39	75
I felt pressured by the prosecutor to go ahead with my case.	26%	20	42%	32	32%	25	77
I didn’t want my abuser to be prosecuted.	9%	7	22%	17	69%	53	77

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

defense and my abuser kept the court proceedings going on for over 2.5 years before agreeing to a plea agreement.

I would try to make appointments to talk to [prosecutors] about it ... [the offender] was getting more daring, you know, stopping me over here within feet of my work... Stopping me on the street when I’m walking...and [prosecutor’s office], they would tell me, “Well, I’m sorry; I’ll take a message and have him call you.”

One victim talked about the difficulty of having her alleged abuser charged with the more serious crime of aggravated DV, which can occur upon an offender’s third misdemeanor DV arrest within a limited period of time:

Well, I know that there was a new law...where supposedly the three strikes and you’re out sort of thing.... That didn’t happen for my ex. He’s had at least two or three with his ex and at least a couple with me.... And I know that in Cochise County...[arrests] don’t even necessarily get filed as DV.... And I’m assuming that’s how he’s getting out of the three strike rule or maybe the whole three strikes you’re out is a joke.

Another victim complained about how unprepared the prosecutor was:

The day that he and I met, and he had his little folder with my stuff in it, he says to me, something about what would you like to see happen.... And I said, “Did you read anything I wrote? Did you read the police report? Do you know anything that happened here?” He’s like, “No, I haven’t had a chance to.”

Most Victims Report Dissatisfaction with Judges¹³

Victims were also critical of judges. Over two-thirds (67%) thought their abuser deserved a stiffer punishment and over half (57%) didn’t think their abuser’s court-ordered treatment helped him or her from doing it again. Almost half (49%) felt that the judge did not take their case seriously enough. The one positive opinion was that 59% agreed they were able to participate fully during court hearings.

One victim, echoing the 48% of respondents who agreed that their case took too long to resolve, was critical of her judge for allowing continuances:

...No matter what I said, he was just fine letting the process last for years. He granted two “final continuances” and did not even abide by his own “final” ruling, still offering continuance after continuance.

“I felt like the prosecutor never took me seriously, like I was making her job more difficult by not wanting her to keep reducing the plea agreement the way she kept doing.”

—DV victim

“And I said, ‘Did you read anything I wrote? Did you read the police report? Do you know anything that happened here?’ He’s like, ‘No, I haven’t had a chance to.’”

—DV victim

13 Approximately 54% of respondents reported encounters with judges.

VICTIM’S RESPONSES TO STATEMENTS ABOUT JUDGES

Statement	Agree		Neither		Disagree		Total
	%	Count	%	Count	%	Count	
My abuser deserved a stiffer punishment than he/she got.	67%	58	21%	18	13%	11	87
I was able to participate fully during court hearings.	59%	51	16%	14	24%	21	86
The judge didn’t take my case seriously enough.	49%	42	22%	19	29%	25	86
My case took too long to resolve.	48%	40	21%	18	31%	26	84
I thought the judge in my case acted fairly.	39%	34	26%	23	34%	30	87
I was satisfied with the judge’s handling of my case.	38%	33	16%	14	45%	39	86
I felt the judge blamed me for staying in an abusive relationship.	33%	27	41%	34	27%	22	83
I was able to play a role in the sentencing of my abuser.	30%	24	26%	21	44%	35	80
My abuser’s court-ordered treatment helped keep him/her from doing it again.	12%	10	30%	25	57%	47	82

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

“...No matter what I said, he was just fine letting the process last for years.”

—DV victim

Other victims talked of feeling overwhelmed by the court experience, but reassured by the judge (and other staff):

It was very scary. I was scared of it. It was overwhelming. But [the judge] was not intimidating, himself. I was scared and intimidated by the whole situation, but the judge himself and the court people there, the clerks, everybody was helpful.

[The judge] always made me feel very comfortable when I had to go talk to him. You know, the very first time was the first order of protection, that was three months after I had left and he explained the whole thing to me.

Victims Cite Mixed Feelings About Probation Officers¹⁴

Only a third of victims reported contact with probation officers, but those who did were quite divided in their opinions. Overall, however, their views were again more negative than positive. For example, more than half (57%) did not agree that probation helped keep their abuser in line, almost half (49%) did not agree that the probation officer kept them informed, and almost half (48%) did not agree that they received useful services from the probation department.¹⁵

VICTIM’S RESPONSES TO STATEMENTS ABOUT PROBATION OFFICERS

“I was scared and intimidated by the whole situation, but the judge himself and the court people there, the clerks, everybody was helpful.”

—DV victim

Statement	Agree		Neither		Disagree		Total
	%	Count	%	Count	%	Count	
The probation officer didn’t want to hear from me.	37%	17	37%	17	26%	12	46
The probation officer favored my abuser over me.	36%	17	38%	18	26%	12	47
The probation officer treated me with respect.	35%	17	35%	17	29%	14	48
The probation officer helped my abuser get help.	26%	12	37%	17	37%	17	46
I received useful services from the probation department.	23%	11	29%	14	48%	23	48
The probation officer kept me informed.	21%	10	30%	14	49%	23	47
Probation helped keep my abuser in line.	20%	10	22%	11	57%	28	46

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

¹⁴ Approximately 31% of respondents reported their encounters with probation officers.

¹⁵ Perhaps because they received no services from the department even though they may have had contact.

Some of the split opinions were reflected in victims' comments:

[The probation officer] was awesome. She saw through [the offender]. She was really supportive of me. And we didn't have a lot of contact, but I talked to her, maybe half a dozen times, maybe more.

[The probation officer should] return phone calls. Maybe, I mean, I would want the information. I mean, he acts like I'm being vindictive, or why am I causing him so many problems? And, just took it like, "What more do you want, lady? You know, he's on probation for three years. He did forty days in jail. What more do you want?"

She simply never listened to me and didn't care about helping me. Just wanted that monthly probation fee!

An analysis of the survey results was performed to see if there were any statistically significant differences¹⁶ between the responses of victims who had spent time in a shelter and those who had not. The sole statistically significant difference was in the responses to the statement "I feel the prosecutor blamed me for staying in an abusive relationship." Not surprisingly, those who had been to a shelter were less likely to agree.

While victims felt helped and supported by victim advocates, they generally felt quite the opposite with other actors in the criminal justice system. The particularly negative views of police and the many critical comments about them are of particular note, as first-responding law enforcement officers are the system's gatekeepers. But victims' opinions of prosecutors, judges, and probation officers are often not much better. The reasons for these and other criticisms are complex: victims may simply not get adequate support and understanding, which they expect from criminal justice system personnel. They may not be fully aware of the laws and policies that rule the system's decision-making process. They may not realize that their wishes may not be followed. Regardless, the conclusion seems inescapable that DV victims who have brought their issues to the attention of the Arizona criminal justice system do not feel well served by it.

“[The probation officer] was awesome. She saw through [the offender]. She was really supportive of me.”

—DV victim

“[The probation officer] simply never listened to me and didn't care about helping me. Just wanted that monthly probation fee!”

—DV victim

¹⁶ “Statistically significant” results are those that are unlikely to have occurred by chance.

VICTIM ADVOCATES

Victim advocates are both insiders and outsiders in Arizona's criminal justice system. They work in a system whose operations are tightly circumscribed by laws and policies, yet they lack official standing as peace officers or court officers. They are supposed to help victims get what they want from the system, while at the same time helping the system function smoothly. Advocates working in Arizona can be employed by police agencies, city and county prosecutor's offices, or by private, usually nonprofit agencies such as shelters. Advocates help victims obtain orders of protection (OPs), understand and negotiate the justice system, and secure other services. Some advocates respond to DV crime scenes to offer assistance, referrals, and emotional support, and continue to do so as a case moves through the system. In past decades, most advocates were either prior victims or other volunteers, many with little formal training. Today, there are more routes to advocacy. Many come to the job with a bachelor's degree. Others attend the Arizona Victim Assistance Academy and receive training to become certified victim advocates — training standardized by the federal Office of Victims of Crime in the Justice Department. Regardless of their employer, advocates often work side by side with law-enforcement officers and prosecutors to further victim safety and victim participation.

In the 103 surveys and 15 interviews, advocates displayed a greater uniformity of viewpoints than did other respondents, even though advocates work for a variety of institutions. Among respondents, 34% identified themselves as working in prosecutor's offices, 27% in shelters, 16% in family advocacy centers, and 23% in other organizations, including police departments. For the most part, their responses about the criminal justice system were negative — more so than any of the other respondents except for victims themselves. Most advocates expressed considerable disappointment with how the Arizona justice system responds to DV cases; they frequently and often sharply disagreed with many of the routine decisions of police, prosecutors, and judges.

Advocates See a System That Is Not Working

Advocates didn't reject all aspects of the current system. Close to half (46%) agreed with the statement that "Pro-arrest" statutes and policies are the best approach to DV incidents." One advocate who favored "mandatory arrest" said:

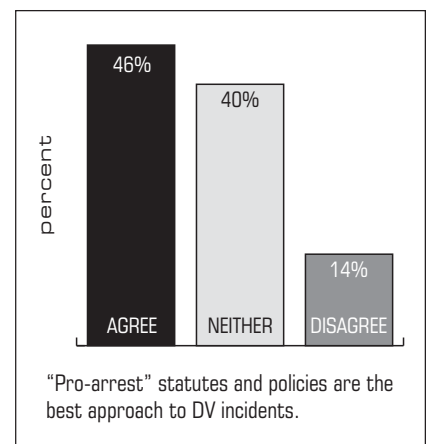
I was working for the police department and actually going out on calls when this came into effect. And I saw it as a good thing because it took the discretion out. Because for police officers for years had worked on the notion that this was a family problem and, "We're not going to get involved and you just go away for a while and cool off."

Advocates also agreed with others in the system concerning the problem of repeat DV cases; most (68%) agreed that "A major problem with DV is that there are so many repeat cases." Advocates gave varying views as to why there are so many repeats. One said, "Because the victim doesn't have real options to get out. I mean, simply that's it."

Characteristics of victim advocates survey respondents

% of respondents who have had training specifically concerning DV	94%
Average number of years as a victim advocate	7 years
Average percent of cases in last 12 months that were DV cases	72%

Source: Morrison Institute for Public Policy, Arizona State University, 2007.



Source: Morrison Institute for Public Policy, Arizona State University, 2007.

“I don’t think that the perpetrator or the victim gets the services that they need a lot of times, or they’re not at that place where they’re ready to accept the services that are available to them.”

—advocate

“There is such a lack of compassion from individuals who see domestic violence on a daily basis.”

—advocate

Another said part of the problem was with the victim:

From the victim’s side, I think [the problem is] the victim is staying in that relationship without requiring some accountability.... I do think there has to be accountability, not just on the abuser’s part, but on the victim’s part.

Another blamed a lack of services:

I don’t think that the perpetrator or the victim gets the services that they need a lot of times, or they’re not at that place where they’re ready to accept the services that are available to them.

Yet another advocate said victims often misunderstand what will happen when they call 911:

...they really just want, “Stop it for right now....” And they don’t realize, you know, what can happen. And so then they pull back. And then the defendant gets a slap on the wrist.

In general, advocates were disheartened about Arizona’s criminal justice response to DV. Most (61%) disagreed that “In my experience, the justice system takes DV cases seriously.” One said justice officials simply don’t care enough:

There is such a lack of compassion from individuals who see domestic violence on a daily basis. And I’m not saying that they’re not compassionate people; I think that they’re not in that social worker mentality of what are the reasons why people stay in the situation, and they don’t understand the barriers. So, to them, it’s just, “Why don’t you just leave?”

Another said efforts to combat DV in Arizona are hampered by differences across agencies:

Inconsistencies [among] agencies I think is a big obstacle. You know, a lot of times it depends on which agency you’re dealing with and what type of treatment you’re going to get.

Another advocate complained that only the most violent cases are taken seriously:

I know that cases get more attention if the victim has injuries or serious injuries. But when the children are involved and there’s a disorderly [conduct charge], that’s serious. You know, you can just imagine what that incident did to that child or those children that night....

Advocates Criticize Police, But Understand Their Frustration

Most DV victims’ experience with the Arizona justice system begins when law-enforcement officers respond to a 911 call. The officers’ duty is not only to stop the violence but also to advise the victim of ways he or she can seek long-term safety, justice, and assistance. In the survey and interviews, numerous advocates said too many officers are not doing an adequate job. Most (72%), for example, disagreed that “In my experience, most DV cases are adequately prepared by police.” One said:

I think one of the first places that we need to start is with the police department because I think that probably the officers are not very well trained in domestic violence. Quite often situations happen that are domestic violence, but they choose not to label it as such.

Yet another advocate noted that frustration plays a role:

I think it begins at the police officer level, not understanding what’s going on, not taking it seriously, maybe getting frustrated with the victim, not understanding why the victim is responding the way they are.

Officers' frustration, one advocate said, stems also from the sheer volume of potentially dangerous DV calls:

I can feel the reasons why, for example, law enforcement officers get frustrated because they're going to these all the time. And it is dangerous for them, that potential threat [to] their life is...constantly there. But it's also there for my client.

Not all advocates were critics; some expressed positive views of the system, with one saying, "I think the relationship that we have with law enforcement here helps a lot with the way the cases are handled." Another said:

[In] the previous jurisdiction I was in, the police had a very good response, I felt, in dealing with domestic violence cases. They were very proactive in making sure their officers were trained in domestic violence.

And some said the system's changing for the better:

You know, I've worked with the police department beginning in 1984 and I was there until 2001. So I have seen a lot of changes over the years, a lot of changes for the good. We've most certainly come a long way from where we were.

Advocates Think Prosecutors Could Do More

Advocates' generally negative views of the system's functioning also extended to prosecutors, despite the fact that approximately half of the advocates surveyed are employed by police or prosecutors. Most (73%) rejected the statement that "An advocate's main job is to ensure that victims aid prosecution."

Most (58%) agreed with the survey statement "I think prosecutors turn down too many DV cases." One said:

We just a month ago had a panel discussion all the way from the police's end of it... through the counseling piece, and [the prosecutor] basically said that, "It's going to depend on whether or not I think it's going to be a successful case as to what I do."

Another said prosecutors complain that DV victims "are not presenting as good witnesses;" And I'm like "But they're not perfect people." Yet another advocate agreed, writing in a survey comment:

Prosecutors want an open-and-shut case with very strong, credible victims prior to prosecution, and if they don't have that they can be less diligent in their handling of the case.

Some advocates also lamented — as did some victims — the high volume of cases that give prosecutors little time to devote to each. Most (55%) disagreed that "Most prosecutors are well prepared to present DV cases." One gave this account of her experience in a prosecutor's office:

...a lot of times what I see is [prosecutors] don't even know what's going on until the last minute and...a lot of times we are right there before the hearing, trying to negotiate and trying to know what's going on and what's going to happen, and what could happen and why the sentence is not more hard.

Another reported the same unpleasant surprise:

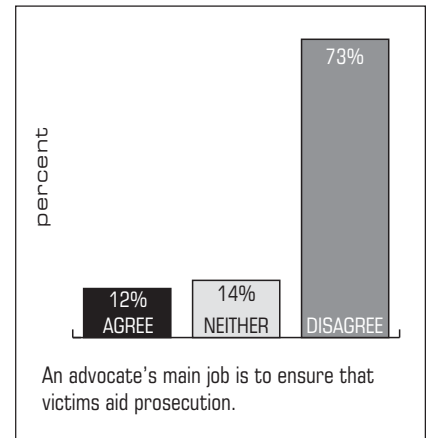
It was kind of surprising when I [began work] here because most of the time, the first time a prosecutor sees the case is when they walk in the courtroom because they rotate courtrooms every day and the cases are given to them.

Still, some advocates saw positive indications for the future:

I think that the attitudes of the prosecutors have evolved, probably because you are also talking about a younger pool of prosecutors that are coming in that have been exposed to more trainings or education on domestic violence.

“[T]he police had a very good response, I felt, in dealing with domestic violence cases. They were very proactive in making sure their officers were trained in domestic violence.”

—advocate



Source: Morrison Institute for Public Policy, Arizona State University, 2007.

“Prosecutors want an open-and-shut case with very strong, credible victims prior to prosecution, and if they don't have that they can be less diligent in their handling of the case.”

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“I think that the attitudes of the prosecutors have evolved, probably because you are also talking about a younger pool of prosecutors that are coming in that have been exposed to more trainings or education on domestic violence.”

—advocate

“[Prosecutors] get upset when we try to tell them about the rights and the violations and the domestic violence charges and things like that because, they are the prosecutors...and they know everything....”

—advocate

For now, however, most advocates expressed disappointment with how prosecutors are handling DV cases. Most (57%) disagreed that “I feel that plea agreements are usually used in an effective manner in DV cases.” In interviews, they repeatedly reported that the charges and pleas given to DV defendants were inappropriate. One said, “*What... is frustrating for me working out of the prosecutor’s office, is I honestly feel like a lot of times what [defendants] end up getting is a slap on the wrist.*” Another said: “*We say that strangling a person is a class-one misdemeanor, but that’s attempted homicide. That needs to be a felony.*”

But few advocates seemed to support trying other approaches to handling DV offenders. Most (87%) disagreed that “Many DV cases would be better handled through mediation than prosecution.” In interviews, they tended to dismiss the likelihood that relationships suffering DV can be preserved. One said:

That’s not discounting that some relationships are salvageable. I’ve seen that happen. But I can count [them] on one hand.

Another sounded a more hopeful note:

I don’t want to think that every person that I talk to in a domestic violence case, that I should be giving them a card for an attorney to go get a divorce or whatever. I don’t think that’s the answer. I would certainly like to think that they are salvageable.

As for their own role in the justice system, advocates expressed mixed views. In response to the statement “Most prosecutors encourage advocates’ participation in the justice process,” 42% agreed, 28% marked neither, and 30% disagreed. In response to a similar statement, “Most prosecutors respond adequately to advocates’ questions and suggestions,” 40% agreed, 29% marked neither, and 32% disagreed. One dissatisfied advocate said:

[Prosecutors] get upset when we try to tell them about the rights and the violations and the domestic violence charges and things like that because, they are the prosecutors...and they know everything....

But another advocate had a more positive view:

For the most part they do want input from the advocate because [advocates are] the ones who have been spending all this time talking to the victims. And the prosecutors for the most part, don’t want to deal with that, you know? So they’d rather talk to the advocate that can give them the little synopsis as to what’s going on.

Advocates Feel Judges Sentence Too Lightly

Advocates seemed close to unanimous in their concern over what they see as weak sentencing practices by Arizona’s judges. For example, most (85%) agreed that “I think judges usually sentence DV offenders too lightly.” Most (74%) also disagreed that “Most judges impose effective sanctions on DV abusers who violate an OP.” In a survey comment, one wrote, “*I am VERY concerned about judicial response to DV — lack of training and understanding of the issue is apparent from the bench.*” Another wrote in favor of stiffer sentences:

...and really sending the message that it’s not okay to put your hands on another person, whether it’s your wife or your boyfriend.

In an interview, another advocate said:

I think a lot of our judges are not familiar with domestic violence. They don’t have the training. And...actually, I’ve seen them re-victimize the victims in court.

One said everything depends on which judge is presiding:

I'm telling you, it's hit or miss...you know which judge is going to treat this victim like she should be treated, and which one does not. And you kind of dread walking into the courtroom of the judge that you know is going to be abrupt and uncaring and insensitive to her issues.

Most advocates (80%) also rejected the statement that “The existing range of sanctions for DV offenders is adequate.” One noted the difficulty facing judges dealing with DV cases:

...if we don't have the evidence or the victim supporting or participating in that, it's really hard to charge that and not violate the defendant's rights. So you're balancing that against, you know, the crime.

Unsupervised probation is the sentence most often handed down to misdemeanor DV offenders, a fact that some advocates said means little actual punishment. One said, “[Offenders are] not assigned a probation officer; nobody really checks up on them. They're not checking with anybody. It simply means that they are ordered to be a law-abiding citizen.” Most (91%) agreed that “Most DV offenders who violate probation should be sent to jail,” but they did not express confidence that this happened often enough. One said, “They serve very little time, if any; instead of getting unsupervised probation, they might get supervised probation.” Another said: “You know, probation violations are just not as big a deal as getting that actual conviction. It's kind of after the fact. And then, you know, it's basically up to probation [officers] to bring it up.”

The role of the advocate in the courtroom can depend on the level of the court (justice, city, or county) and the judge. Advocates were split on whether “Most judges encourage advocates' participation in the justice process,” with 24% agreeing, 39% marking neither, and 38% disagreeing. This presumably reflected advocates' varying experiences, such as the negative one noted by this advocate:

It wasn't me personally, but one time one of our court advocates went in [to the courtroom] and was literally told to sit down, that the judge didn't want to hear her speak.

Advocates Agree that OPs Can Be Used and Abused

Advocates are often victims' first line of support when they seek an order of protection (OP), which is a common first step for victims trying to deal with an abusive relationship. Still, advocates seemed to share many of the concerns of others in the system about OPs' value in keeping victims safe. Nearly half (49%) disagreed that “Orders of protection are effective in deterring future DV incidents.”

Asked if OPs work, one advocate said: “I would have to say, for the most part, no.” Another said, “One of the first things I tell victims when they get an order is that it's not an invisible shield. It's a piece of paper.” Another suggested that the problem with OPs is lack of enforcement:

They work, but [at a] very minimum, because what I see is the perpetrator repeatedly violating the order of protection and there are not hard consequences for it.

Another advocate agreed:

I think that...sometimes they're not taken seriously. People call in and say somebody violated an order of protection and nothing gets done. No charges are brought....And [victims] don't renew their order of protection because the police never did anything about it.

“I think a lot of our judges are not familiar with domestic violence. They don't have the training. And...actually, I've seen them re-victimize the victims in court.”

—advocate

“I'm telling you, it's hit or miss...you know which judge is going to treat this victim like she should be treated, and which one does not.”

—advocate

“They work, but [at a] very minimum, because what I see is the perpetrator repeatedly violating the order of protection and there are not hard consequences for it.”

—advocate

“I think an order of protection is really a tool, more so I think, for law enforcement and the courts to be able to use because it’s creates a paperwork trail that builds on itself.”

—advocate

On the other hand, another advocate noted the usefulness of OPs:

I think an order of protection is really a tool, more so I think, for law enforcement and the courts to be able to use because it’s creates a paperwork trail that builds on itself. For every time that we can violate that person, it’s just more charges that we can bring, more jail time we can give, stiffer penalties that we can give and hopefully those punitive actions will affect the defendant.

One advocate recommended an easier and more uniform OP, and an OP process that doesn’t make the victim do all the leg work. Another wrote: “I’ve seen judges... too busy to see someone to issue an OP. That should be easier, with no runaround.”

Many justice system officials complain that DV victims too often frustrate the purpose of OPs by inviting contact with someone whom they’ve named in an OP as a threat. Advocates were split on this issue. In response to the statement “DV victims too often defeat protective orders by initiating contact with the offender;” 40% agreed, 26% marked neither, and 34% disagreed. One advocate noted that it does happen:

I think that there are a select few victims that abuse the system by obtaining an order of protection, allowing that person back into the home, and then calling the police once there’s an argument and saying, “Oh, here he’s violating the order.”

But another seemed to say that shouldn’t matter: “Stop arresting people who are plaintiffs. Stop arresting victims for violating so-called, their own order of protection.”

One suggested remedy for victims’ defeating OPs is to make the documents apply to both parties in a DV case — that is, to make it illegal for the victim to contact the offender as well as vice-versa. But most advocates rejected this approach. More than half (54%) disagreed that “Orders of protection would be more effective if they applied to both parties;” 23% marked neither, and 24% agreed.

Advocates Say the System Too Often Re-victimizes Victims

Advocates serve in various settings in Arizona, but all support and assist victims through the criminal justice process in some capacity. In fact, one advocate said the job includes advising victims that they are victims:

A lot of times victims don’t consider themselves victims. And I think it takes that other party to kind of point things out....I have victims who feel they’re crazy and you know, they start doubting themselves: “Why am I feeling this way? Oh, I’m just paranoid.” And you need to validate their concerns....

Like the prosecutors and judges who participated in this study, advocates expressed concerns about the level and consistency of victim participation. Most (63%) agreed that “Too many DV cases cannot be prosecuted because victims drop out of prosecution.” One advocate said:

You will get victims that call and say, “Okay, I want to drop the charges now. Oh, I lied. I made it up.” Or, “You know, I told him to do it,” or, “I fell,” or, you know, you just get the whole recant.

Another said that encountering a willing victim is a cause for celebration:

You know, when I say to a prosecutor, “I’ve got a pro-prosecution victim,”... when I know that that person is going to stick with it, with me and the case for the next two years it’s going to take, [prosecutors are full of] glee. It’s like, “Whoa, yay...”

VICTIM ADVOCATES' SURVEY RESULTS

Statement	Agree		Neither		Disagree	
	%	Count	%	Count	%	Count
Too many DV cases cannot be prosecuted because victims drop out of prosecution.	63%	65	16%	16	21%	22
Most DV victims are receptive to intervention by the justice system.	42%	43	26%	27	32%	33
Most DV incidents stem from abusers' need for power and control over victims.	95%	98	2%	2	3%	3
Convicting DV offenders seldom helps reduce future DV incidents.	38%	39	23%	23	39%	40
Most victims receive enough information to understand the legal process.	23%	23	11%	11	67%	68
Substance abuse by the victim is a primary cause of DV.	18%	19	7%	7	75%	77
DV cases should be prosecuted only when there is clear evidence of injury.	6%	6	2%	2	92%	95
DV cases take too much of the criminal justice system's time and effort.	4%	4	3%	3	93%	96
DV is best handled as a private matter, rather than by the justice system.	0%	0	2%	2	98%	101
DV victims are often as responsible for the incident as the person arrested.	0%	0	7%	7	93%	96
"Pro-arrest" statutes and policies are the best approach to DV incidents.	46%	47	40%	41	14%	14
I think prosecutors turn down too many DV cases.	58%	60	26%	27	16%	16
DV victims too often defeat protective orders by initiating contact with the offender.	40%	41	26%	27	34%	35
A major problem with DV is that there are so many repeat cases.	68%	70	18%	19	14%	14
Most judges encourage advocates' participation in the justice process.	24%	24	39%	39	38%	38
Most DV incidents are isolated events in otherwise good relationships.	3%	3	10%	10	87%	90
DV offenders should be prosecuted even if victims don't want prosecution.	89%	92	8%	8	3%	3
DV victims often exaggerate the amount of violence involved.	2%	2	8%	8	90%	91
Anybody who violates a DV order of protection should be prosecuted or held in contempt.	87%	90	7%	7	6%	6
Most DV victims are safer as soon as they leave an abusive relationship.	14%	14	7%	7	80%	82
Most DV victims who drop out of prosecution have good reasons for doing so.	42%	43	36%	37	22%	23
Orders of protection are effective in deterring future DV incidents.	17%	18	34%	35	49%	50
I think the existing range of sanctions for DV offenders is adequate.	5%	5	16%	16	80%	82
Too many DV victims try to use the criminal justice system to help them in family law disputes.	11%	11	24%	25	65%	67
Most judges impose effective sanctions on DV abusers who violate an OP.	15%	15	12%	12	74%	75
The primary objective in sentencing a DV offender is to hold the offender accountable.	82%	80	15%	15	3%	3
Most DV incidents occur because of offenders' anger-control problems.	50%	49	8%	8	42%	41
In my experience, most prosecutors are well prepared to present DV cases.	14%	14	31%	30	55%	54
Many DV cases would be better handled through mediation than prosecution.	6%	6	7%	7	87%	85
There should be a limit on how many cases are filed on behalf of a DV victim who repeatedly refuses to prosecute.	7%	7	8%	8	85%	83
Substance abuse by the suspect is a primary cause of DV.	24%	24	18%	18	57%	56
Many DV victims could easily leave their relationships, but don't.	6%	6	4%	4	90%	88
I think the treatment options now available for offenders are effective.	4%	4	15%	15	80%	78
Most DV offenders do not exhibit other criminal or violent tendencies.	8%	8	20%	20	71%	70
I believe most DV victims are satisfied with the system's handling of their case.	8%	8	14%	14	77%	75
Conviction of a DV offense should not affect a parent's visitation or custody rights.	2%	2	19%	19	79%	77
Supervised probation is effective in holding DV offenders accountable.	36%	35	28%	27	37%	36
An advocate's main job is to ensure that victims aid prosecution.	12%	12	14%	14	73%	72
Orders of protection would be more effective if they applied to both parties.	24%	23	23%	22	54%	52
I feel that plea agreements are usually used in an effective manner in DV cases.	19%	18	25%	24	57%	55
Most DV offenders who violate probation should be sent to jail.	91%	89	6%	6	3%	3
The primary objective in sentencing a DV offender is to ensure victim safety.	59%	58	16%	16	24%	24
The definition of a 'relationship' in DV statutes is too broad.	16%	16	33%	32	51%	49
In my experience, most DV cases are adequately prepared by police.	7%	7	20%	20	72%	71
Court-ordered treatment programs seldom have a positive impact on batterers.	51%	50	32%	31	17%	17
Most prosecutors encourage advocates' participation in the justice process.	42%	41	28%	27	30%	29
I think judges usually sentence DV offenders too lightly.	85%	83	8%	8	7%	7
In my experience, the justice system takes DV cases seriously.	17%	17	21%	21	61%	60
Most prosecutors respond adequately to advocates' questions and suggestions.	40%	39	29%	28	32%	31

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

Further complicating the advocates' job are victims who not only refuse to prosecute, but side with the defendant:

And if [victims] are pro-defendant, you know, you're walking that fine line of trying to advocate for their victim's rights, but then also, you know, concerned about their safety and interests of the case and that kind of thing.

Advocates were mixed in their response to the statement "Most DV victims are receptive to intervention by the justice system;" 42% agreed, 26% marked neither, and 32% disagreed. One advocate said many victims may be receptive and even ready to exit a relationship — but perhaps not on the criminal justice system's timeline:

"A lot of times victims don't consider themselves victims. And I think it takes that other party to kind of point things out..."

—advocate

It has to get to the point where they're ready to get out, and a lot of times that doesn't happen until, you know, something really big happens. And so then they're ready to prosecute. Then they're ready to go all the way. They're ready to leave.

Another said victims who are advised to end a relationship need more help:

Victims are held responsible for stopping the violence. As a society, we tell them they should leave the relationship, but we don't provide enough safety when they do.

And advocates feel that victims are not getting that help. Most (67%) disagreed that "Most victims receive enough information to understand the legal process." One wrote of the difficulty of "getting the victim to understand how serious this situation is and try to get them into a safe environment." Another called for "More legal aid and legal information available to [victims]."

"You will get victims that call and say, 'Okay, I want to drop the charges now. Oh, I lied. I made it up.' Or, 'You know, I told him to do it,' or, 'I fell....'"

—advocate

Still, most advocates agreed with most of their colleagues in the justice system that prosecution should go forward regardless of the victim's wishes. A strong majority (89%) agreed that "DV offenders should be prosecuted even if victims don't want prosecution." One advocate said she must act as the voice of reason for a victim who may not appreciate the severity of the situation:

[A] victim may be saying, "I need him home. I need the money." But I know he's going to kill her. Because I just did a little mental lethality check list and she's hit 18 out of 20. And the next instance, she's going to die.

But many advocates sympathized with victims' ambivalence towards prosecution. In response to the statement "Most DV victims who drop out of prosecution have a good reason for doing so," 42% agreed, 36% marked neither, and 22% disagreed. One noted, "...the victims do have a lot of say because they're the ones that are in the situation and they are the ones that have to go home and decide if they're going to be with that person or not." Another said the victim's decision came down to two grim choices: "Am I more afraid this person's going to hurt me again, or am I more afraid of what's going to happen if I try to leave."

Most advocates (77%) disagreed that "DV victims are satisfied with the system's handling of their case." In a survey comment, one wrote: "Many survivors of DV I have worked with have a lot of hope in the justice system when they leave [a relationship], which fades quickly once they become involved [with the system]." And another wrote: "Too many of the people I have worked with have been not only victimized by their partners, but also by the police, courts, probation, and [Child Protective Services]."

Another offered a more neutral view:

...sometimes you can't please DV victims, but that's because they're in the constant state of roller coaster. So, I can't blame everything on the criminal justice system, but sometimes it works and sometimes it doesn't.

Offenders Deserve Stiffer Sanctions and Better Treatment

Most advocates do not work directly with offenders. However, many end up working with a victim's entire family, and this can include the offender. If a victim remains in the relationship, an advocate will often try to help him/her stay safe, and will provide information on resources and services should the victim change his/her mind.

Most advocates (95%) agreed that "Most DV incidents stem from abusers' need for power and control over victims," which is the most widely supported explanation, and the one provided in most training materials. But half of the advocates (50%) also agreed that "Most DV incidents occur because of offenders' anger control problems" — another common explanation but one that is rejected by many who work in the DV field. This suggests that many advocates, like others in the system, do not typically see a sharp dividing line between these two analyses.

Most advocates (71%) disagreed that "Most DV offenders do not exhibit other criminal or violent tendencies." One said:

If you tend to be a violent person, it doesn't just stop with your partner, they're just the easiest person and the closest person that probably receives the most.

Another advocate said that DV offenders start down that path early:

Not just domestic violence in the home, but also I think that, that the youth dating violence is a big issue. I think they're both very significant and I think they also all tie into the other issues as far as substance abuse problems and things like that.

Still, most advocates (57%) disagreed that "Substance abuse by the suspect is a primary cause of DV." In interviews, many acknowledged that substance abuse plays a role in DV incidents, but not a causal one. One said, "I would definitely, definitely say if you're utilizing drugs, then drugs just tie into almost every crime across the board." Another advocate said: "I think [substance abuse] exacerbates the problem, but I don't believe that that's the cause of domestic violence."

Though many or most advocates work closely with the justice system, they were split on whether "Convicting DV offenders seldom helps reduce future DV incidents," with 38% agreeing, 23% marking neither, and 39% disagreeing. They were in favor of holding offenders accountable, but did not claim to know the actual effect on offender behavior. One said: "I put the ownership on to the defendants, I do not put it on the victim. They're the ones who have to change their behavior."

Another wrote in a survey comment:

Consequences for domestic violence offenses are far too lenient, with many offenders being released the next day to then further harass and terrorize their victim, who often must flee their own home in order to be safe.

Another called for mandatory DV sentencing, similar to that given for driving under the influence:

I think that one of the bigger things is we need mandatory sentences for DV. We have it for DUIs. DUIs are such in the forefront, you know, of the public that we have those mandatory sentences and I do think that works as a deterrent for many.

In a written comment, another suggested that "Perhaps a mandatory 10-day jail sentence for all DV

"[A] victim may be saying, 'I need him home. I need the money.' But I know he's going to kill her."

—advocate

"...sometimes you can't please DV victims, but that's because they're in the constant state of roller coaster. So, I can't blame everything on the criminal justice system, but sometimes it works and sometimes it doesn't."

—advocate

DV's Cause: "Power and Control" vs. Anger

Most advocates and many justice system professionals believe that DV offenders' long-term need for power and control over their victims is the fundamental cause of domestic violence. They distinguish this explanation from one based upon an offender's anger or temporary loss of self-control. For example, one DV website states: "Violent behavior is a choice. Perpetrators use it to control their victims. Domestic violence is about batterers using their control, not losing their control." In their survey responses, Arizona justice system professionals also primarily favored the power and control explanation; however, most also cited anger as a cause of DV. Most offender treatment programs emphasize the "power and control" argument, but many also include anger-management techniques.

offenses would at least allow the victim some time to obtain an Order of Protection or find new housing where the perpetrator could not find her.”

Advocates were split in their view of supervised probation, which is in fact a slightly stricter punishment than the unsupervised probation often given to misdemeanor offenders. In responses to the statement “Supervised probation is effective in holding DV offenders accountable,” 36% agreed, 28% marked neither, and 37% disagreed. One called for better guidelines for probation officers:

“Consequences for domestic violence offenses are far too lenient, with many offenders being released the next day to then further harass and terrorize their victim, who often must flee their own home in order to be safe.”

—advocate survey comment

I think they have some discretion in when and if they choose to violate the defendant or not. And so maybe [we need] stricter policies enforced that way, especially in domestic violence cases.

Another agreed, saying, *“I think probation [officers] should be more on top of their cases, I think, and as far as the court to keep track. There’s this slack on that.”*

Like others in Arizona’s justice system working on DV, advocates expressed generally negative or neutral impressions about the value of treatment for offenders, which typically is a mandatory part of their sentence. Treatment can take different forms, but the most frequent is a series of 26 group sessions, once per week. Most advocates (80%) disagreed with the statement “I think treatment options now available for offenders are effective.” One called it *“Not effective at all. And that comes from the victims. I’ve had one victim where he re-offended her – I mean, he assaulted her again, and so we went to court again.”*

And just over half of advocates (51%) agreed that “Court-ordered treatment programs seldom have a positive impact on batterers.” Some said a simple lack of results calls the quality of the programs into question. One said: *“I wish we had more [treatment programs] that were court- approved providers, because if you have a repeat offender going through the same program, obviously it’s not clicking.”* Another said: *“I don’t think that they are very effective because these have been in place for years and years and years and I don’t see the men are being accountable. What I see is the same man going into another relationship and doing the same thing.”*

One advocate said it all depends on the individual defendant:

I think [a local treatment program] tries really hard to be a good program. I think the problem is that, like any program, if the people involved don’t want to change, they’re not going to. It doesn’t matter how good the counselors are. It just doesn’t matter. And so I don’t think it does any good for recidivism, to be honest with you.

But another said we simply don’t know: *“I think it’s [based on] each individual person, and I really don’t know what our recidivism rate is for our programs.”*

In sum, advocates’ responses to the survey and interviews showed them to be only slightly less negative than victims in their evaluation of Arizona’s criminal justice response to DV. They did not, in most cases, blame system officials; as one advocate put it:

[These shortcomings are] not occurring in a vacuum, so I would love to see DV education in schools. You know, we can’t expect judges and prosecutors to be immune from the society they grew up in. So if we’re ignorant as a society, we can really heap all the blame on a lack of training for folks in a certain profession....

“I think that one of the bigger things is we need mandatory sentences for DV. We have it for DUIs.”

—advocate

Instead, they tended to describe a system that, despite its best efforts, is overwhelmed by the volume and intractability of DV cases. One said:

I think we're stagnant right now in the criminal justice system when it comes to DV. We sure aren't in the days where law enforcement used to just be able to put the victim's and the abuser's hands on the badge and call them divorced for the night and just separate[them] and think peace was going to be maintained. And I'm [thankful]for that... but we're stagnant. I think...that judges and prosecution [are] sick and tired of seeing the same suspects in front of them for the same crimes, [and] they take it out on the victim.

Advocates' Opinions by Employer and Location

Advocates in Prosecutors' Offices Are More Supportive of the System

The table that follows shows those survey responses which differed in a statistically significant way according to where the advocate worked.¹⁵ In general, advocates working in prosecutor's offices expressed a more favorable view of Arizona's criminal-justice response to DV, particularly compared to those who worked in shelters. The differences can be seen by comparing the mean (average) response for each group; the lower the mean, the more they agreed with the statement. For example, advocates working in prosecutor's offices were significantly more likely to agree that "Most victims receive enough information to understand the legal process;" their mean response was 2.9, while those of other groups ranged from 3.5 to 4.0 (see next page for table).

"I don't think that [treatment programs] are very effective because these have been in place for years and years and years and I don't see the men are being accountable. What I see is the same man going into another relationship and doing the same thing."

—advocate

"I think...that judges and prosecution [are] sick and tired of seeing the same suspects in front of them for the same crimes,[and] they take it out on the victim."

—advocate

¹⁵ Responses were examined using a two-way between-group analysis of variance (ANOVA).

STATISTICALLY SIGNIFICANT DIFFERENCES BY ADVOCATE EMPLOYER

Statement	Employer	N	Mean	Standard deviation	Significance
Most victims receive enough information to understand the legal process.	Prosecutor's office	35	2.943	1.136	0.000
	Shelter	28	4.036	0.793	
	Family advocacy center	16	4.000	0.516	
	Other	23	3.522	1.039	
I think prosecutors turn down too many DV cases.	Prosecutor's office	35	2.914	0.981	0.000
	Shelter	28	1.929	0.716	
	Family advocacy center	16	2.375	0.619	
	Other	24	2.292	0.955	
Most DV victims who drop out of prosecution have good reasons for doing so.	Prosecutor's office	35	2.971	0.785	0.021
	Shelter	28	2.500	1.232	
	Family advocacy center	16	3.125	0.957	
	Other	24	2.333	0.917	
Many DV cases would be better handled through mediation than prosecution.	Prosecutor's office	33	3.970	0.728	0.008
	Shelter	27	4.704	0.465	
	Family advocacy center	15	4.067	1.223	
	Other	24	4.292	0.999	
There should be a limit on how many cases are filed on behalf of a DV victim who repeatedly refuses to prosecute.	Prosecutor's office	33	4.030	0.984	0.000
	Shelter	27	4.741	0.447	
	Family advocacy center	15	3.467	1.302	
	Other	24	4.458	0.833	
Substance abuse by the suspect is a primary cause of DV.	Prosecutor's office	33	3.273	1.180	0.026
	Shelter	27	3.926	1.174	
	Family advocacy center	15	2.933	1.223	
	Other	24	3.833	1.239	
I believe most DV victims are satisfied with the system's handling of their case.	Prosecutor's office	33	3.394	0.864	0.000
	Shelter	27	4.444	0.698	
	Family advocacy center	15	4.333	0.617	
	Other	23	4.174	0.834	
Supervised probation is effective in holding DV offenders accountable.	Prosecutor's office	33	2.788	1.111	0.027
	Shelter	27	3.519	1.221	
	Family advocacy center	15	3.533	0.990	
	Other	24	2.875	1.076	
Orders of protection would be more effective if they applied to both parties.	Prosecutor's office	33	2.970	1.212	0.005
	Shelter	27	3.889	0.934	
	Family advocacy center	15	3.533	0.915	
	Other	23	3.739	0.915	
I feel that plea agreements are usually used in an effective manner in DV cases.	Prosecutor's office	33	2.909	1.011	0.000
	Shelter	26	4.077	0.891	
	Family advocacy center	15	4.067	0.704	
	Other	24	3.542	0.932	
Most prosecutors encourage advocates' participation in the justice process.	Prosecutor's office	33	2.424	0.969	0.000
	Shelter	27	3.407	0.747	
	Family advocacy center	15	2.467	0.834	
	Other	23	3.087	1.041	
In my experience, the justice system takes DV cases seriously.	Prosecutor's office	33	3.182	1.131	0.027
	Shelter	27	3.926	0.874	
	Family advocacy center	15	3.733	0.961	
	Other	24	3.667	0.816	
Most prosecutors respond adequately to advocates' questions and suggestions.	Prosecutor's office	33	2.364	0.929	0.000
	Shelter	27	3.519	0.753	
	Family advocacy center	15	2.867	0.834	
	Other	24	3.042	0.908	

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

Rural Advocates Are Less Supportive of Victims

The table below shows those survey responses which differed in a statistically significant way according to whether advocates worked in predominately urban or rural Arizona counties, using independent-samples t-tests. In general, advocates in more rural counties expressed a closer identification with the criminal justice system than their urban-county colleagues, and were more likely to place responsibility on DV victims.

STATISTICALLY SIGNIFICANT DIFFERENCES BY LOCATION

Statement	Location (urban & other)	N	Mean*	Standard deviation	t-test signif.level
Substance abuse by the victim is a primary cause of DV.	Maricopa & Pima	48	4.208	0.967	2.207
	Other Counties	48	3.708	1.237	p=.030
DV victims too often defeat protective orders by initiating contact with the offender.	Maricopa & Pima	48	3.375	1.003	3.212
	Other Counties	48	2.708	1.031	p=.002
Too many DV victims try to use the criminal justice system to help them in family law disputes.	Maricopa & Pima	48	3.958	0.824	2.273
	Other Counties	48	3.542	0.967	p=.025
Most judges impose effective sanctions on DV abusers who violate an OP.	Maricopa & Pima	48	4.146	0.825	2.269
	Other Counties	48	3.708	1.051	p=.026
Supervised probation is effective in holding DV offenders accountable.	Maricopa & Pima	48	2.854	1.185	-2.531
	Other Counties	48	3.438	1.070	p=.013
An advocate's main job is to ensure that victims aid prosecution.	Maricopa & Pima	48	4.021	0.785	2.337
	Other Counties	48	3.563	1.109	p=.022

* The lower the average (mean), the more respondents agreed with the statement.

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

PROBATION OFFICERS

Most people convicted of crimes in Arizona are not sentenced to prison or jail. Instead, they are placed on probation, typically for one to three years, and required to pay fines and restitution, obtain treatment, perform community service or other tasks, and observe restrictions in such matters as where they live and with whom they associate. Offenders' compliance with such requirements is monitored by probation officers (POs).

The position of probation officer may be less familiar to most Arizonans than those of police officer, judge, or prosecutor, but these court officials play important roles in the justice system; they typically have more contact with offenders than other officials, and can exercise considerable decision-making power over a defendant's fate. Among other duties, they monitor probationers' compliance with the terms of probation, and decide when a probationer's misconduct warrants a "violation," in which the probationer is brought before a judge and faced with the possibility of having his/her probation revoked and being sentenced to jail or prison. In the case of DV probationers, probation officers may decide which treatment program a probationer attends and when an offender may resume contact with a victim. Probation officers thus play what verges on a hybrid criminal justice/social service role, and arguably have more influence than anyone else in determining whether offenders are held accountable for their actions over time.

Most of the state's POs work for Arizona's superior court, and deal only with offenders on probation for felony crimes; that means most probation officers do not deal with offenders convicted of misdemeanor DV, which are the majority of DV offenders in Arizona. However, some Arizona courts do provide probation supervision for misdemeanor offenders. The results reported here come from 173 completed surveys and 10 interviews with POs.

Despite PO Frustrations, "Mandatory Arrest" Works for Most

Arizona's so-called "mandatory arrest" statute was passed in order to encourage officers to take DV more seriously as a criminal matter. Most probation officers (54%) disagreed that "Arizona's 'mandatory arrest' laws have forced the system to deal with too many minor DV cases." As one PO said:

I think if [police officers] didn't have a mandatory arrest, that a lot of them would get lazy and just maybe go back to saying, "Oh, it's a family problem," or, "Well, why don't you just leave them tonight...." Because that's the easiest thing to do instead of writing all that paperwork and booking someone and taking them down to the jail.

However, another PO said the law has resulted in too many "dual arrests," in which both parties at a DV scene are arrested. The frequency of dual arrest in Arizona and elsewhere has been a controversial issue for years, with critics claiming that police officers too often use it to save time and to avoid trying to determine which party at a

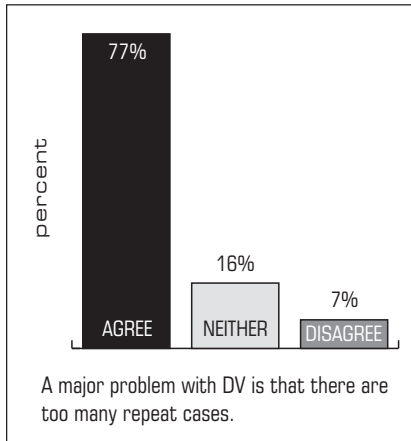
Characteristics of probation officer survey respondents

% of respondents who have had special training specifically concerning DV	65%
Average number of years as probation officer	9 years
Average % of cases in last 12 months that were DV cases	22%

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

911 call is the perpetrator. However, as noted above, many prosecutors discourage the practice because they say it presents them with cases that are virtually impossible to prosecute. At present, there is no way of knowing how often dual arrest occurs; it should be noted, however, that, unlike some other states, Arizona lacks a “predominant aggressor” law that directs officers to determine which of two mutual combatants at a DV scene initiated the violence. This PO said:

At first, I thought it was a good idea.... And you know, I just assumed [police] would take the right person to jail. Well, it doesn't always work out that way. And so I don't think it works out too well that way.



Source: Morrison Institute for Public Policy, Arizona State University, 2007.

Another PO said he supports “mandatory arrest” when physical force is used by the offender, but wonders if it’s right to make an arrest automatically even when a victim might not want that to happen:

I'm wondering at what point does the victim get empowered? Because you've taken the option out of his or her hands...once the arrest is made, that is it. It is completely out of the victim's hands.

Probation officers expressed the same frustration as other justice system officials with the volume of repeat cases, as 77% agreed that “A major problem with DV is that there are too many repeat cases.” As one put it:

How many times are you going to go out to the [same] house? And I mean, I've been doing this long enough that I have now the children of some of my offenders on probation already.

Asked why he thought there are so many repeat cases, one PO said it’s because offenders don’t change:

Some guys...never worked with the components of treatment, and they truly didn't really focus on making any true changes within themselves or their relationship. So they went, they were right back, you know, at square one. Some of those individuals, they just don't see the fact that, that relationship itself probably from the get-go wasn't good.

Another PO said that offenders and victims too often stick with troubled relationships:

The nature of their relationship is always a problem for most of these people. They never grow apart and they never really follow through. I mean, I had one [victim] who said, "Where else do I have to go?" He actually cut her from the corner of her mouth to her ear, and he had absconded from probation supervision for about seven or eight months.... [But] the victim and him were still together. When I talked to her, her response was, "You know, where else do I go?"

That’s a question that some POs said points to the heart of the system’s dilemma: The criminal-justice process can intervene in an abusive relationship and create a brief “space” for the victim, but little else — which critics say denies the victim a true choice. One answer, another PO said, was more victim services:

You do all this counseling and treatment [for offenders] and the victim isn't counseled or provided any service. And let's just say the man in this case goes back into the same situation, the same environment and it just repeats itself.

Despite their frustrations, most POs (61%) disagreed that “DV cases take too much of my office’s time and effort.” Still, while most (63%) also rejected the statement “There should be a limit on how many cases are filed involving a victim who repeatedly refuses to prosecute,” 19% marked neither, and 18% agreed.

“Some guys...never worked with the components of treatment, and they truly didn’t really focus on making any true changes within themselves or their relationship.”

—probation officer

Prosecution and Sentencing Need Improvement According to POs

Most probation officers generally supported the existing operations of the justice system, meaning they felt that arresting and prosecuting DV offenders and placing most on probation are reasonable methods of dealing with the problem. For example, most (55%) disagreed that “Arresting and prosecuting DV offenders seldom helps reduce future DV incidents.” And most POs (63%) did not favor mediation, rejecting the statement that “Many DV cases could be better handled through mediation than through prosecution.” At the same time, however, they cited many ways in which the actual day-to-day operations of the system fall short of expectations. A number of POs pointed out how difficult it is for overworked prosecutors to achieve results. One said:

[The prosecutor] doesn't have the time to look up and see if there's other charges [on DV defendants]. I think he tries to do the best he can.... So I just thought, "Gosh, a lot of these people are getting away with it." That's because the county attorneys switched so often. He didn't know who got probation before and who didn't.

Many probation officers agreed that the system would work better if it were tougher on offenders. Nearly half (48%) agreed that “In my experience, most judges are too lenient in sentencing DV offenders.” In a survey comment, one wrote:

Too often it seems the judges aren't willing to order prohibited contact [between offender and victim], despite PO requests to do so, when a victim indicates they are not opposed to contact— probation cannot help a victim who isn't willing to stay away from an offender and it's futile to try to enforce a probation order prohibiting contact when the victim doesn't cooperate with a PO.

Most misdemeanor DV offenders placed on probation are given unsupervised probation, meaning that they must stay out of trouble and follow probation guidelines, but receive little or no monitoring. In contrast, most POs (74%) agreed that “All DV probationers convicted of violence should be supervised.” One said:

I would say between 80% and 90% of the DV cases are filed as misdemeanors and the vast majority of those offenders are granted a term of unsupervised probation.... There is a huge number of DV offenders that are repeat offenders, that have five and six prior domestic violence cases that still walk away with no supervision and no jail time.

Another PO said:

Supervised probation should be a condition for every single DV offender, whether it's misdemeanor or felony, I don't care. There needs to be somebody following through to make sure this guy is going to his counseling, making sure he's abiding by the no contact order, making sure that he's being educated about the effects.... And there's no follow through with any of that.

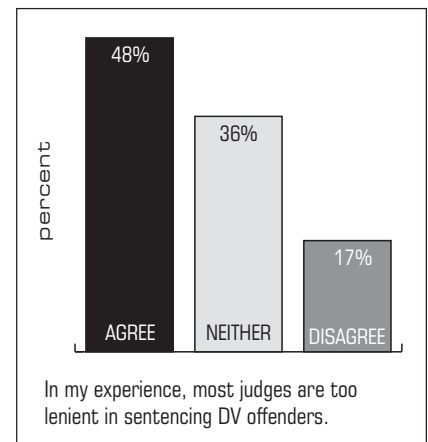
Most (66%) concurred with the statement “Most DV offenders who violate probation should be sent to jail.” One said some misdemeanor offenders in her city “can have nine, 10, 12 domestic violence convictions...and they're still misdemeanors and not in felony court.” She called these offenders “the worst of the worst.” A number of POs said that one obstacle preventing judges from ordering more offenders to jail is simply the cost of incarceration. One said, “You go to superior court, you're going to get sentenced to a certain period of jail time. The judge isn't worried about who's paying for it. And [in] the city courts, the judge is worried about who's paying for it.”

Another said:

I hear judges all the time when in court that, you know, "This [is] how much it's costing us, how much did it cost the city or the county to keep you in jail, so, I'm

“There is a huge number of DV offenders that are repeat offenders, that have five and six prior domestic violence cases that still walk away with no supervision and no jail time.”

—probation officer



Source: Morrison Institute for Public Policy, Arizona State University, 2007.

going to give [the probationer] another opportunity.” I think a lot of it comes down to money, which it shouldn’t.

To the degree it does exist, this difference in attitudes between judges may stem from the fact that superior court judges handle felonies while city court judges handle misdemeanors, and that the former are often elected while the latter are appointed by city governments that also must pay jail costs.

Many POs suggested tougher DV charges by prosecutors. One said, *“I think that more misdemeanors should be filed as felonies. I think anytime a child is present it should be a felony case regardless of whether or not the victim is injured.”*

“Does probation work along with the counseling? I think it does in that it rattles the cage of the perpetrator.”

—probation officer

Yet despite their frequent calls for tougher charging, sentencing, and more probation resources, Arizona’s probation officers seemed far from certain about just how effective probation is. For example, they were mixed in their responses to the statement “Supervision of DV probationers effectively prevents further violence against intimate partners,” with 32% agreeing, 32% marking neither, and 36% disagreeing. They also had mixed replies to “Most DV probationers successfully complete probation,” with 20% agreeing, 51% marking neither, and 29% disagreeing. And in response to the statement “DV offenders are more likely to fail probation than other offenders, 23% agreed, 49% marked neither, and 28% disagreed. One PO said:

Does probation work along with the counseling? I think it does in that it rattles the cage of the perpetrator. And I think that they do end up having to face their own conduct.... I’m not sure that probation is quite the panacea that people think it is. I think it’s a better alternative to jail....

Another PO said she does think probation works in DV cases — or at least hopes it does:

I think that that does work because I think it sends [offenders] a message, “This is serious. You either do this or you don’t. It’s your choice. You’re an adult. But just understand what the consequences are.” So absolutely, I think that it works. I mean, hopefully, whatever I’m doing every day is working, right?

POs Call for More Training

Probation officers were generally very supportive of more DV training, for themselves and others in the system. Most (78%) agreed that “More training would improve my handling of DV cases.” One said:

I think the problem is a lot of probation officers that have DV cases aren’t themselves very familiar with the cycle of domestic violence and they don’t understand why the victim changes her mind two months after sentencing. And a lot of them get into the blaming the victim trap and that makes it really difficult to supervise the offender effectively.

Another agreed:

I think that more advanced training for probation officers handling DV cases is a must. I think they all need to be made aware of the cycle of domestic violence.... I also think that judges at the felony and misdemeanor level need to be more willing to keep the no-contact order in place despite the victim’s pleas for it to be lifted.

Training was also mentioned quite frequently in probation officers’ survey comments as something that could help them do their jobs better. As one officer wrote:

[We need] training specific to probation officers and aimed at offenders, not victims. Most literature and training is geared towards the victim, and not the ins and outs of probation supervision of offenders.

PROBATION OFFICERS' SURVEY RESULTS

Statement	Agree		Neither		Disagree	
	%	Count	%	Count	%	Count
Arresting and prosecuting DV offenders seldom helps reduce future DV incidents.	23%	40	22%	38	55%	94
Many DV cases could better be handled through mediation than through prosecution.	13%	23	24%	41	63%	108
DV cases are my least favorite cases to handle.	20%	34	41%	71	39%	67
Arizona's "mandatory arrest" laws have forced the system to deal with too many minor DV cases.	20%	34	26%	45	54%	94
Most victims are safer as soon as they leave an abusive relationship.	35%	60	12%	20	53%	92
A major problem with DV is that there are too many repeat cases.	77%	131	16%	27	8%	13
DV cases take too much of my office's time and effort.	8%	13	31%	53	61%	105
The primary goal in supervising DV probationers is holding offenders accountable.	73%	124	12%	20	16%	27
DV victims are often as responsible for the incident as the person arrested.	11%	18	23%	40	66%	113
Many DV victims could easily leave their relationships, but don't.	19%	32	12%	20	70%	120
Substance abuse by the victim is a primary cause of DV.	10%	18	20%	34	70%	120
Most DV incidents are isolated events in otherwise good relationships.	2%	4	8%	14	90%	154
I think DV offenders should be arrested and prosecuted even when the victims don't want it.	83%	142	12%	20	6%	10
DV victims often exaggerate the amount of violence involved.	5%	9	22%	38	73%	125
Most DV offenders who violate probation should be sent to jail.	66%	113	22%	38	12%	20
There should be a limit on how many cases are filed involving a victim who repeatedly refuses to prosecute.	18%	31	19%	33	63%	108
Too many victims try to use DV prosecution to help them in family law disputes.	15%	26	45%	78	40%	68
Conviction of a DV offense should not affect a parent's visitation or custody rights.	12%	21	21%	36	67%	114
Any DV probationer who violates an order of protection should be prosecuted or held in contempt.	93%	160	6%	10	1%	2
Orders of protection seldom prevent more violence by DV offenders.	61%	105	22%	37	17%	30
Substance abuse by the offender is a primary cause of DV.	29%	50	26%	44	45%	78
Supervision of DV probationers effectively prevents further violence against intimate partners.	32%	55	32%	55	36%	62
Court-ordered DV treatment seldom reduces future violence.	16%	28	33%	56	51%	88
Most batterers who abandon court-ordered treatment are then sanctioned effectively.	24%	41	27%	46	49%	85
All DV probationers convicted of violence should be supervised.	74%	119	14%	22	12%	20
Most DV victims cooperate with probation supervision.	18%	29	35%	57	47%	75
I always inform police or prosecutors when the victim of a supervised abuser tells me of new abuse.	60%	97	30%	48	10%	16
The primary goal in supervising DV probationers is victim safety.	84%	135	12%	19	4%	7
Most DV incidents stem from abusers' need for power and control over victims.	84%	136	11%	18	4%	7
I require DV probationers to inform me of new intimate partners.	77%	124	20%	32	3%	5
Probation officers too often end up as the primary resource for victims.	60%	95	28%	44	13%	20
Most DV victims who drop out of prosecution have good reasons for doing so.	19%	31	41%	66	40%	64
Most DV incidents occur because of offenders' anger-control problems.	52%	83	19%	31	29%	47
DV is best handled as a private matter, rather than by the justice system.	1%	2	6%	10	93%	149
Police are usually cooperative in serving warrants on DV probation violators.	54%	87	34%	54	12%	20
More training would improve my handling of DV cases.	78%	126	17%	27	5%	8
Court-ordered treatment programs too often teach abusers how to be better abusers.	10%	16	34%	54	57%	91
My office lacks the resources to supervise misdemeanor DV probationers effectively.	40%	65	24%	39	35%	57
My office has sufficient resources to provide DV victims the help they need.	33%	53	30%	48	37%	59
Orders of protection would be more effective if they applied to both parties.	58%	94	27%	44	14%	23
Prosecutors usually respond effectively to my requests for full hearings for DV probation violators.	34%	55	53%	86	12%	20
I keep in regular contact with most DV victims while supervising their abusers.	49%	79	38%	61	13%	20
Most DV probationers successfully complete probation.	20%	33	51%	82	29%	46
DV offenders are more likely to fail probation than other offenders.	23%	37	49%	79	28%	45
In my experience, most judges are too lenient in sentencing DV offenders.	48%	76	36%	57	17%	27

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

POs Have Mixed Views of Victims

In the survey and interviews, most probation officers consistently rejected the notion that most DV victims share in the responsibility for their plight:

- 66% rejected the statement that “DV victims are often as responsible for the incident as the person arrested.”
- 70% disagreed that “Many DV victims could easily leave their relationships, but don’t.”
- 70% also rejected the statement that “Substance abuse by the victim is a primary cause of DV.”
- 73% disagreed that “DV victims often exaggerate the amount of violence involved.”

“[We need] training specific to probation officers and aimed at offenders, not victims. Most literature and training is geared towards the victim, and not the ins and outs of probation supervision of offenders.”

—probation officer

One PO said the complexities of victim behavior are mostly products of offender manipulation:

When things are great, they’re great. You know? When they are on that honeymoon phase, he’s buying her flowers...he’s cleaning the house, he’s taking her out to dinner.... It’s the best they’ve ever been treated in their whole lives, probably.

Another PO said that too many people blame DV victims because it’s the easy way out:

If we’re able to blame the victim for their situation, it separates us from them in a way that, “Well, as long as I don’t do that, that’s not going to happen to me.” And so it kind of, it’s like a safety mechanism for us.... And the other thing is, we’re so into quick fixes in this society. If we want something, you know, if we have a problem we want to fix it right away, immediate gratification.

In most of their cases, probation officers deal almost exclusively with offenders. In DV cases, however, they often have contact with victims as well. Nearly half (49%) agreed that “I keep in regular contact with most DV victims while supervising their abusers.” For many POs, this is a challenge:

I think [DV cases are] harder because there’s a victim involved. And typically [the couple is] still together. And then they’re not, and then they are, and then they’re not. So, you’re constantly not only working with the probationer, but the victim as well, who keeps changing her mind or who is reporting to you that he’s still being abusive but doesn’t want you to do anything about it....

“If we’re able to blame the victim for their situation, it separates us from them in a way that, ‘Well, as long as I don’t do that, that’s not going to happen to me.’”

—probation officer

In an echo of comments about victims from prosecutors and judges, nearly half of probation officers (47%) disagreed with the statement “Most DV victims cooperate with probation supervision.” As one put it:

You might have cooperation from the victim in the very beginning of the case, but as time moves on and the cycle of DV progresses, the victim oftentimes changes the way he or she feels about the perpetrator. And...it makes it very difficult to supervise someone if the victim is either uncooperative or cooperative on the surface but, you know, undermining your efforts behind your back, not telling you about violations of conditions of probation, things like that.

Another PO said:

[DV victims are] definitely a unique breed. I think that they are conflicted. You know, they want to be with him. They don’t want to tell me things because I’m an authority law enforcement person that could threaten the stability of their relationship, even if they’re not together and they’re not having contact.

A PO noted the progression of victim attitudes:

I've gotten to the point that they hate me, and then they love me, and then they hate me. I mean, it's like...they're so grateful to have the help and support, and then they turn around and want to be with him, and so they're angry with me because I've held him responsible.

Still, a very high percentage of POs said they supported the prevailing justice system model that seeks to proceed with a DV case regardless of victim input; 83% agreed that “I think DV offenders should be arrested and prosecuted even when the victims don’t want it.” In response to a related statement, only 19% agreed that “Most DV victims who drop out of prosecution have good reasons for doing so,” while 41% marked neither, and 40% disagreed. However, some POs did note in interviews that the ultimate decision is the victim’s:

So I have a husband and wife, they're married and they have five kids. He's abusive, she has options. I've explained those to her. She chooses to stay. You know, I have some authority to separate them as far as while they're on probation. But ultimately, if they want to be together, they are two adults that are making this decision to be together. But if I've offered her resources and she still continues to stay, that's not my job to say, "You need to leave him."

Even though their primary role is dealing with offenders, most POs (60%) agreed that “Probation officers too often end up as the primary resource for victims.” But they were split in their responses to “My office has sufficient resources to provide DV victims with the help they need,” with 33% agreeing, 30% marking neither, and 37% disagreeing. One said:

[The court] has advocates assigned to the domestic violence cases that come through here as felonies, but if it's a misdemeanor case, there's no advocacy for these women. None whatsoever. And so they're unaware of the court process, they don't know what services are available for them and their children, they don't know where to go for help.

And a PO wrote in a survey comment:

...when it comes to resources, because half of the cases are misdemeanors, there is still an attitude within our department that they're not as important. I also think there is still a prevailing attitude among some prosecutors and judges that the cases aren't that important, and continued focus on why the victim stays instead of why the offender keeps getting away with committing violence.

Lukewarm Support Is Shown for Orders of Protection

Like other officials in Arizona’s criminal justice system, many probation officers expressed ambivalence about orders of protection (OPs). Most officers (61%) agreed that “Orders of protection seldom prevent more violence by DV offenders.” As one PO said:

If you've got a guy who's intent on violating, and it's not going to matter. He's not scared of it. He's not scared of going to jail because even if he goes to jail he's out the next morning, less than 12 hours later.... I think there needs to be stiffer penalties for violating orders of protection.... But nine times out of 10 that charge is dismissed or they get 24 hours [in jail], time served in jail for that.

But another PO had a more nuanced view — similar to a prosecutor’s comment above — suggesting that OPs, while not too effective in protecting victims, do provide a useful tool for law enforcement:

I like orders of protection because it gives me leverage and it gives the court leverage. That way if [offenders] do step across the line, it's easy, it makes an arrest. We can

“[The court] has advocates assigned to the domestic violence cases that come through here as felonies, but if it’s a misdemeanor case, there’s no advocacy for these women.”

—probation officer

“I also think there is still a prevailing attitude among some prosecutors and judges that the cases aren’t that important...”

—probation officer

do an arrest. So do they actually protect the victim in the short run? No. Do they protect them in the long run? Probably.

Other POs, however, complained that some victims use OPs to exert control over their relationships in a way that POs feel benefits neither them nor the court.

I think [OPs are] used as basically bait by the victim. I mean, you get things when they want, how they want. When you piss them off they're going to call the police to say you're over. And whether she invited you over, I mean, like the law enforcers have to arrest. And I think they use it too many times, as they get them and then drop them. And it's just wasting the court's time, it's wasting the law enforcement's time, it's wasting everyone's time.

“He’s not scared of going to jail because even if he goes to jail he’s out the next morning, less than 12 hours later.... I think there needs to be stiffer penalties for violating orders of protection....”

—probation officer

In Arizona, the legal requirements and penalties associated with OPs apply only to the person named in the order, not to the complainant who obtained it. If a person obtains an OP against a spouse, for example, the complainant can invite contact from the spouse without breaking the law — but the spouse would be committing a crime if he/she agrees to the contact. Enough probation officers apparently were frustrated by this aspect of OPs that most (58%) agreed that “Orders of protection would be more effective if they applied to both parties.” A PO who favored this measure said:

I would like to see Arizona adopt the reciprocating protection order.... So that way, if I take out a restraining order on him...if I call him over then I've violated it. And I would love to see that happen because I think that would kind of knock some sense into some of these [victims] who, you know, are manipulating the system if not worse.

But another PO disagreed, saying that making OPs reciprocal would be unfair to victims:

She's a victim even though she's not acting like it at the moment and she might not realize it.... And our job as social service people and officers of the court is to protect every citizen regardless of whether or not they're aware of their need for protection.

“And our job as social service people and officers of the court is to protect every citizen regardless of whether or not they’re aware of their need for protection.”

—probation officer

Offenders Are the Key to Their Own Success

Most probation officers (90%) rejected the statement that “Most DV incidents are isolated events in otherwise good relationships.” Nearly half (45%) disagreed that “Substance abuse by the offender is a primary cause of DV;” 26% marked neither, and 29% agreed. As for why offenders commit DV, most POs (84%) agreed that “Most DV incidents stem from abusers’ need for power and control over victims.” But, as also found in other surveys, most (53%) agreed that “Most DV incidents occur because of offenders’ anger-control problems.” In a survey comment, one PO wrote skeptically about the standard explanation:

As “politically incorrect” as it may sound, I find that many defendants don’t fit the traditionally thought-of profile of DV offenders. Very many are not the “control and power” offender we’re taught about; many of them did in fact commit DV acts, but they seem to do so because they’re simply in an argumentative relationship, not because they exert or desire to have power and control over their partner. In fact, in some of the cases, it’s a race to the phone, or simply [it’s] been a matter of “he who gets to the phone first, doesn’t go to jail tonight.”

Another PO said the problem simply is that too many offenders refuse to acknowledge they did something wrong:

They’re not owning it. They’re not taking responsibility for their offense. They don’t think that anything they did was wrong. Especially, if it’s like a [criminal damage] offense.... “I kicked my own door in. It’s my house and I kicked my door in. Why am

I on probation for domestic violence?" Because they think that domestic violence is just about punching somebody, or hitting somebody or being physical with somebody.... [But] it's not about that. It's about the fear that they put in the victim and they don't realize that.

Most DV offenders are required to attend a weekly group counseling program as a condition of probation. One of probation officers' tasks is to ensure that an offender signs up with an approved counseling agency and fulfills the requirements to complete the treatment. Probation officers thus have a closer view of Arizona's offender intervention programs than other justice system officials; their overall view of these programs was positive, though not resoundingly so. For example, just over half of probation officers (51%) disagreed that "Court-ordered DV treatment seldom reduces future violence;" 33% marked neither, and 16% agreed. A slightly higher percentage (57%) disagreed with the statement "Court-ordered treatment programs too often teach abusers how to be better abusers."

One PO said:

I think the domestic violence counseling that we use, for example, is good. And I think it can be effective. And I think you do see change in people, at least in their behavior. Maybe not in their attitude, but at least in their behavior....

Another PO said she considered treatment very important, but complained that she just didn't know how well agencies were providing it:

I have no clue about this agency. So I think definitely, there should be...a little more investigation or a little more knowledge of who we're sending the offenders to because really, that's what's going to stop this.

Some POs noted that finding good treatment agencies can be especially difficult in rural areas. One said:

But unfortunately, because it's a small community ...there's one counseling agency that takes AHCCCS [Arizona's Medicaid agency] here, and that's the one that offers anger management. The rest do domestic violence counseling...but it's costly and most people can't afford it.

Another PO concurred in a survey comment, writing that, "In a rural area, treatment of any sort is hard to come by. More economical treatment of any sort would be very beneficial." And a third officer said, "because of the cost involved with domestic violence counseling, often times I revoke [offenders] simply because they are unable to pay."

Some POs were skeptical that any treatment could work very well. As one said:

When you're dealing with [an offender] who's 40 years old, who's seen domestic violence since they were a child and done it, implemented it in every relationship, I'm not really sure 26 sessions is going to change your values and your morals at that level.

But perhaps the strongest sentiment expressed by probation officers in interviews was that DV offenders can benefit from treatment only if and when they are ready to change. As one PO said:

We can make people go to domestic violence counseling. We can monitor their progress in treatment. But unless people confront their behavior, unless they're at a point in their lives where they're willing to change, they will not change and that's the bottom line.

“Very many are not the ‘control and power’ offender we’re taught about; many of them did in fact commit DV acts, but they seem to do so because they’re simply in an argumentative relationship, not because they exert or desire to have power and control over their partner.”

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—probation officer

“...unless people confront their behavior, unless they’re at a point in their lives where they’re willing to change, they will not change and that’s the bottom line.”

—probation officer

“And as long as we feel that it’s always been there and it’s always going to be there, how do you really turn it around...?”

—probation officer

Another agreed:

Probationers, they don’t want to change to make it work.... If someone wants to change, they’re going to change. [But] they may not want to, so they’re not going to change. And we can give them all the resources in the world. If they don’t want to change, it’s not going to happen.

To help ensure that convicted DV offenders attend counseling, those who fail to do so are supposed to be disciplined by judges, upon notification by probation officers. Probation officers seemed generally dissatisfied with how well judges actually follow through on this. Nearly half (49%) disagreed that “Most batterers who abandon court-ordered treatment are then sanctioned effectively;” 27% marked neither, and 24% agreed.

While generally supportive of the justice system’s response to DV, Arizona’s probation officers also seemed to express a sense of low expectations in terms of the impact of either punishment or treatment on changing offenders.

I’ve had people ask me, “Well, what’s a success, tell me a success story.” You know, and very seldom can I tell you, “Oh, jeez, this family lived happily ever after.... But in a DV case from a probation standpoint, your success is small. It might be no more than for the first time ever that victim in a case felt somebody in the criminal justice system cared and reached out to her, and listened and was there to help her.

And another PO suggested that Arizona would improve its response to DV only when the general public ceases to accept it as a “normal” part of life:

For some reason though, until somebody is like dead, killed, maimed, or something like that, people don’t have still that focus [on DV]. I guess the fact that we all still have disagreements in our own relationships.... So I think, you know it’s bad for me to say this, but I think society still expects that it’s going to happen. You know? And as long as we feel that it’s always been there and it’s always going to be there, how do you really turn it around...?

Probation Officers' Opinions by Location and Gender

Urban and Rural POs Differ on Many issues

The table below shows the eight survey statements out of 44 (18%) to which probation officers (POs) gave significantly different responses by location, meaning those who work in Maricopa or Pima counties (urban-area) compared with those who work in the other 13 counties (rural area). These differences do not present a consistent pattern. Of note, however, is the greater agreement among rural-area POs that “My office lacks the resources to supervise misdemeanor DV probationers effectively,” and their greater disagreement that “My office has sufficient resources to provide DV victims the help they need.”

STATISTICALLY SIGNIFICANT DIFFERENCES BY LOCATION

Statement	Location (urban & other)	N	Mean	Standard deviation	t-test signif.level
I always inform police or prosecutors when the victim of a supervised abuser tells me of new abuse.	Maricopa & Pima	57	2.56	0.95	2.805 p= .006
	Other Counties	104	2.15	0.84	
Most DV incidents stem from abusers' need for power and control over victims.	Maricopa & Pima	57	1.56	0.73	-2.042 p= .043
	Other Counties	104	1.84	0.86	
I require DV probationers to inform me of new intimate partners.	Maricopa & Pima	57	1.67	0.74	3.077 p= .002
	Other Counties	104	2.08	0.84	
Most DV incidents occur because of offenders' anger-control problems.	Maricopa & Pima	57	3.05	1.19	2.315 p= .022
	Other Counties	104	2.63	1.04	
My office lacks the resources to supervise misdemeanor DV probationers effectively.	Maricopa & Pima	57	3.47	1.10	0.168 p= .000
	Other Counties	104	2.58	1.21	
My office has sufficient resources to provide DV victims the help they need.	Maricopa & Pima	57	2.70	0.80	-4.754 p= .000
	Other Counties	103	3.39	1.08	
Most DV probationers successfully complete probation.	Maricopa & Pima	57	3.28	0.75	2.115 p= .036
	Other Counties	104	3.02	0.75	
DV offenders are more likely to fail probation than other offenders.	Maricopa & Pima	57	2.63	0.75	-4.812 p= .000
	Other Counties	104	3.22	0.74	

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

Male POs Hold Less Sympathetic Views of Victims

The following table contains the seven survey statements on which POs showed significant differences by gender. These findings suggest that male POs tend to have a comparatively less sympathetic view of victims than female POs. For example, male respondents were more likely to agree that “Most victims are safer as soon as they leave an abusive relationship,” that “Many DV victims could easily leave their relationships, but don’t,” and that “DV victims often exaggerate the amount of violence involved.”

STATISTICALLY SIGNIFICANT DIFFERENCES BY GENDER

Statement	Gender	N	Mean	Standard deviation	t-test signif.level
Most victims are safer as soon as they leave an abusive relationship.	Male	73	3.01	1.296	-3.064! p= .003
	Female	81	3.67	1.342	
Many DV victims could easily leave their relationships, but don't.	Male	73	3.63	1.021	-2.011! p=0.046
	Female	81	3.96	1.030	
I think DV offenders should be arrested and prosecuted even when the victims don't want it.	Male	73	2.21	0.942	3.732! p= .000
	Female	81	1.72	0.675	
DV victims often exaggerate the amount of violence involved.	Male	73	3.75	0.925	-2.131! p= .035
	Female	81	4.04	0.697	
Orders of protection seldom prevent more violence by DV offenders.	Male	73	2.59	0.925	2.18! p = .031
	Female	81	2.27	0.881	
Court-ordered DV treatment seldom reduces future violence.	Male	73	3.56	0.816	2.593! p= .010
	Female	81	3.21	0.862	
Police are usually cooperative in serving warrants on DV probation violators.	Male	73	2.32	0.762	-1.98! p = .048
	Female	80	2.59	0.924	

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

SURVEY STATEMENTS IN COMMON

The surveys of justice system professionals detailed in this report were based on a survey of Arizona law enforcement officers conducted for the 2005 Morrison Institute report, *Layers of Meaning*. Each survey was customized to probe attitudes and opinions on issues specific to each group's area of responsibility. A number of statements appeared in three or more of the surveys, including the police questionnaire. The table on page 74 shows the responses to these common statements.

Some statements evoked broad consensus. For example, all groups strongly disagreed that "DV is best handled as a private matter, rather than by the justice system." All agreed that "DV offenders should be prosecuted even if victims don't want prosecution." Both of the statements reflect central tenets of the criminal justice response to DV.

Perhaps the most striking feature of the comparison is the strong and consistent disagreement between victim advocates and law enforcement officers. This is especially apparent concerning statements about victims. For example, only 6% of advocates agreed that "Many victims could easily leave their relationships, but don't," while 72% of police agreed. Another example: 41% of police agreed that "DV victims often exaggerate the amount of violence involved;" only 2% of advocates did. In general, advocates and officers occupy two opposing poles on a continuum of opinion, with judges, probation officers, and prosecutors falling between them.

On the whole, advocates' responses consistently reflected a robustly victim-centered point of view. The police, on the other hand, appear more suspicious and critical of DV victims. Judges were the most noncommittal in their responses. They expressed strong positions (above 75%) on only two of the common statements: 83% disagreed that "DV cases should be prosecuted only when there is clear evidence of injury," and 89% disagreed that "DV is best handled as a private matter, rather than by the justice system." While prosecutors appeared sympathetic to the plight of DV victims, 88% agreed that "Too many DV cases cannot be prosecuted because victims drop out," and only 19% agreed that "Most DV victims who drop out of prosecution have good reasons for doing so."

Probation officers tended to provide responses similar to prosecutors; POs registered the highest level of agreement (of those asked) with the statement "More training would improve my handling of DV cases."

This comparison suggests that, while a diversity of opinions exists within each of these professional groups, each group also tends towards a consensus based on its members' roles and responsibilities in the criminal justice response to domestic violence.

**ONE SYSTEM, MANY VIEWS: RESPONSES TO STATEMENTS
COMMON ACROSS ALL SURVEYS OF CRIMINAL JUSTICE PROFESSIONALS**

Survey Statement	Response	Survey Respondent Type				
		Victim Advocate	Judge	Police	Probation Officer	Prosecutor
Too many DV cases cannot be prosecuted because victims drop out.	Agree	63%	47%			88%
	Neither	16%	39%			9%
	Disagree	21%	15%			3%
Most DV victims are receptive to intervention by the justice system.	Agree	42%	28%	20%		
	Neither	26%	46%	30%		
	Disagree	32%	26%	50%		
Most DV incidents stem from abusers' need for power and control over victims.	Agree	95%	72%	55%	84%	77%
	Neither	2%	23%	38%	11%	20%
	Disagree	3%	5%	6%	4%	3%
Substance abuse by the victim is a primary cause of DV.	Agree	18%	16%	32%	10%	19%
	Neither	7%	25%	31%	20%	18%
	Disagree	75%	59%	37%	70%	63%
DV cases should be prosecuted only when there is clear evidence of injury.	Agree	6%	5%	42%		6%
	Neither	2%	12%	17%		5%
	Disagree	92%	83%	41%		89%
DV cases take too much of the criminal justice system's time and efforts.	Agree	4%	7%	30%		8%
	Neither	3%	22%	28%		23%
	Disagree	93%	71%	42%		69%
DV is best handled as a private matter, rather than by the justice system.	Agree		5%	6%	1%	2%
	Neither	2%	6%	16%	6%	9%
	Disagree	98%	89%	78%	93%	90%
DV victims are often as responsible for the incident as the person arrested.	Agree		10%	36%	11%	7%
	Neither	7%	27%	35%	23%	20%
	Disagree	93%	62%	29%	66%	73%
Arizona's current "mandatory arrest" statutes are the best approach to DV incidents.	Agree	46%	26%	32%		45%
	Neither	40%	45%	32%		35%
	Disagree	14%	29%	37%		20%
A major problem with DV is that there are so many repeat cases.	Agree	68%	47%	87%	77%	69%
	Neither	18%	35%	9%	16%	21%
	Disagree	14%	18%	3%	8%	10%
Most DV calls are isolated events in otherwise good relationships.	Agree	3%		7%	2%	1%
	Neither	10%		25%	8%	15%
	Disagree	87%		68%	90%	84%
DV offenders should be prosecuted even if victims don't want prosecution.	Agree	89%	61%	72%	83%	80%
	Neither	8%	33%	12%	12%	12%
	Disagree	3%	6%	16%	6%	8%
DV victims often exaggerate the amount of violence involved.	Agree	2%	15%	41%	5%	8%
	Neither	8%	42%	34%	22%	27%
	Disagree	90%	43%	25%	73%	66%
Most DV victims are safer as soon as they leave an abusive relationship.	Agree	14%	31%	63%	35%	29%
	Neither	7%	30%	21%	12%	22%
	Disagree	80%	39%	16%	53%	49%
Most DV victims who drop out of prosecution have good reasons for doing so.	Agree	42%			19%	19%
	Neither	36%			41%	46%
	Disagree	22%			40%	35%
Orders of protection are effective in deterring future DV incidents.	Agree	17%	53%			23%
	Neither	34%	30%			31%
	Disagree	49%	17%			46%

Survey Statement	Response	Survey Respondent Type				
		Victim Advocate	Judge	Police	Probation Officer	Prosecutor
Too many victims try to use the criminal justice system to help them in family law disputes.	Agree	11%	36%		15%	28%
	Neither	24%	37%		45%	43%
	Disagree	65%	27%		40%	30%
Most DV incidents occur because of offenders' anger-control problems.	Agree	50%	52%	60%	52%	60%
	Neither	8%	25%	28%	19%	21%
	Disagree	42%	23%	13%	29%	19%
Many DV cases would be better handled through mediation than prosecution.	Agree	6%	19%		13%	21%
	Neither	7%	35%		24%	21%
	Disagree	87%	46%		63%	57%
There should be limit on how many cases are filed involving a victim who repeatedly refuses to prosecute.	Agree	7%			18%	15%
	Neither	8%			19%	18%
	Disagree	85%			63%	67%
Substance abuse by the offender is a primary cause of DV.	Agree	24%	47%	58%	29%	55%
	Neither	18%	35%	30%	26%	20%
	Disagree	57%	18%	12%	45%	25%
Many DV victims could easily leave their relationships, but don't.	Agree	6%	16%	72%	19%	25%
	Neither	4%	24%	15%	12%	19%
	Disagree	90%	60%	14%	70%	55%
I believe most DV victims are satisfied with the system's handling of their case.	Agree	8%	21%			14%
	Neither	14%	58%			35%
	Disagree	77%	21%			51%
Conviction of a DV offense should not affect a parent's visitation or custody rights.	Agree	2%	12%		12%	6%
	Neither	19%	30%		21%	36%
	Disagree	79%	58%		67%	57%
Supervised probation is effective in holding DV offenders accountable.	Agree	36%	60%			56%
	Neither	28%	31%			33%
	Disagree	37%	9%			10%
Orders of protection would be more effective if they applied to both parties.	Agree	24%	37%		58%	51%
	Neither	23%	23%		27%	23%
	Disagree	54%	39%		14%	27%
Most DV offenders who violate probation should be sent to jail.	Agree	91%	40%		66%	
	Neither	6%	47%		22%	
	Disagree	3%	14%		12%	
The definition of a "relationship" in DV statutes is too broad.	Agree	16%	21%			33%
	Neither	33%	30%			13%
	Disagree	51%	49%			54%
Anybody who violates an OP should be prosecuted or held in contempt.	Agree		50%		61%	70%
	Neither		30%		22%	18%
	Disagree		20%		17%	11%
Arizona's "mandatory arrest" laws have forced the system to deal with too many minor DV cases.	Agree		30%		20%	28%
	Neither		30%		26%	25%
	Disagree		40%		55%	47%
DV cases are my least favorite case to handle.	Agree		24%		20%	25%
	Neither		35%		41%	31%
	Disagree		41%		39%	44%
More training would improve my handling of DV cases.	Agree		49%		78%	62%
	Neither		25%		17%	20%
	Disagree		26%		5%	18%

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

RECOMMENDATIONS & POLICY IMPLICATIONS

This study gathered and analyzed the opinions and attitudes of professionals who implement Arizona’s criminal justice response to domestic violence, as well as the outlooks of the victims who experienced it. There is general agreement among the professionals that the state’s current response represents a real and important improvement over the past. A broad consensus has emerged on fundamental issues, notably including that DV is a serious social problem in Arizona that demands attention from the criminal justice system. In addition, most justice system professionals seem aware of the special challenges presented by DV cases and victims, and committed to seeking a deeper understanding through further training. However, Arizona’s criminal justice practitioners noted many areas where the system could be improved, from relatively minor administrative fixes to broader reevaluations of policy. They acknowledged how difficult it can be to effect changes in a system that must process a high volume of cases, and that is a sometimes uneasy blending of separate missions, responsibilities, bureaucratic cultures, and levels of government. Still, they repeatedly suggested ways to improve the system’s structure and operation. These are presented as possible points of discussion by the Governor’s Commission to Prevent Violence Against Women, as it continues to implement the *State Plan on Domestic and Sexual Violence*.

Practical Recommendations from the Field

Attending to Victim Needs

● **Remove Barriers to Victim Participation**

Prosecutors universally agreed that victim reluctance is the greatest obstacle to successful prosecution of DV. They also noted that this task has been made even more difficult by recent U.S. Supreme Court decisions. At the same time, most victims surveyed and interviewed for this report said they did want arrest and prosecution of their abusers. This suggests that greater efforts must be made to identify and remove barriers to victim participation, rather than simply to lament its absence. Changes in policies and procedures could include:

- a greater willingness to try low-level misdemeanors as an early intervention in the course of domestic violence
- a reduction in the practice of dropping the DV offense “tag” in plea bargains in order to build a case over time
- a willingness by county prosecutors to take up more aggravated DV cases as felonies to bring stiffer penalties to repeat offenders

Together, these actions speak to the need to develop more solid DV cases earlier in the course of abuse, recognizing that DV often unfolds over time in a series of incidents of increasing seriousness.

- **Develop a Guide for Victims on How the Criminal Justice System Works**

Many DV victims said they experienced shock and confusion when confronted with the complexities of the criminal justice system and their limited powers within it. This suggests a strong need for a useful guide to how the system functions, what is likely to happen with a case, how long it can take, what powers victims do and do not have, and why. These guides should be made readily available to victims (and potential victims), and required to be provided by advocates and law enforcement officers.

- **Serve Victims Better and in More Ways**

Most system professionals seemed to agree that too many DV victims were not sufficiently aware of the dynamics of their own situation or of the range of services available to them. Clearly, varied services are needed, from on-scene assistance to alternative housing, job training, and child care. Many victims could also benefit from early-intervention counseling as a support in their process of empowerment.

- **Increase Advocacy for Victims**

Virtually all justice system practitioners praised the work of victim advocates — a sentiment strongly shared by victims. It seems clear that the system would benefit from an expansion in the number of advocates and, perhaps, in a broadening of their training. An ideal system would have one advocate assisting the victim throughout the process. In addition, the use of advocates at crime scenes should be encouraged wherever practical.

Ensuring Offender Accountability

- **Strengthen Sentencing Practices**

Many Arizona justice system professionals — except the judges — agreed that too many DV offenders and probation violators are sentenced too leniently. And some lower-court judges said that they feel pressure from local officials not to increase the jail population. DV sentencing practices warrant examination and strengthening as well as an expansion of options.

- **Supervise Offenders at the Misdemeanor Level Too**

A frequent criticism voiced especially by lower-court professionals was the dearth of supervised probation for misdemeanor DV offenders. A number of practitioners cited this lack as a key reason for recidivism, arguing that early intervention with lower-level offenders offers a greater chance for success in preventing an escalation of violence. Some Arizona communities have begun extending supervision to some DV misdemeanants; this process should be expanded wherever possible.

- **Help Offenders Pay for Treatment**

A number of probation officers noted that they had to violate indigent DV offenders who couldn't afford to pay for required treatment classes. If treatment is considered a valuable intervention, sentencing courts should be prepared to help offenders access it.

- **Assess Offenders for Appropriate Treatment and Other Options**

Many practitioners pointed out that not all DV offenders are alike, and that the current “one-size-fits-all” approach to arrest, punishment, and treatment fails to hold offenders truly accountable in ways that will deter future abuse. This suggests that validated screening and assessment tools be more widely employed, and acted upon, as early as possible in the justice process.

Enhancing the Criminal Justice System

- **Improve the Data Available in and Among Agencies**

Virtually all justice system professionals in Arizona agreed that their efforts are severely handicapped by the lack of timely, comprehensive, reliable criminal history information that is shared across jurisdictions. No justice system can be expected to function adequately if forced to rely on self-reporting by defendants about their criminal past. In addition, initiatives to reform the overall system are hampered by a lack of even basic system-wide data; for example, the true numbers of DV arrests, cases, convictions, and re-offenses are unknown.

- **Review Orders of Protection to Increase Their Value**

Many respondents, especially among victims and advocates, argued that police and prosecutors are reluctant to arrest and prosecute persons who violate OPs, particularly in the absence of another offense. They also claim that many judges do not impose sufficient penalties. This is an area that needs review. In addition, many system professionals say complainants who request OPs too often initiate contact with the named individual.

- **Consolidate Cases for Consistency, Fairness, and Prevention**

Many practitioners complain of the difficulties of dealing with criminal DV cases that involve parties who are also enmeshed in family court processes. Consideration should be given to consolidating these cases before a single judge.

- **Coordinate and Communicate Among All Agencies**

Practitioners throughout the system frequently found fault with the actions of other decision-makers located in different sectors or agencies. In addition, they acknowledged a sometimes surprising degree of ignorance about the operations of other bureaucracies. At the same time, most professionals also agreed that greater communication and coordination could only benefit all concerned. This suggests that past efforts to promote coordination of services — such as with community response teams — remain important and worthy initiatives in Arizona.

- **Expand Training for All Players in Variety and Frequency**

Professionals throughout the system agreed that they — and their colleagues — would benefit from more training (and the findings of the survey suggest that some male practitioners are in particular need). However, it’s important that training cover not only DV causation and development but also the challenges specific to each professional group’s duties. In addition, training approaches and materials should include more discussion of the lower-level, everyday DV incidents that make up the bulk of the system’s daily workload.

Building Knowledge for Continuous Improvement

● **Assess Diversion Programs for Quality**

Prosecutorial diversion is offered to DV offenders throughout Arizona, but this research indicates that its terms and conditions vary substantially from one office to another. In addition, there are no known findings concerning how frequent, appropriate, and effective this important practice is. It would be useful to identify the types and extent of prosecutorial diversion currently being used in Arizona, and examine outcomes to determine its efficacy and its effect on recidivism.

● **Assess DV Courts for Outcomes**

Several communities in Arizona have established specialized DV courts, and others are planning to do so. At this point, their form and efficacy are generally unknown; and a number of practitioners, including judges, have expressed skepticism about their value. It might be useful to develop a “best practices” model for these courts, and an outcomes-based evaluation of their level of success.

● **Evaluate Treatment Policies, Programs, and Practices**

Attendance at DV treatment programs is a mandatory feature of most misdemeanor DV sentences in Arizona, but most justice professionals consulted in this research said they either didn’t know if the programs worked or felt sure that they did not. While many treatment programs are licensed by the Arizona Department of Health Services, many are not. The consistency, quality, and effectiveness of these programs, and their availability in rural areas, are in question. Reliable data are needed to know if and how any of these programs benefit offenders or victims, or whether Arizona’s programs exemplify nationally recognized “best practices.” Substance abuse is frequently present with DV offenders and is often noted in this research, but this is inconsistently addressed in abuser treatment programs. All this strongly suggests that the state’s treatment approaches should be evaluated and possibly redesigned.

Looking for the Next Generation of Responses to Reduce and Prevent Domestic Violence

The recommendations from the field are aimed at developing a more efficient and effective criminal justice response to domestic violence in Arizona. They are suggestions for improvements to the existing system, which is predicated on an adversarial criminal-justice approach. That is, one in which the state — in the form of police, prosecutors, and courts — intervenes in abusive intimate relationships with the primary goal of identifying, prosecuting, and punishing the offenders. This, in turn, is based upon the traditional American criminal-justice philosophy that emphasizes punishing offenders over serving victims. Indeed, criminal cases are formally pursued as offenses against society rather than against individuals; prosecution takes place in the name of the public, not the victim. As a consequence, victims’ wishes and preferences may not be solicited or followed. During the past several decades, nearly all DV activists, advocates, and researchers have championed this approach, viewing it as the most effective way to persuade reluctant governmental authorities to respond to violence among intimate partners. These strong and sustained efforts have clearly paid off. There have been immense increases in the amount of public

attention and resources devoted to addressing DV, major developments in law and public policy, improvements in the attitudes of justice system officials, and clear advances in training and public education. At the same time, however, there is widespread agreement that the existing response to DV in Arizona and elsewhere is falling short of achieving its goals. Victim research indicates that DV is as big a problem as ever. Frustration is rampant among system officials who feel overwhelmed by the volume of cases and unsure as to the quality of the “justice” they are dispensing. In other words, Arizona’s system is one that most DV victims avoid using, in which most cases entering it are dismissed, that disappoints a substantial majority of victims who do use it, and that sends most offenders to treatment programs whose effectiveness has not been demonstrated.

Further, one of the more striking things to emerge from this research is that Arizona’s current response to DV is routinely criticized both for being too punitive and for not being punitive enough. In the first instance, many system actors, from victims to police officers, complain that violent and repetitive abusers too often evade being adequately identified, tracked, punished, monitored, treated, and sanctioned for violating previous court orders. On the other hand, many victims and advocates say they too often feel marginalized or rebuffed by a system that denies them real choices in dealing with abuse from an intimate partner — or indeed any choice but to prosecute or not to prosecute.

Given these realities, it would perhaps be useful to ask whether we may have gone too far in trying to force the complexities of DV to fit into the categories and processes of a justice system that, try as it might, is only partially equipped to deal with them. A system that is developed to deal best with discrete episodes of criminal behavior between strangers, in which victims are typically content to let the state intervene and impose its values and remedies in an adversarial public process aimed primarily at determining guilt and imposing punishment. This is not to suggest that Arizona’s current criminal justice response to DV should be, or could be, replaced with another. Nobody can dispute that the criminalization of DV was necessary to achieve our current degree of victim safety and offender accountability. But it’s surely worth considering how to go beyond the “one-size-fits-all” approach by adding more choices for victims and system professionals seeking alternatives to straight prosecution and wanting to try innovations because the existing options have proven to be inadequate in their experience.

This enhancement might start with addressing one of the system’s central stumbling blocks — lack of victim involvement — by introducing a more victim-centered approach. As the interviews for this research show, our current response to victims who seek to recant or drop out of prosecution is typically to fault them for false consciousness or incompetence due to trauma, and to assume that professionals and experts know better than they how their lives should proceed. But what if this is not true? As one Arizona judge said:

You know, it’s real easy for us to be righteous and...say, “These victims, we will listen to them as long as they speak the way we think they should.” But that is not what victims’ rights are about. Victims have the right to be heard. And we have an obligation to hear what they say....

What many victims seem to be saying is that they do not want to participate in the current criminal justice process. This should not be surprising. Their reasons are similar to those cited by non-DV victims, including fear of retaliation, unwillingness to face an abuser in court, and, sometimes, feelings of culpability. Such factors are of course even

“I think we need to focus a lot of our efforts now on the younger [generation].... If we can educate them about healthy relationships...maybe we can have, at some point, [a] generation that...will have less domestic violence.”

—victim advocate

more likely to exist in violent incidents among intimate partners — which present the additional, crucial elements of emotional and often financial interdependence. These concerns might be better addressed by treating DV as a social problem as complex as drug abuse, which we have recognized — albeit only lately — as requiring a vigorous social-service intervention as well as criminal justice one.

A more victim-centered approach would take more seriously a victim’s desire for “justice” as the victim sees it, not necessarily only as the system does. This would mean helping victims to leave relationships, but also allowing victims to remain in relationships if they can do so without the risk of further abuse. This would require investing more heavily in both victim and offender needs, especially as necessary to truly provide a range of resources for victims beyond emergency shelter beds — including financial assistance, transitional housing, job-training, child care, education, etc. For victims who choose freely to remain in a relationship, it could mean providing counseling and community interventions that draw upon concepts and practices of so-called “restorative justice.”¹⁶ This approach would also entail a more robust program of public education and domestic violence prevention. The ultimate goal would be to craft a multi-option system that offers a genuine range of choices for victims and offenders, their families, and communities, one that still includes interdiction by law enforcement but that also offers safe, supportive interventions for couples seeking to repair and preserve their relationships. Such a “victim service” approach might well meet the needs of a wider range of DV victims and offenders, while encouraging still others to come forward for help. Justice system professionals repeatedly noted how often victims say they didn’t want their abuser arrested and prosecuted but just wanted him or her to stop the violence and “get help.” It seems reasonable for Arizona policymakers to consider ways to make this possible.

There is no suggestion here to return to a previous era in which the justice system routinely ignored or diverted DV cases. Nor is it to propose that punitive sanctions are not appropriate in many DV cases. In fact, there is good reason to believe that providing victims more choices at the initial point of system involvement would aid prosecution by boosting victim empowerment — and, in many cases, participation — in prosecution.¹⁷ This might address a seeming anomaly in the research in which most system professionals said victims did not want prosecution, while most victims said they did. Providing diverse and specifically tailored options beyond, but also including, prosecution, might deal more effectively with the most violent and incorrigible of offenders.

¹⁶ “Restorative justice” refers to a family of approaches that place less emphasis on punishment of offenders and more emphasis on supervised mediation and negotiation of reparations between victims and offenders, and perhaps their families and communities, after the offender has admitted guilt.

¹⁷ Newmark, L., Harell, A., & Salem, P. (1995). “Domestic violence and empowerment in custody and visitation cases,” *Family and Conciliation Courts Review*, 33, 30-62.

Determining which system modifications would be useful would require input from a wide range of DV advocates, professionals, victims, and others across Arizona. Some areas to explore include:

- Adding a requirement for “mandatory action” to “mandatory arrest,” as proposed by University of Pennsylvania Professor Lawrence Sherman and others;¹⁸ the system would intervene, but victims would also be provided more choices, including transportation to a shelter, counseling for victims, more say by victims in arrest and prosecution decision-making, etc.
- Counseling for victims at any point in the prosecution process – the need for which was cited by many system professionals in this research
- Alternatives to prosecution for selected low-risk offenders who admit responsibility – determined through the use of appropriate risk instruments and consultation with their victim – including mediation and mutually agreed reparation
- Greater involvement of victims’ and offenders’ families, friends, and communities in supporting the negotiation process and acting as guarantors.

Some communities in the state are already experimenting with similar concepts. For example, several have established specialized DV courts; the University of Arizona in Tucson is operating the *Restore* program for sexual offenders and victims; and Nogales has begun the voluntary *Circles of Peace* program for DV victims and offenders and their families and communities. To start, these and other efforts should be tracked and evaluated and the results and lessons shared with other jurisdictions.

Thirty years ago, Arizona began stepping up its efforts against domestic violence, with laudable results. Yet DV today remains an extremely common and widespread social ill, arguably as devastating as substance abuse or drunk driving. It continues to ruin lives, shatter families, destroy the capacity for intimacy, sap personal finances and productivity, impose substantial public-sector costs, promote other crime and dysfunction, and inflict lasting scars on children, its ultimate victims. There could be no better time to begin a statewide dialogue on how to continue making strides towards domestic peace in Arizona.

¹⁸ Sherman, L.W., Schmidt, J.D., & Rogan, D.P. (1992). *Policing domestic violence: Experiments and dilemmas*. New York: Free Press.

APPENDIX

Methodology

The results of this study come from three sources: 823 responses to five online surveys (supplemented by completed paper surveys for those without Internet connection or experiencing technical difficulties); 71 recorded interviews with victims and criminal justice system professionals; and a report on domestic violence court data provided by the Arizona Administrative Office of the Courts (AOC).

All activities, survey instruments, interview questions, and methods of analysis were discussed with and reviewed by the project's Advisory Committee. Members of the Advisory Committee were recruited at the beginning of the study from professionals with substantial interest and knowledge of the criminal justice system's response to domestic violence in Arizona. Members included representatives from law enforcement, prosecution, advocacy, probation, the judiciary, and representatives from the Governor's Commission to Prevent Violence Against Women.

Surveys

The five separate surveys administered to victims, advocates, prosecutors, judges, and probation officers were based on the survey used with law enforcement officers in the 2005 *Layers of Meaning* study, which was supported in part by the Governor's Commission to Prevent Violence Against Women. Advisory group members were asked to review a basic set of statements recommended for each survey and suggest revised wording, delete items, and add new statements or other questions relevant to the particular group being studied. The survey for judges was also reviewed and approved of by Arizona's Chief Justice, Ruth McGregor. Once content was finalized, each survey was posted on-line at *Zoomerang.com*, a commercial online surveying web-host. Printable copies in PDF form were also created for each survey for respondents without computer access.

Email lists for distribution and reminders were compiled for each professional group from information provided by

AOC for judges and probation officers, by County Chief Probation Officers for probation officers throughout the state, by the Arizona Prosecuting Attorney Advisory Council (APAAC) for prosecutors, and by Arizona Coalition for Domestic Violence and the Arizona Coalition for Victim Services for victim advocates. Victims were contacted through advocates in shelters and Family Advocacy Centers and flyers posted in Arizona Department of Economic Security (DES) offices, which included an 800 hotline number to call and a Hotmail email address to contact. Those that used the 800 number or Hotmail email were contacted by a female, bilingual research assistant and sent questionnaires and/or interviewed in person.

The following table shows the target numbers for each group and the numbers of completed surveys. Overall, an estimated 65% of those contacted responded, although it is not clear precisely how many victim advocates and victims were contacted by others beyond the research team's original lists.

SURVEY RESPONSES

Groups	Target size	Completed surveys	Percentage
Judges	393	204	52%
Prosecutors	278	183	66%
Probation officers	194	173	89%
Victim advocates	150 (Approx.)	103	69%
Victims	250 (Approx.)	160	64%
Total surveys	1,265	823	65%

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

Survey results were analyzed using the SPSS statistical software and written or typed comments were analyzed using NVivo qualitative data analysis software. A variety of statistical techniques were applied to the quantitative data including independent samples *t*-tests and ANOVA. Qualitative data were analyzed for representative quotes using concept coding.



Survey of Arizona Prosecutors on Domestic Violence

Please take a few moments to complete this survey, which is being administered by Morrison Institute for Public Policy (ASU) to Arizona prosecutors at every court level, with the approval of Chief Justice Ruth McGregor and the Arizona Prosecuting Attorneys Advisory Council. Similar surveys are being administered to judges and other court personnel. All answers and comments are completely confidential. Neither your identity nor your email address will be known to Morrison Institute or anyone else.

How many years have you been a prosecutor at any level? _____

Have you ever filed or tried a domestic violence case? Yes No

If so, during periods in which you deal with DV cases, roughly what percentage of your annual caseload consists of DV? _____ %

Have you ever had extra training specifically concerning domestic violence? Yes No

Does your office have a special DV prosecutor or unit? Yes No

If so, are you a member of that unit? Yes No

Does your office employ one or more individuals who work with DV victims? Yes No

Based on your own experience and opinion, please check your level of agreement with each of the following statements:

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
DV is a significant problem in my jurisdiction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In my experience, most DV cases are adequately investigated by police.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Too many cases cannot be prosecuted successfully because victims fail to assist prosecution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prosecuting DV offenders seldom helps reduce future DV incidents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Many DV cases would better be handled through mediation than through prosecution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In my experience, judges tend to be too sympathetic to DV victims.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Orders of protection are effective in deterring future DV incidents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV cases are my least favorite criminal cases to handle.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arizona's mandatory arrest laws have forced the system to deal with too many minor DV cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Many DV victims could easily leave their relationships, but don't.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I only prosecute protection-order violations if a separate crime has been committed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most victims are safer as soon as they leave an abusive relationship.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A major problem with DV is that there are too many repeat cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV cases take too much of the criminal justice system's time and effort.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
DV cases should be prosecuted only when there is clear evidence of injury.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I will not proceed with a case if the victim is reluctant to do so.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV victims are often as responsible for the incident as the person arrested.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The current statute that makes a DV arrest a felony after 2 previous misdemeanor convictions is too severe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The definition of a "relationship" in Arizona's DV statutes is too broad.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substance abuse by the victim is a primary cause of DV.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I believe most DV victims are satisfied with the system's handling of their case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV incidents occur because of offenders' anger-control problems.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV victims often exaggerate the amount of violence involved.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I recommend jail time for most DV offenders who violate probation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV victims too often defeat protective orders by initiating contact with the offender.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV victim advocates play a valuable role in the court process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV offenders convicted of misdemeanor assault deserve jail even on their first offense.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There should be a limit on how many cases are filed involving a victim who repeatedly refuses to prosecute.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Too many victims try to use DV prosecution to help them in family law disputes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervised probation is effective in holding DV offenders accountable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conviction of a DV offense should not affect a parent's visitation or custody rights.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anybody who violates an order of protection should be prosecuted or held in contempt.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A victim advocate's main job is to ensure that victims aid prosecution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In my experience, judges tend to be too sympathetic to DV offenders.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court-ordered DV treatment seldom reduces future violence.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A DV victim's wishes should be the primary influence on a prosecutor's decisions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most judges impose appropriate sanctions for DV offenders who violate probation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV victims are receptive to prosecution of their offenders.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most offenders convicted of non-injury DV misdemeanors are sentenced too severely.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV incidents stem from abusers' need for power and control over victims.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV victims who do not assist in prosecution have good reasons for doing so.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substance abuse by the offender is a primary cause of DV.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV is best handled as a private matter, rather than by the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arizona's current "mandatory-arrest" statute and policies are the best approach to DV incidents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
More training would improve my handling of DV cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Orders of protection would be more effective if they applied to both parties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please answer the following two open-ended questions, writing as much or as little as you like:

What could be done to improve the prosecution of DV cases in Arizona?

Please add any other comments or thoughts concerning DV in Arizona.

Your gender Male Female

Your court level Superior Municipal Justice of the Peace

From the list below, please select the area in which you currently preside:

- Region 1 – Maricopa County
- Region 2 – Pima County
- Region 3 – Coconino, Yavapai counties
- Region 4 – Mohave, La Paz, Yuma counties
- Region 5 – Apache, Navajo, Gila, Pinal, Graham, Greenlee, Cochise, Santa Cruz counties

For further information about this survey, please contact Richard Toon (richard.toon@asu.edu) or Bill Hart (whart@asu.edu), 602-496-0900, Morrison Institute for Public Policy, Arizona State University. Morrison Institute is an independent, nonpartisan public policy research unit in the School of Public Affairs, College of Public Programs, Arizona State University.



Survey of Arizona Judges on Domestic Violence

Please take a few moments to complete this survey, which is being administered by Morrison Institute for Public Policy (ASU) to all Arizona judges at every court level. Similar surveys will be administered to prosecutors and other court personnel. All answers and comments are completely confidential. Neither your identity nor your email address will be known to Morrison Institute or anyone else.

How many years have you been a judge at any level? _____

Have you ever presided over a domestic violence (DV) case? Yes No

Please estimate how many DV cases you have presided over in the past 12 months. _____

Have you ever had extra training specifically concerning domestic violence? Yes No

Based on your own experience and opinion, please check your level of agreement with each of the following statements:

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
There is a need for separate DV courts.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Orders of protection seldom prevent more violence by DV offenders.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV offenders who violate probation should be sent to jail.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV is best handled as a private matter, rather than by the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conviction of a DV offense should not affect a parent's visitation or custody rights.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Convicting DV offenders seldom helps reduce future DV incidents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arizona's mandatory arrest laws have forced the system to deal with too many minor DV cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anybody who violates an order of protection should be prosecuted or held in contempt.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substance abuse by the victim is a primary cause of DV.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV cases should be prosecuted only when there is clear evidence of injury.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV cases take too much of the criminal justice system's time and effort.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV offenders convicted of assault deserve jail even on their first offense.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV victims are often as responsible for the incident as the person arrested.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Many DV victims could easily leave their relationships, but don't.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV incidents occur because of offenders' anger-control problems.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I think victim advocates play a valuable role in the court process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A major problem with DV is that there are so many repeat cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
Substance abuse by the suspect is a primary cause of DV.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I'm supplied with adequate criminal history information on the DV defendants before me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV offenders should be prosecuted even if victims don't want prosecution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
More training would improve my handling of DV cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV victims often exaggerate the amount of violence involved.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I think the treatment options now available for offenders are effective.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV victims are safer as soon as they leave an abusive relationship.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Too many DV cases cannot be prosecuted because victims drop out.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Orders of protection are effective in deterring future DV incidents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I think the existing range of sanctions for DV offenders is adequate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV victims are receptive to intervention by the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Too many DV victims try to use the criminal justice system to help them in family law disputes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The primary objective in sentencing a DV offender is to ensure victim safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In my experience, most prosecutors are well prepared to present DV cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Many DV cases would be better handled through mediation than prosecution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court-ordered DV treatment seldom has a positive effect on offender behavior.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It's especially important in DV cases that victims play a role in sentencing.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV offenders do not exhibit other criminal or violent tendencies.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mandatory arrest statutes and policies are the best approach to DV incidents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervised probation is effective in holding DV offenders accountable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV incidents stem from abusers' need for power and control over victims.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV cases are my least favorite cases to handle.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The primary objective in sentencing a DV offender is to hold the offender accountable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Orders of protection would be more effective if they applied to both parties.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I feel plea agreements are usually used in an effective manner in DV cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The current statute that makes a DV arrest a felony after 2 previous DV misdemeanor convictions is too severe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I believe most DV victims are satisfied with the system's handling of their case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My court has a problem getting its protection orders served.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The definition of a "relationship" in the Arizona DV statute is too broad.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please answer the following two open-ended questions, writing as much or as little as you like:

What would help you in dealing with domestic violence cases?

Please add any other comments or thoughts about your experience with domestic violence cases.

Your gender Male Female

Your court level Superior Municipal Justice of the Peace

From the list below, please select the area in which you currently preside:

Region 1 – Maricopa County

Region 2 – Pima County

Region 3 – Coconino, Yavapai counties

Region 4 – Mohave, La Paz, Yuma counties

Region 5 – Apache, Navajo, Gila, Pinal, Graham, Greenlee, Cochise, Santa Cruz counties

For further information about this survey, please contact Richard Toon (richard.toon@asu.edu) or Bill Hart (whart@asu.edu), Morrison Institute for Public Policy, Arizona State University, 602-496-0900. Morrison Institute is an independent, nonpartisan public policy research unit in the School of Public Affairs, College of Public Programs, Arizona State University.



Survey of Arizona Domestic Violence Victims

Please take a few moments to complete this survey, which is being administered by Morrison Institute for Public Policy (ASU) to domestic-violence victims throughout Arizona, with the approval of the Arizona Coalition Against Domestic Violence and the Arizona Coalition for Victim Services. Similar surveys are being administered to judges, prosecutors, probation officers, and victim advocates. Please note that all of your answers and comments are **COMPLETELY CONFIDENTIAL**. Your identity and address will never be published or released in any form.

NOTE: Our research is limited to those domestic-violence victims who have had contact with the Arizona criminal justice system (e.g., talked to police, went to court, got an order of protection) within the past two years. Please complete this survey if you fit any of these criteria. Thank you!

How long have you lived in Arizona? _____ years – months

What was your relationship with your abuser? _____ married
 _____ unmarried, living together
 _____ unmarried, living separately

Are you and your abuser of the same or opposite sex? _____ same
 _____ opposite

Did you ever use a domestic violence shelter? _____ Yes
 _____ No

Please read each of the following statements. If it applies to your most recent case, mark your level of agreement based on your own experience and opinion; if not, please leave it blank:

GENERAL STATEMENTS

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
..... Domestic Violence (DV) is best handled by family and friends, rather than by police and courts.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... Arresting abusers is the best way to respond to DV.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... The abuses I suffered were isolated events in an otherwise good relationship.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... If I am abused again, I will seek help from the legal system again.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you had contact with Arizona POLICE concerning DV within the past 2 years, please respond to the following statements:

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
..... Overall, the police seemed more sympathetic to my abuser than to me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... Arresting my abuser stopped the abuse.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... The police didn't take my case seriously enough.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... My abuser has been arrested for other crimes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... I felt satisfied with the information I received from the police officer(s).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you had contact with Arizona POLICE concerning DV within the past 2 years, please respond to the following statements:

Strongly Agree Agree Neither Agree Nor Disagree Disagree Strongly Disagree

The police officer(s) who came to my aid made me feel safe and comfortable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I think calling the police for a DV incident is a waste of time.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The police followed my wishes in deciding whether or not to arrest my abuser.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you had contact with a VICTIM'S ADVOCATE in Arizona within the past 2 years, please respond to the following statements:

Strongly Agree Agree Neither Agree Nor Disagree Disagree Strongly Disagree

Having a victim's advocate helped me get a better result in my case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I felt comfortable dealing with a victim's advocate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I felt that I had to follow my advocate's suggestions if I wanted help.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The resources and services I was offered met my needs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I could never get help from the victim's advocate at a time convenient to me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you had contact with an Arizona PROSECUTOR within the past 2 years, please respond to the following statements:

Strongly Agree Agree Neither Agree Nor Disagree Disagree Strongly Disagree

I was satisfied with the prosecutor's handling of my case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I feel the prosecutor blamed me for staying in an abusive relationship.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I was able to meet with prosecutors as much as I needed to.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I feel the prosecutor treated me with respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The prosecutor didn't take my case seriously enough.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I felt pressured by the prosecutor to go ahead with my case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I didn't want my abuser to be prosecuted.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The prosecutor was too eager to drop my case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you had contact with an Arizona JUDGE within the past 2 years, please respond to the following statements:

Strongly Agree Agree Neither Agree Nor Disagree Disagree Strongly Disagree

I was able to participate fully during court hearings.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I was satisfied with the judge's handling of my case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My abuser deserved a stiffer punishment than he/she got.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The judge didn't take my case seriously enough.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My case took too long to resolve.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I thought the judge in my case acted fairly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I was able to play a role in the sentencing of my abuser.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My abuser's court-ordered treatment helped keep him/her from doing it again.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I felt the judge blamed me for staying in an abusive relationship.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you had contact with an Arizona PROBATION OFFICER – or with a victim-services person in a probation department – in the past 2 years, please respond to the following statements:

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
Probation helped keep my abuser in line.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The probation officer favored my abuser over me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The probation officer treated me with respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The probation officer kept me informed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The probation officer didn't want to hear from me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I received useful services from the probation department.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The probation officer helped my abuser get help.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The probation officer was too hard on my abuser.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The probation officer took action when I thought it was necessary.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please answer the following questions, if applicable, writing as much or as little as you like:

Was there any service or assistance that you did NOT receive that would have helped you deal with your domestic violence case?

Do you have any other comments or thoughts about the handling of your case by the Arizona criminal-justice system?

Your gender Male Female

Your age _____

Your ethnicity: White
 African-American
 Hispanic/Latino
 Asian
 Native American
 Other

Your Zip code _____

THANK YOU VERY MUCH FOR YOUR HELP. YOUR TIME IS GREATLY APPRECIATED.

For further information about this survey, please contact Olivia Salcido, Richard Toon, or Bill Hart, Morrison Institute for Public Policy, Arizona State University, toll-free at 1-866-496-8875 or maria.salcido@asu.edu or richard.toon@asu.edu or whart@asu.edu. Morrison Institute is an independent, nonpartisan public policy research unit in the School of Public Affairs, College of Public Programs.



Encuesta de Víctimas de Violencia Doméstica en Arizona

Por favor tome algunos minutos y llene la siguiente encuesta que esta siendo administrada por el Morrison Institute for Public Policy (ASU) a víctimas de violencia doméstica en el estado de Arizona, con la aprobación de las coaliciones Arizona Coalition Against Domestic Violence y Arizona Coalition for Victim Services. Encuestas similares están siendo aplicadas a jueces, fiscales, oficiales de libertad condicional y a aquellas personas que abogan por las víctimas de violencia doméstica. Favor tome nota que sus respuestas y comentarios son **COMPLETAMENTE CONFIDENCIALES**. Su identidad y dirección nunca serán publicadas ni difundidas en ninguna forma.

OBSERVE: Nuestro estudio se limita a aquellas víctimas de violencia doméstica que hayan estado en contacto con el sistema de justicia (por ejemplo, si llamó a la policía, fue a la corte, obtuvo una orden de protección) durante los últimos dos años. Por favor llene la encuesta si usted es una de estas personas. ¡Gracias!

¿Que tanto tiempo lleva usted viviendo en Arizona? _____ años — meses

¿Cuál era su relación con su agresor(a)? _____ casada
 _____ no casada, vivimos juntos
 _____ no casada, vinamos separados

¿Son usted y su agresor(a) del mismo sexo o de sexo opuesto? _____ mismo
 _____ opuesto

¿A usted utilizado alguna vez un albergue para personas que están viviendo en una situación de violencia doméstica? _____ Si
 _____ No

Favor de leer las siguientes afirmaciones. Si aplica a su caso más reciente, marque su nivel de acuerdo basándose en su propia experiencia y opinión; si no aplica, favor de dejarla en blanco.

AFIRMACIONES GENERALES

	Muy de acuerdo	De acuerdo	Ni de acuerdo Ni en desacuerdo	En desacuerdo	Muy en desacuerdo
Los familiares y amigos manejan mejor la violencia doméstica que la policía y las cortes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arrestar al agresor es La mejor forma de responder a la violencia doméstica.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Las agresiones que yo sufrí fueron eventos aislados dentro de lo que de otra manera seria una buena relación.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Si yo fuera agredida nuevamente, buscaría nuevamente ayuda por parte del sistema legal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Si usted tuvo contacto con la policía de Arizona por causas relacionadas con la violencia doméstica en los últimos dos años, favor de responder a las siguientes afirmaciones:

	Muy de acuerdo	De acuerdo	Ni de acuerdo Ni en desacuerdo	En desacuerdo	Muy en desacuerdo
Tuve la impresión de que los policías fueron más compasivos con mi agresor que conmigo.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Al arrestar a mi agresor terminó el abuso.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
La policía no tomó lo suficientemente en serio mi caso.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mi agresor ha estado bajo arresto por otros crímenes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Me sentí satisfecha con la información que recibí por parte del (los) oficial(es).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Los oficiales que vinieron en mi ayuda me hicieron sentir segura y cómoda.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yo creo que el llamar a la policía en relación a un incidente de violencia doméstica es una pérdida de tiempo.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
La policía tomó en cuenta mis deseos en decidir si mi agresor sería o no arrestado.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Si usted tuvo contacto con alguien que aboga por víctimas de violencia doméstica en Arizona en los últimos dos años, favor de responder a las siguientes afirmaciones:

	Muy de acuerdo	De acuerdo	Ni de acuerdo Ni en desacuerdo	En desacuerdo	Muy en desacuerdo
El tener una persona que abogara por mi me ayudó a obtener mejores resultados en mi caso.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Me sentí cómoda al tratar con esta persona.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sentí que, si yo quería obtener ayuda, tenía que seguir las sugerencias de esta persona.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Los recursos y servicios que me fueron ofrecidos cubrieron mis necesidades.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nunca pude obtener ayuda por parte de esta persona a un horario que a mi me fuera conveniente.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Si usted a tenido contacto con un fiscal de Arizona durante los últimos 2 años, favor de responder a las siguientes afirmaciones:

	Muy de acuerdo	De acuerdo	Ni de acuerdo Ni en desacuerdo	En desacuerdo	Muy en desacuerdo
Quedé satisfecha con la forma como el fiscal manejó mi caso.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Siento que el fiscal me culpó por estar en una relación abusiva.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pude reunirme con el fiscal tanto como yo necesitaba.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Siento que el fiscal me trató con respeto.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
El fiscal no le prestó la seriedad debida a mi caso.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Siento que el fiscal me presiono para que siguiera con el caso.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yo no quería que mi agresor fuera procesado.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
El fiscal estaba muy ansioso de poder dejar mi caso.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Si usted estuvo en contacto con un juez de Arizona en los últimos 2 años, favor de responder a las siguientes afirmaciones:

	Muy de acuerdo	De acuerdo	Ni de acuerdo Ni en desacuerdo	En desacuerdo	Muy en desacuerdo
Pude participar plenamente durante las audiencias de la corte.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Quede satisfecha con la forma en que el/la juez manejo mi caso.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mi agresor se merecia un castigo más fuerte del que recibio.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
El/la juez no le prestó la seriedad debida a mi caso.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mi caso se tardo demasiado en resolverse.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Creo que en mi caso el/la juez actuó de una manera justa.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pude jugar un rol en la sentencia de mi agresor.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
El tratamiento ordenado por la corte ayudó para que mi agresor no lo hiciera otra vez.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sentí que el/la juez me culpó por mantenerme en una relación abusiva.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Si usted a tenido contacto con un oficial de Arizona que se encarga de los casos de libertad condicional — o con una persona que brinda servicios a personas dentro del departamento de libertad condicional — durante los últimos 2 años, favor de responder a las siguientes afirmaciones

	Muy de acuerdo	De acuerdo	Ni de acuerdo Ni en desacuerdo	En desacuerdo	Muy en desacuerdo
El estar bajo libertad condicional ayudó a mantener a mi agresor bajo control.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
El oficial de libertad condicional favorecía a mi agresor más que a mí.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
El oficial de libertad condicional me trató con respeto.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
El oficial de libertad condicional me mantuvo informada.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
El oficial de libertad condicional no quería saber más de mí.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Si usted a tenido contacto con un oficial de Arizona que se encarga de los casos de libertad condicional — o con una persona que brinda servicios a personas dentro del departamento de libertad condicional — durante los últimos 2 años, favor de responder a las siguientes afirmaciones

	Muy de acuerdo	De acuerdo	Ni de acuerdo Ni en desacuerdo	En desacuerdo	Muy en desacuerdo
Recibí servicios útiles por parte del departamento de libertad condicional.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
El oficial de libertad condicional ayudó a que mi agresor obtuviera ayuda.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
El oficial de libertad condicional fue demasiado severo con mi agresor.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
El oficial de libertad condicional tomó acción cuando yo lo consideré necesario.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Favor de contestar a las siguientes dos preguntas si aplican a usted. Puede escribir un poco o mucho, como usted prefiera:

¿Hubo algún servicio o asistencia que usted no recibió que le hubiera ayudado con su caso de violencia doméstica?

¿Tiene usted otros comentarios o sugerencias acerca de la forma en como su caso fue manejado por el sistema de justicia de Arizona?

Genero Masculino Femenino

Edad _____

Etnicidad: Blanco Afroamericano
 Hispano/Latino Asiático
 Nativo Americano Otro

Codigo postal _____

MUCHAS GRACIAS POR SU AYUDA. APRECIAMOS SU TIEMPO.

Para mayor información sobre esta encuesta, favor de comunicarse con Olivia Salcido, Richard Toon, o Bill Hart, al Morrison Institute for Public Policy, Arizona State University. Llame gratis al 1-866-496-8875 o envíe un correo electrónico a maria.salcido@asu.edu, a richard.toon@asu.edu o a whart@asu.edu. Morrison Institute es una unidad de investigación independiente dentro de School of Public Affairs, College of Public Programs, sin afiliación a ningún partido.



Survey of Arizona Domestic Violence Victim Advocates

Please take a few moments to complete this survey, which is being administered by Morrison Institute for Public Policy (ASU) to advocates throughout the state. Similar surveys are being administered to judges, prosecutors, and other court personnel. All answers and comments are completely confidential. Neither your identity nor your email address will be known to Morrison Institute or anyone else.

How many years have you been an advocate?

Where are you employed?

- Prosecutor's Office
- Shelter
- Family Advocacy Center
- Other, please specify

Have you ever dealt with a domestic violence (DV) case? Yes No

If so, please estimate what percentage of your caseload over the past 12 months has consisted of DV cases. %

Have you ever had training specifically concerning domestic violence? Yes No

Based on your own experience and opinion, please check your level of agreement with each of the following statements:

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
..... Too many DV cases cannot be prosecuted because victims drop out of prosecution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... Most DV victims are receptive to intervention by the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... Most DV incidents stem from abusers' need for power and control over victims.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... Convicting DV offenders seldom helps reduce future DV incidents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... Most victims receive enough information to understand the legal process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... Substance abuse by the victim is a primary cause of DV.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... DV cases should be prosecuted only when there is clear evidence of injury.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... DV cases take too much of the criminal justice system's time and effort.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... DV is best handled as a private matter, rather than by the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... DV victims are often as responsible for the incident as the person arrested.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... "Pro-arrest" statutes and policies are the best approach to DV incidents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... I think prosecutors turn down too many DV cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
..... DV victims too often defeat protective orders by initiating contact with the offender.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
A major problem with DV is that there are so many repeat cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most judges encourage advocates' participation in the justice process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV incidents are isolated events in otherwise good relationships.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV offenders should be prosecuted even if victims don't want prosecution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV victims often exaggerate the amount of violence involved.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anybody who violates a DV order of protection should be prosecuted or held in contempt.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV victims are safer as soon as they leave an abusive relationship.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV victims who drop out of prosecution have good reasons for doing so.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Orders of protection are effective in deterring future DV incidents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I think the existing range of sanctions for DV offenders is adequate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Too many DV victims try to use the criminal justice system to help them in family law disputes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most judges impose effective sanctions on DV abusers who violate an OP.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The primary objective in sentencing a DV offender is to hold the offender accountable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV incidents occur because of offenders' anger-control problems.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In my experience, most prosecutors are well prepared to present DV cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Many DV cases would be better handled through mediation than prosecution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There should be a limit on how many cases are filed on behalf of a DV victim who repeatedly refuses to prosecute.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substance abuse by the suspect is a primary cause of DV.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Many DV victims could easily leave their relationships, but don't.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I think the treatment options now available for offenders are effective.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV offenders do not exhibit other criminal or violent tendencies.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I believe most DV victims are satisfied with the system's handling of their case.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Conviction of a DV offense should not affect a parent's visitation or custody rights.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervised probation is effective in holding DV offenders accountable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
An advocate's main job is to ensure that victims aid prosecution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Orders of protection would be more effective if they applied to both parties.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I feel that plea agreements are usually used in an effective manner in DV cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV offenders who violate probation should be sent to jail.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The primary objective in sentencing a DV offender is to ensure victim safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The definition of a "relationship" in DV statutes is too broad.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In my experience, most DV cases are adequately prepared by police.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court-ordered treatment programs seldom have a positive impact on batterers.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most prosecutors encourage advocates' participation in the justice process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
I think judges usually sentence DV offenders too lightly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In my experience, the justice system takes DV cases seriously.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most prosecutors respond adequately to advocates' questions and suggestions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please answer the following two open-ended questions, writing as much or as little as you like:

What would help you in dealing with domestic violence cases?

Please add any other comments or thoughts about your experience with domestic violence cases.

Your gender Male Female

From the list below, please select the area in which you currently work:

___ Region 1 – Maricopa County

___ Region 2 – Pima County

___ Region 3 – Coconino, Yavapai counties

___ Region 4 – Mohave, La Paz, Yuma counties

___ Region 5 – Apache, Navajo, Gila, Pinal, Graham, Greenlee, Cochise, Santa Cruz counties

For further information about this survey, please contact Richard Toon (richard.toon@asu.edu) or Bill Hart (whart@asu.edu), Morrison Institute for Public Policy, 602-496-0900. Morrison Institute is an independent, nonpartisan public policy research unit in the School of Public Affairs, College of Public Programs, Arizona State University.



Survey of Arizona Probation Officers on Domestic Violence

Please take a few moments to complete this survey, which is being administered by Morrison Institute for Public Policy (ASU) to probation officers throughout the state. Similar surveys are being administered to judges, prosecutors, and other court personnel. All answers and comments are completely confidential. Neither your identity nor your email address will be known to Morrison Institute or anyone else.

How many years have you been a probation officer? _____

Have you ever dealt with a domestic violence (DV) case? Yes No

If so, please estimate what percentage of your caseload over the past 12 months has consisted of DV cases. %

Have you ever had training specifically concerning domestic violence? Yes No

Based on your own experience and opinion, please check your level of agreement with each of the following statements:

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
Arresting and prosecuting DV offenders seldom helps reduce future DV incidents.					
Many DV cases could better be handled through mediation than through prosecution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV cases are my least favorite cases to handle.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arizona's "mandatory arrest" laws have forced the system to deal with too many minor DV cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most victims are safer as soon as they leave an abusive relationship.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
A major problem with DV is that there are too many repeat cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV cases take too much of my office's time and effort.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The primary goal in supervising DV probationers is holding offenders accountable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV victims are often as responsible for the incident as the person arrested.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Many DV victims could easily leave their relationships, but don't.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substance abuse by the victim is a primary cause of DV.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV incidents are isolated events in otherwise good relationships.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I think DV offenders should be arrested and prosecuted even when the victims don't want it.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV victims often exaggerate the amount of violence involved.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV offenders who violate probation should be sent to jail.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There should be a limit on how many cases are filed involving a victim who repeatedly refuses to prosecute.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Too many victims try to use DV prosecution to help them in family law disputes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Strongly Agree	Agree	Neither Agree Nor Disagree	Disagree	Strongly Disagree
Conviction of a DV offense should not affect a parent's visitation or custody rights.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any DV probationer who violates an order of protection should be prosecuted or held in contempt.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Orders of protection seldom prevent more violence by DV offenders.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substance abuse by the offender is a primary cause of DV.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Supervision of DV probationers effectively prevents further violence against intimate partners.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court-ordered DV treatment seldom reduces future violence.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most batterers who abandon court-ordered treatment are then sanctioned effectively.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
All DV probationers convicted of violence should be supervised.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV victims cooperate with probation supervision.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I always inform police or prosecutors when the victim of a supervised abuser tells me of new abuse.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The primary goal in supervising DV probationers is victim safety.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV incidents stem from abusers' need for power and control over victims.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I require DV probationers to inform me of new intimate partners.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Probation officers too often end up as the primary resource for victims.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV victims who drop out of prosecution have good reasons for doing so.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV incidents occur because of offenders' anger-control problems.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV is best handled as a private matter, rather than by the justice system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police are usually cooperative in serving warrants on DV probation violators.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
More training would improve my handling of DV cases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court-ordered treatment programs too often teach abusers how to be better abusers.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My office lacks the resources to supervise misdemeanor DV probationers effectively.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My office has sufficient resources to provide DV victims the help they need.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Orders of protection would be more effective if they applied to both parties.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prosecutors usually respond effectively to my requests for full hearings for DV probation violators.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I keep in regular contact with most DV victims while supervising their abusers.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Most DV probationers successfully complete probation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DV offenders are more likely to fail probation than other offenders.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
In my experience, most judges are too lenient in sentencing DV offenders.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please answer the following two open-ended questions, writing as much or as little as you like:

What could be done to improve the supervision of DV offenders in Arizona?

Please add any other comments or thoughts about your experience with domestic violence cases.

Your gender Male Female

From the list below, please select the area in which you currently work:

Region 1 – Maricopa County

Region 2 – Pima County

Region 3 – Coconino, Yavapai counties

Region 4 – Mohave, La Paz, Yuma counties

Region 5 – Apache, Navajo, Gila, Pinal, Graham, Greenlee, Cochise, Santa Cruz counties

For further information about this survey, please contact Richard Toon (richard.toon@asu.edu) or Bill Hart (whart@asu.edu), Morrison Institute for Public Policy, 602-496-0900. Morrison Institute is an independent, nonpartisan public policy research unit in the School of Public Affairs, College of Public Programs, Arizona State University.

Interviews

A total of 71 hour-long, one-on-one semi-structured interviews covering a wide range of topics were conducted in Lake Havasu City, Yuma, Bullhead City, Show Low, Williams, Kingman, Sierra Vista, Florence, Casa Grande, Parker, Flagstaff, and Prescott, as well as metro Phoenix and Tucson. This table shows the breakdown by target group.

The interviews were digitally recorded, professionally transcribed, and concept-coded using NVivo qualitative data software.

DOMESTIC VIOLENCE INTERVIEWS

Judges	16
Prosecutors	14
Probation officers	10
Victim advocates	15
Victims	16
Total interviews	71

Source: Morrison Institute for Public Policy, Arizona State University, 2007.

Victims DV Interview Protocol

Police

1. Did you ever have contact with the Arizona police concerning domestic violence within the past 2 years?

If yes, then ask:

2. What was your experience like?
3. Did you get a chance to tell your side of the story? Did they listen?
4. Were you satisfied with the results?
5. Do you think it was handled in a fair manner?
6. If children were present when police came, what if anything was the impact on them?
7. Do you have any recommendations as to what could have been done differently?
8. If needed, would you call the police again?

Victim Advocates

9. Did you have contact with a Victim Advocate in Arizona concerning domestic violence within the past 2 years?

If yes, then ask:

10. What was your experience like?
11. Did you get a chance to tell your side of the story? Did they listen?
12. Were you satisfied with the Victim Advocate's assistance?
13. Do you think your case was handled in a fair manner?
14. Do you have any recommendations as to what could have been done differently?
15. Would you request to have a Victim Advocate again?

Prosecutors (or anyone else from this department)

16. Did you have contact with a Prosecutor (someone in this department) in Arizona concerning domestic violence within the past 2 years?

If yes, then ask:

17. What was your experience like?
18. Did you get a chance to tell your side of the story? Did they listen?
19. Were you satisfied with the Prosecutor's (or others') assistance?
20. Do you think your case was handled in a fair manner?
21. Do you have any recommendations as to what could have been done differently?

Judges

22. Did you have contact with a Judge in Arizona concerning domestic violence within the past 2 years?

If yes, then ask:

23. What was your experience like?
24. If your children were ever present in court, what was the impact on them?
25. Did you get a chance to tell your side of the story? Did they listen?
26. Were you satisfied with the Judge's assistance?
27. Do you think your case was handled in a fair manner?
28. Do you have any recommendations as to what could have been done differently?

Probation Officers

29. Did you have contact with a Probation Officer in Arizona concerning domestic violence within the past 2 years?

If yes, then ask:

30. What was your experience like?
31. Did you get a chance to tell your side of the story? Did they listen?
32. Were you satisfied with the Probation Officer's assistance?
33. Do you think the Probation Officer handled the case in a fair manner?
34. Do you have any recommendations as to what could have been done differently?
35. Did the overall criminal justice response make you feel safer?
36. Is there anything else?

General

37. Did the overall criminal justice response make you feel safer?
38. Is there anything else?

Advocate DV Interview Protocol

1. How important is DV as a social problem facing your community?
2. How well does the justice system do in dealing with DV? What are the major obstacles to more successful handling of DV?

3. Do you think that the attitudes of judges and prosecutors towards DV have changed in recent years? If so, how and why?
4. What do you think are the major factors that cause DV?
5. Why do you think there are so many repeat DV cases?
6. Why do you think more DV victims don't simply leave abusive relationships?
7. Is there a significant relationship between DV and other criminal acts and social ills?
8. What are the typical sentencing options for DV offenders? Are they effective [deterrence]? What are the usual treatment options? Are they effective [recidivism]?
9. Is your input welcomed and valued by prosecutors and judges?
10. Which is your main goal: To convict the offender or ensure victim safety?
11. Do you think most relationships where DV occurs are salvageable?
12. Are there any changes you would like to see made in Arizona's "mandatory arrest" law or in related agency [police/prosecution/probation] policies?
13. Do orders of protection work? What are their benefits and limitations? Would you favor any changes in how they are issued, served or enforced?
14. In general, how do prosecutors and judges deal with DV offenders who violate probation? Would you suggest any changes?
15. Do DV victims have important needs that the criminal justice system fails to meet?
16. Is there something the justice system can do to improve DV victim participation?
17. Do victims sometimes have good reasons for not wanting prosecution?
18. How, if at all, do DV cases intersect with custody and other family court cases?
19. In general, how well do police and prosecutors prepare DV cases?
20. Do you think probation officers do a good job supervising DV offenders?
21. What one or two things would help most in dealing with DV cases?
22. Any other comments?

Prosecutor Interview Protocol

1. How important is DV as a social problem facing your community?
2. Do DV cases bring special challenges for prosecutors?
3. Do you think prosecutors' attitudes towards DV have changed in recent years? If so, how and why?
4. How well does the justice system do in dealing with DV? What are the major obstacles to more successful handling of DV? [Victim reluctance; agency cooperation]
5. What do you think are the major factors that cause DV?
6. Why do you think more DV victims don't simply leave abusive relationships?

Judge Interview Protocol

1. How important is DV as a social problem facing your community?
2. Do DV cases bring special challenges to your court?
3. How well does the justice system do in dealing with DV? What are the major obstacles to more successful handling of DV? [Victim reluctance; agency performance]
4. Do you think judges' attitudes towards DV have changed in recent years? If so, how and why?
5. What do you think are the major factors that cause DV?
6. Why do you think there are so many repeat DV cases?
7. Why do you think more DV victims don't simply leave abusive relationships?
8. Is there a significant relationship between DV and other criminal acts and social ills?
9. What are your typical sentencing options for DV offenders? Are they effective [deterrence]? What are your treatment options? Are they effective [recidivism]?
10. Are there any changes you would like to see made in Arizona's "mandatory arrest" law or in related agency [police/prosecution/probation] policies?

11. What are the benefits and limitations of orders of protection? Would you favor any changes in how they are issued, served or enforced?
12. In general, how do you deal with DV offenders who violate probation?
13. Do DV victims have important needs that the criminal justice system fails to meet?
14. Is there something the justice system can do to improve DV victim participation?
15. Do victims sometimes have good reasons for not wanting prosecution?
16. How, if at all, do DV cases intersect with custody and other family court cases?
17. In general, how well prepared are the DV cases that come before you?
18. What one or two things would help your court most in dealing with DV?
19. Any other comments?

Probation Officer Interview Protocol

1. How important is DV among the social problems facing your community?
2. Do DV cases bring special challenges for probation officers?
3. Do you think probation officers' attitudes towards DV have changed in the past 20 years? If so, how and why?
4. What do you think are the major factors that cause DV?
5. Why do you think we see so many repeat DV cases?
6. Why do you think more DV victims don't simply leave abusive relationships?
7. Does DV contribute to other criminal behavior and social ills?
8. How well does the justice system deal with DV? What are the major obstacles to more successful handling of DV? [Victim reluctance; agency cooperation]
9. What are your court's typical sentencing options for DV offenders? Are the punishments effective [deterrence]? Is the treatment effective [recidivism]?
10. Does your office supervise misdemeanor DV offenders? Should it?
11. What tasks are involved in supervising a typical DV offender?
12. Do you generally find DV victims to be cooperative?
13. Are there any changes you would like to see made in Arizona's "mandatory arrest" law or in related agency policies [police, prosecutor, judicial]?
14. What are the benefits and limitations of orders of protection? Would you favor any changes in how they are issued or enforced?
15. In general, how do your court and department deal with DV offenders who violate probation?
16. Do DV victims have important needs that the criminal justice system fails to meet?
17. How, if at all, do DV cases intersect with custody and other family court cases?

18. What one or two things would help your office most in dealing with DV?
19. Any other comments?

PROSECUTOR SURVEY RESPONSES (5-POINT SCALE)

Statement		Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total
DV is a significant problem in my jurisdiction.	Count	87	81	12		2	182
	%	48 %	45 %	7 %		1 %	100 %
In my experience, most DV cases are adequately investigated by police.	Count	9	73	54	43	3	182
	%	5 %	40 %	30 %	24 %	2 %	100 %
Too many cases cannot be prosecuted successfully because victims fail to assist prosecution.	Count	96	64	17	4	1	182
	%	53 %	35 %	9 %	2 %	1 %	100 %
Prosecuting DV offenders seldom helps reduce future DV incidents.	Count	10	32	48	72	19	181
	%	6 %	18 %	27 %	40 %	10 %	100 %
Many DV cases would better be handled through mediation than through prosecution.	Count	7	32	39	68	36	182
	%	4 %	18 %	21 %	37 %	20 %	100 %
In my experience, judges tend to be too sympathetic to DV victims.	Count	2	10	45	89	36	182
	%	1 %	5 %	25 %	49 %	20 %	100 %
Orders of protection are effective in deterring future DV incidents.	Count	2	40	57	66	17	182
	%	1 %	22 %	31 %	36 %	9 %	100 %
DV cases are my least favorite criminal case to handle.	Count	12	33	57	61	19	182
	%	7 %	18 %	31 %	34 %	10 %	100 %
Arizona's mandatory arrest laws have forced the system to deal with too many minor DV cases.	Count	12	39	45	55	29	180
	%	7 %	22 %	25 %	31 %	16 %	100 %
Many DV victims could easily leave their relationships, but don't.	Count	6	40	35	75	25	181
	%	3 %	22 %	19 %	41 %	14 %	100 %
I only prosecute protection-order violations if a separate crime has been committed.	Count	1	5	27	80	66	179
	%	1 %	3 %	15 %	45 %	37 %	100 %
Most victims are safer as soon as they leave an abusive relationship.	Count	7	46	40	58	30	181
	%	4 %	25 %	22 %	32 %	17 %	100 %
A major problem with DV is that there are too many repeat cases.	Count	37	88	38	16	2	181
	%	20 %	49 %	21 %	9 %	1 %	100 %
DV cases take too much of the criminal justice system's time and effort.	Count	3	11	42	79	45	180
	%	2 %	6 %	23 %	44 %	25 %	100 %
DV cases should be prosecuted only when there is clear evidence of injury.	Count	1	10	9	92	69	181
	%	1 %	6 %	5 %	51 %	38 %	100 %
I will not proceed with a case if the victim is reluctant to do so.	Count	1	13	24	85	59	182
	%	1 %	7 %	13 %	47 %	32 %	100 %
DV victims are often as responsible for the incident as the person arrested.	Count		13	36	82	51	182
	%		7 %	20 %	45 %	28 %	100 %
The current statute that makes a DV arrest a felony after previous misdemeanor convictions is too severe.	Count	1	1	19	79	81	181
	%	1 %	1 %	10 %	44 %	45 %	100 %
The definition of a "relationship" in Arizona's DV statutes is too broad.	Count	10	50	23	65	33	181
	%	6 %	28 %	13 %	36 %	18 %	100 %
Substance abuse by the victim is a primary cause of DV.	Count	10	25	33	62	52	182
	%	5 %	14 %	18 %	34 %	29 %	100 %
I believe most DV victims are satisfied with the system's handling of their case.	Count	2	23	64	79	13	181
	%	1 %	13 %	35 %	44 %	7 %	100 %
Most DV incidents occur because of offenders' anger-control problems.	Count	9	95	37	27	6	174
	%	5 %	55 %	21 %	16 %	3 %	100 %
Most DV incidents are isolated events in otherwise good relationships.	Count		2	26	108	38	174
	%		1 %	15 %	62 %	22 %	100 %
DV offenders should be prosecuted even when the victims don't want prosecution.	Count	49	90	21	11	3	174
	%	28 %	52 %	12 %	6 %	2 %	100 %

Statement		Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total
DV victims often exaggerate the amount of violence involved.	Count		13	46	91	23	173
	%		8 %	27 %	53 %	13 %	100 %
I recommend jail time for most DV offenders who violate probation.	Count	30	97	32	10	4	173
	%	17 %	56 %	18 %	6 %	2 %	100 %
DV victims too often defeat protective orders by initiating contact with the offender.	Count	19	89	52	12	2	174
	%	11 %	51 %	30 %	7 %	1 %	100 %
DV victim advocates play a valuable role in the court process.	Count	81	70	18	5		174
	%	47 %	40 %	10 %	3 %		100 %
Most DV offenders convicted of misdemeanor assault deserve jail even on their first offense.	Count	17	44	51	55	6	173
	%	10 %	25 %	29 %	32 %	3 %	100 %
There should be a limit on how many cases are filed involving a victim who repeatedly refuses to prosecute.	Count	7	19	31	86	31	174
	%	4 %	11 %	18 %	49 %	18 %	100 %
Too many victims try to use DV prosecution to help them in family law disputes.	Count	12	36	74	47	5	174
	%	7 %	21 %	43 %	27 %	3 %	100 %
Supervised probation is effective in holding DV offenders accountable.	Count	18	80	58	14	4	174
	%	10 %	46 %	33 %	8 %	2 %	100 %
Conviction of a DV offense should not affect a parent's visitation or custody rights.	Count	1	10	63	85	15	174
	%	1 %	6 %	36 %	49 %	9 %	100 %
Anybody who violates an order of protection should be prosecuted or held in contempt.	Count	22	100	32	19	1	174
	%	13 %	57 %	18 %	11 %	1 %	100 %
A victim advocate's main job is to ensure that victims aid prosecution.	Count		13	39	104	18	174
	%		7 %	22 %	60 %	10 %	100 %
In my experience, judges tend to be too sympathetic to DV offenders.	Count	14	58	49	51	1	173
	%	8 %	34 %	28 %	29 %	1 %	100 %
Court-ordered DV treatment seldom reduces future violence.	Count	7	42	66	52	7	174
	%	4 %	24 %	38 %	30 %	4 %	100 %
A DV victim's wishes should be the primary influence on a prosecutor's decisions.	Count	1	6	37	103	27	174
	%	1 %	3 %	21 %	59 %	16 %	100 %
Most judges impose appropriate sanctions on DV offenders who violate probation.	Count	2	32	50	65	21	170
	%	1 %	19 %	29 %	38 %	12 %	100 %
Most DV victims are receptive to prosecution of their offenders.	Count		12	34	109	17	172
	%		7 %	20 %	63 %	10 %	100 %
Most offenders convicted of non-injury DV misdemeanors are sentenced too severely.	Count	1	2	35	114	20	172
	%	1 %	1 %	20 %	66 %	12 %	100 %
Most DV incidents stem from abusers' need for power and control over victims.	Count	51	83	34	4	1	173
	%	29 %	48 %	20 %	2 %	1 %	100 %
Most DV victims who fail to assist in prosecution have good reasons for doing so.	Count	1	32	80	55	5	173
	%	1 %	18 %	46 %	32 %	3 %	100 %
Substance abuse by the offender is a primary cause of DV.	Count	23	73	35	40	3	174
	%	13 %	42 %	20 %	23 %	2 %	100 %
DV is best handled as a private matter, rather than by the justice system.	Count	1	2	15	68	87	173
	%	1 %	1 %	9 %	39 %	50 %	100 %
Arizona's current "mandatory-arrest" statute and policies are the best approach to DV incidents.	Count	9	68	61	31	4	173
	%	5 %	39 %	35 %	18 %	2 %	100 %
More training would improve my handling of DV cases.	Count	21	87	34	29	3	174
	%	12 %	50 %	20 %	17 %	2 %	100 %
Orders of protection would be more effective if they applied to both parties.	Count	22	65	39	35	11	172
	%	13 %	38 %	23 %	20 %	6 %	100 %

JUDGE SURVEY RESPONSES (5-POINT SCALE)

Statement		Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total
There is a need for separate DV courts.	Count	22	41	62	57	19	201
	%	11 %	20 %	31 %	28 %	9 %	100 %
Orders of protection seldom prevent more violence by DV offenders.	Count	7	29	47	106	10	199
	%	4 %	15 %	24 %	53 %	5 %	100 %
Most DV offenders who violate probation should be sent to jail.	Count	17	63	93	25	2	200
	%	9 %	32 %	47 %	13 %	1 %	100 %
DV is best handled as a private matter, rather than by the justice system.	Count	6	4	12	79	102	203
	%	3 %	2 %	6 %	39 %	50 %	100 %
Conviction of a DV offense should not negatively affect a parent's visitation or custody rights.	Count		25	60	91	26	202
	%		12 %	30 %	45 %	13 %	100 %
Convicting DV offenders seldom helps reduce future DV incidents.	Count	7	17	42	116	20	202
	%	3 %	8 %	21 %	57 %	10 %	100 %
Arizona's "mandatory arrest" law has forced the system to deal with too many minor DV cases.	Count	16	44	61	55	27	203
	%	8 %	22 %	30 %	27 %	13 %	100 %
Anybody who violates an order of protection should be prosecuted or held in contempt.	Count	18	84	60	36	4	202
	%	9 %	42 %	30 %	18 %	2 %	100 %
Substance abuse by the victim is a primary cause of DV.	Count	4	29	51	73	46	203
	%	2 %	14 %	25 %	36 %	23 %	100 %
DV cases should be prosecuted only when there is clear evidence of injury.	Count		10	25	116	51	202
	%		5 %	12 %	57 %	25 %	100 %
DV cases take too much of the criminal justice system's time and effort.	Count	3	11	44	92	53	203
	%	1 %	5 %	22 %	45 %	26 %	100 %
Most DV offenders convicted of assault deserve jail even on their first offense.	Count	3	27	87	74	11	202
	%	1 %	13 %	43 %	37 %	5 %	100 %
DV victims are often as responsible for the incident as the person arrested.	Count		21	55	85	41	202
	%		10 %	27 %	42 %	20 %	100 %
Many DV victims could easily leave their relationships, but don't.	Count	7	25	49	87	34	202
	%	3 %	12 %	24 %	43 %	17 %	100 %
Most DV incidents occur because of the offender's anger-control problems.	Count	15	90	50	37	9	201
	%	7 %	45 %	25 %	18 %	4 %	100 %
I think victim advocates play a valuable role in the court process.	Count	42	94	46	13	4	199
	%	21 %	47 %	23 %	7 %	2 %	100 %
A major problem with DV is that there are so many repeat cases.	Count	9	86	71	35	1	202
	%	4 %	43 %	35 %	17 %	0 %	100 %
Substance abuse by the suspect is a primary cause of DV.	Count	13	76	72	37	5	203
	%	6 %	37 %	35 %	18 %	2 %	100 %
I'm supplied with adequate criminal history information on the DV defendants before me.	Count	2	59	41	79	22	203
	%	1 %	29 %	20 %	39 %	11 %	100 %
DV offenders should be prosecuted even if victims don't want prosecution.	Count	20	102	66	12	1	201
	%	10 %	51 %	33 %	6 %	0 %	100 %
More training would improve my handling of DV cases.	Count	18	80	50	45	7	200
	%	9 %	40 %	25 %	23 %	4 %	100 %
DV victims often exaggerate the amount of violence involved.	Count	1	30	84	79	8	202
	%	0 %	15 %	42 %	39 %	4 %	100 %
I think the treatment options now available for offenders are effective.	Count		29	86	74	14	203
	%		14 %	42 %	36 %	7 %	100 %

Statement		Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total
Most DV victims are safer as a soon as they leave an abusive relationship.	Count	6	57	60	60	20	203
	%	3 %	28 %	30 %	30 %	10 %	100 %
Too many DV cases cannot be prosecuted because victims drop out.	Count	6	80	71	27		184
	%	3 %	43 %	39 %	15 %		100 %
Orders of protection are effective in deterring future DV incidents.	Count	3	94	55	29	3	184
	%	2 %	51 %	30 %	16 %	2 %	100 %
I think the existing range of sanctions for DV offenders is adequate.	Count	3	92	52	36	1	184
	%	2 %	50 %	28 %	20 %	1 %	100 %
Most DV victims are receptive to intervention by the justice system.	Count	2	49	84	48		183
	%	1 %	27 %	46 %	26 %		100 %
Too many DV victims try to use the criminal justice system to help them in family law disputes.	Count	15	51	67	45	4	182
	%	8 %	28 %	37 %	25 %	2 %	100 %
The primary objective in sentencing a DV offender is to ensure victim safety.	Count	7	89	49	38		183
	%	4 %	49 %	27 %	21 %		100 %
In my experience, most prosecutors are well prepared to present DV cases.	Count	6	60	64	45	6	181
	%	3 %	33 %	35 %	25 %	3 %	100 %
Many DV cases would be better handled through mediation than prosecution.	Count	5	30	63	65	19	182
	%	3 %	16 %	35 %	36 %	10 %	100 %
Court-ordered DV treatment seldom has a positive effect on offender behavior.	Count	3	15	72	88	5	183
	%	2 %	8 %	39 %	48 %	3 %	100 %
It's especially important in DV cases that victims play a role in sentencing.	Count	11	97	51	18	4	181
	%	6 %	54 %	28 %	10 %	2 %	100 %
Most DV offenders do not exhibit other criminal or violent tendencies.	Count		10	71	93	8	182
	%		5 %	39 %	51 %	4 %	100 %
"Mandatory arrest" statutes and policies are the best approach to DV incidents.	Count	9	39	82	42	10	182
	%	5 %	21 %	45 %	23 %	5 %	100 %
Supervised probation is effective in holding DV offenders accountable.	Count	9	99	56	16		180
	%	5 %	55 %	31 %	9 %		100 %
Most DV incidents stem from abusers' need for power and control over victims.	Count	41	90	41	8	1	181
	%	23 %	50 %	23 %	4 %	1 %	100 %
DV cases are my least favorite cases to handle.	Count	6	37	63	64	11	181
	%	3 %	20 %	35 %	35 %	6 %	100 %
The primary objective in sentencing a DV offender is to hold the offender accountable.	Count	11	87	57	27		182
	%	6 %	48 %	31 %	15 %		100 %
Orders of protection would be more effective if they applied to both parties.	Count	14	54	43	58	14	183
	%	8 %	30 %	23 %	32 %	8 %	100 %
I feel plea agreements are usually used in an effective manner in DV cases.	Count	2	94	67	17	2	182
	%	1 %	52 %	37 %	9 %	1 %	100 %
The current statute that makes a DV arrest a felony after previous DV misdemeanor convictions is too severe.	Count	2	13	48	93	25	181
	%	1 %	7 %	27 %	51 %	14 %	100 %
I believe most DV victims are satisfied with the system's handling of their case.	Count	2	36	106	37	1	182
	%	1 %	20 %	58 %	20 %	1 %	100 %
My court has a problem getting its protection orders served.	Count	2	10	66	85	17	180
	%	1 %	6 %	37 %	47 %	9 %	100 %
The definition of "relationship" in the Arizona DV statute is too broad.	Count	7	32	54	81	9	183
	%	4 %	17 %	30 %	44 %	5 %	100 %

VICTIM SURVEY RESPONSES (5-POINT SCALE)

Statement		Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total
Domestic Violence (DV) is best handled by family and friends, rather than by police and courts.	Count	16	14	33	44	49	156
	%	10 %	9 %	21 %	28 %	31 %	100 %
Arresting abusers is the best way to respond to DV.	Count	61	43	28	17	9	158
	%	39 %	27 %	18 %	11 %	6 %	100 %
The abuses I suffered were isolated events in an otherwise good relationship.	Count	9	17	22	49	56	153
	%	6 %	11 %	14 %	32 %	37 %	100 %
If I am abused again, I will seek help from the legal system again.	Count	65	38	20	9	20	152
	%	43 %	25 %	13 %	6 %	13 %	100 %
Overall, the police seemed more sympathetic to my abuser than to me.	Count	39	20	27	24	13	123
	%	32 %	16 %	22 %	20 %	11 %	100 %
Arresting my abuser stopped the abuse.	Count	8	7	31	26	44	116
	%	7 %	6 %	27 %	22 %	38 %	100 %
The police didn't take my case seriously enough.	Count	45	34	15	17	11	122
	%	37 %	28 %	12 %	14 %	9 %	100 %
My abuser has been arrested for other crimes.	Count	43	30	14	17	21	125
	%	34 %	24 %	11 %	14 %	17 %	100 %
I felt satisfied with the information I received from the police officer(s).	Count	21	22	18	30	34	125
	%	17 %	18 %	14 %	24 %	27 %	100 %
The police officer(s) who came to my aid made me feel safe and comfortable.	Count	20	26	18	29	28	121
	%	17 %	21 %	15 %	24 %	23 %	100 %
I think calling the police for a DV incident is a waste of time.	Count	24	22	17	31	29	123
	%	20 %	18 %	14 %	25 %	24 %	100 %
The police followed my wishes in deciding whether or not to arrest my abuser.	Count	17	25	29	19	30	120
	%	14 %	21 %	24 %	16 %	25 %	100 %
Having a victim's advocate helped me get a better result in my case.	Count	33	23	28	11	12	107
	%	31 %	21 %	26 %	10 %	11 %	100 %
I felt comfortable dealing with a victim's advocate.	Count	41	34	13	8	10	106
	%	39 %	32 %	12 %	8 %	9 %	100 %
I felt that I had to follow my advocate's suggestions if I wanted help.	Count	21	28	23	18	13	103
	%	20 %	27 %	22 %	17 %	13 %	100 %
The resources and services I was offered met my needs.	Count	31	30	19	8	16	104
	%	30 %	29 %	18 %	8 %	15 %	100 %
I could never get help from the victim's advocate at a time convenient to me.	Count	13	4	28	32	24	101
	%	13 %	4 %	28 %	32 %	24 %	100 %
I was satisfied with the prosecutor's handling of my case.	Count	10	12	14	12	29	77
	%	13 %	16 %	18 %	16 %	38 %	100 %
I feel the prosecutor blamed me for staying in an abusive relationship.	Count	16	16	22	8	12	74
	%	22 %	22 %	30 %	11 %	16 %	100 %
I was able to meet with prosecutors as much as I needed to.	Count	7	14	18	12	27	78
	%	9 %	18 %	23 %	15 %	35 %	100 %
I feel the prosecutor treated me with respect.	Count	10	21	18	11	18	78
	%	13 %	27 %	23 %	14 %	23 %	100 %
The prosecutor didn't take my case seriously enough.	Count	22	10	19	12	15	78
	%	28 %	13 %	24 %	15 %	19 %	100 %
I felt pressured by the prosecutor to go ahead with my case.	Count	13	8	33	8	17	79
	%	16 %	10 %	42 %	10 %	22 %	100 %
I didn't want my abuser to be prosecuted.	Count	4	3	17	13	42	79
	%	5 %	4 %	22 %	16 %	53 %	100 %

Statement		Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total
The prosecutor was too eager to drop my case.	Count	16	9	23	6	22	76
	%	21 %	12 %	30 %	8 %	29 %	100 %
I was able to participate fully during court hearings.	Count	20	32	14	9	13	88
	%	23 %	36 %	16 %	10 %	15 %	100 %
I was satisfied with the judge's handling of my case.	Count	16	18	14	14	26	88
	%	18 %	20 %	16 %	16 %	30 %	100 %
My abuser deserved a stiffer punishment than he/she got.	Count	38	21	19	8	3	89
	%	43 %	24 %	21 %	9 %	3 %	100 %
The judge didn't take my case seriously enough.	Count	27	16	19	12	14	88
	%	31 %	18 %	22 %	14 %	16 %	100 %
My case took too long to resolve.	Count	26	16	18	15	11	86
	%	30 %	19 %	21 %	17 %	13 %	100 %
I thought the judge in my case acted fairly.	Count	14	21	23	12	19	89
	%	16 %	24 %	26 %	13 %	21 %	100 %
I was able to play a role in the sentencing of my abuser.	Count	7	18	21	15	21	82
	%	9 %	22 %	26 %	18 %	26 %	100 %
My abuser's court-ordered treatment helped keep him/her from doing it again.	Count	6	4	26	7	41	84
	%	7 %	5 %	31 %	8 %	49 %	100 %
I felt the judge blamed me for staying in an abusive relationship.	Count	19	9	34	11	12	85
	%	22 %	11 %	40 %	13 %	14 %	100 %
Probation helped keep my abuser in line.	Count	3	7	11	12	18	51
	%	6 %	14 %	22 %	24 %	35 %	100 %
The probation officer favored my abuser over me.	Count	13	5	19	8	4	49
	%	27 %	10 %	39 %	16 %	8 %	100 %
The probation officer treated me with respect.	Count	6	11	17	5	11	50
	%	12 %	22 %	34 %	10 %	22 %	100 %
The probation officer kept me informed.	Count	6	4	14	11	14	49
	%	12 %	8 %	29 %	22 %	29 %	100 %
The probation officer didn't want to hear from me.	Count	12	6	17	8	5	48
	%	25 %	13 %	35 %	17 %	10 %	100 %
I received useful services from the probation department.	Count	4	7	14	7	18	50
	%	8 %	14 %	28 %	14 %	36 %	100 %
The probation officer helped my abuser get help.	Count	6	6	17	8	11	48
	%	13 %	13 %	35 %	17 %	23 %	100 %
The probation officer was too hard on my abuser.	Count	3	1	16	8	22	50
	%	6 %	2 %	32 %	16 %	44 %	100 %
The probation officer took action when I thought it was necessary.	Count	7	8	16	6	15	52
	%	13 %	15 %	31 %	12 %	29 %	100 %

VICTIM ADVOCATE SURVEY RESPONSES (5-POINT SCALE)

Statement		Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total
Too many DV cases cannot be prosecuted because victims drop out of prosecution.	Count	21	44	16	19	3	103
	%	20 %	43 %	16 %	18 %	3 %	100 %
Most DV victims are receptive to intervention by the justice system.	Count	4	39	27	31	2	103
	%	4 %	38 %	26 %	30 %	2 %	100 %
Most DV incidents stem from abusers need for power and control over victims.	Count	67	31	2	3		103
	%	65 %	30 %	2 %	3 %		100 %
Convicting DV offenders seldom helps reduce future DV incidents.	Count	8	31	23	32	8	102
	%	8 %	30 %	23 %	31 %	8 %	100 %
Most victims receive enough information to understand the legal process.	Count	33	20	11	53	15	102
	%	3 %	20 %	11 %	52 %	15 %	100 %
Substance abuse by the victim is a primary cause of DV.	Count	3	16	7	35	42	103
	%	3 %	16 %	7 %	34 %	41 %	100 %
DV cases should be prosecuted only when there is clear evidence of injury.	Count		6	2	46	49	103
	%		6 %	2 %	45 %	48 %	100 %
DV cases take too much of the criminal justice system's time and effort.	Count	1	3	3	35	61	103
	%	1 %	3 %	3 %	34 %	59 %	100 %
DV is best handled as a private matter, rather than by the justice system.	Count			2	16	85	103
	%			2 %	16 %	83 %	100 %
DV victims are often as responsible for the incident as the person arrested.	Count			7	34	62	103
	%			7 %	33 %	60 %	100 %
"Pro-arrest" statutes and policies are the best approach to DV incidents.	Count	8	39	41	12	2	102
	%	8 %	38 %	40 %	12 %	2 %	100 %
I think prosecutors turn down too many DV cases.	Count	15	45	27	15	1	103
	%	15 %	44 %	26 %	15 %	1 %	100 %
DV victims too often defeat protective orders by initiating contact with the offender.	Count	6	35	27	25	10	103
	%	6 %	34 %	26 %	24 %	10 %	100 %
A major problem with DV is that there are so many repeat cases.	Count	17	53	19	8	6	103
	%	17 %	51 %	18 %	8 %	6 %	100 %
Most judges encourage advocates participation in the justice process.	Count	5	19	39	28	10	101
	%	5 %	19 %	39 %	28 %	10 %	100 %
Most DV incidents are isolated events in otherwise good relationships.	Count	2	1	10	37	53	103
	%	2 %	1 %	10 %	36 %	51 %	100 %
DV offenders should be prosecuted even if victims don't want prosecution.	Count	49	43	8	2	1	103
	%	48 %	42 %	8 %	2 %	1 %	100 %
DV victims often exaggerate the amount of violence involved.	Count		2	8	44	47	101
	%		2 %	8 %	44 %	47 %	100 %
Anybody who violates a DV order of protection should be prosecuted or held in contempt.	Count	45	45	7	4	2	103
	%	44 %	44 %	7 %	4 %	2 %	100 %
Most DV victims are safer as soon as they leave an abusive relationship.	Count	4	10	7	37	45	103
	%	4 %	10 %	7 %	36 %	44 %	100 %
Most DV victims who drop out of prosecution have good reasons for doing so.	Count	14	29	37	20	3	103
	%	14 %	28 %	36 %	19 %	3 %	100 %
Orders of protection are effective in deterring future DV incidents.	Count		18	35	39	11	103
	%		17 %	34 %	38 %	11 %	100 %
I think the existing range of sanctions for DV offenders is adequate.	Count	1	4	16	50	32	103
	%	1 %	4 %	16 %	49 %	31 %	100 %
Too many DV victims try to use the criminal justice system to help them in family law disputes.	Count	1	10	25	46	21	103
	%	1 %	10 %	24 %	45 %	20 %	100 %

Statement		Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total
Most judges impose effective sanctions on DV abusers who violate an OP.	Count		15	12	45	30	102
	%		15 %	12 %	44 %	29 %	100 %
The primary objective in sentencing a DV offender is to hold the offender accountable.	Count	25	55	15	1	2	98
	%	26 %	56 %	15 %	1 %	2 %	100 %
Most DV incidents occur because of offenders' anger-control problems.	Count	19	30	8	24	17	98
	%	19 %	31 %	8 %	24 %	17 %	100 %
In my experience, most prosecutors are well prepared to present DV cases.	Count	4	10	30	40	14	98
	%	4 %	10 %	31 %	41 %	14 %	100 %
Many DV cases would be better handled through mediation than prosecution.	Count	1	5	7	39	46	98
	%	1 %	5 %	7 %	40 %	47 %	100 %
There should be a limit on how many cases are filed on behalf of a DV victim who repeatedly refuses to prosecute.	Count	3	4	8	34	49	98
	%	3 %	4 %	8 %	35 %	50 %	100 %
Substance abuse by the suspect is a primary cause of DV.	Count	6	18	18	29	27	98
	%	6 %	18 %	18 %	30 %	28 %	100 %
Many DV victims could easily leave their relationships, but don't.	Count	1	5	4	39	49	98
	%	1 %	5 %	4 %	40 %	50 %	100 %
I think the treatment options now available for offenders are effective.	Count		4	15	39	39	97
	%		4 %	15 %	40 %	40 %	100 %
Most DV offenders do not exhibit other criminal or violent tendencies.	Count		8	20	49	21	98
	%		8 %	20 %	50 %	21 %	100 %
I believe most DV victims are satisfied with the system's handling of their case.	Count		8	14	44	31	97
	%		8 %	14 %	45 %	32 %	100 %
Conviction of a DV offense should not affect a parent's visitation or custody rights.	Count		2	19	47	30	98
	%		2 %	19 %	48 %	31 %	100 %
Supervised probation is effective in holding DV offenders accountable.	Count	5	30	27	21	15	98
	%	5 %	31 %	28 %	21 %	15 %	100 %
An advocate's main job is to ensure that victims aid prosecution.	Count	3	9	14	51	21	98
	%	3 %	9 %	14 %	52 %	21 %	100 %
Orders of protection would be more effective if they applied to both parties.	Count	1	22	22	32	20	97
	%	1 %	23 %	23 %	33 %	21 %	100 %
I feel that plea agreements are usually used in an effective manner in DV cases.	Count	1	17	24	36	19	97
	%	1 %	18 %	25 %	37 %	20 %	100 %
Most DV offenders who violate probation should be sent to jail.	Count	33	56	6	2	1	98
	%	34 %	57 %	6 %	2 %	1 %	100 %
The primary objective in sentencing a DV offender is to ensure victim safety.	Count	22	36	16	22	2	98
	%	22 %	37 %	16 %	22 %	2 %	100 %
The definition of a "relationship" in DV statutes is too broad.	Count	4	12	32	35	14	97
	%	4 %	12 %	33 %	36 %	14 %	100 %
In my experience, most DV cases are adequately prepared by police.	Count		7	20	44	27	98
	%		7 %	20 %	45 %	28 %	100 %
Court-ordered treatment programs seldom have a positive impact on batterers.	Count	14	36	31	16	1	98
	%	14 %	37 %	32 %	16 %	1 %	100 %
Most prosecutors encourage advocates' participation in the justice process.	Count	5	36	27	25	4	97
	%	5 %	37 %	28 %	26 %	4 %	100 %
I think judges usually sentence DV offenders too lightly.	Count	28	55	8	4	3	98
	%	29 %	56 %	8 %	4 %	3 %	100 %
In my experience, the justice system takes DV cases seriously.	Count	2	15	21	44	16	98
	%	2 %	15 %	21 %	45 %	16 %	100 %
Most prosecutors respond adequately to advocates' questions and suggestions.	Count	3	36	28	27	4	98
	%	3 %	37 %	29 %	28 %	4 %	100 %

PROBATION OFFICER SURVEY RESPONSES (5-POINT SCALE)

Statement		Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total
Arresting and prosecuting DV offenders seldom helps reduce future DV incidents.	Count	8	32	38	67	27	172
	%	5 %	19 %	22 %	39 %	16 %	100 %
Many DV cases could better be handled through mediation than through prosecution.	Count	2	21	41	69	39	172
	%	1 %	12 %	24 %	40 %	23 %	100 %
DV cases are my least favorite cases to handle.	Count	10	24	71	53	14	172
	%	6 %	14 %	41 %	31 %	8 %	100 %
Arizona's "mandatory arrest" laws have forced the system to deal with too many minor DV cases.	Count	5	29	44	68	26	172
	%	3 %	17 %	26 %	40 %	15 %	100 %
Most victims are safer as soon as they leave an abusive relationship.	Count	17	43	20	51	41	172
	%	10 %	25 %	12 %	30 %	24 %	100 %
A major problem with DV is that there are too many repeat cases.	Count	39	92	27	11	2	171
	%	23 %	54 %	16 %	6 %	1 %	100 %
DV cases take too much of my office's time and effort.	Count	2	11	53	72	33	171
	%	1 %	6 %	31 %	42 %	19 %	100 %
The primary goal in supervising DV probationers is holding offenders accountable.	Count	39	85	20	24	3	171
	%	23 %	50 %	12 %	14 %	2 %	100 %
DV victims are often as responsible for the incident as the person arrested.	Count	4	14	40	69	44	171
	%	2 %	8 %	23 %	40 %	26 %	100 %
Many DV victims could easily leave their relationships, but don't.	Count		32	20	72	48	172
	%		19 %	12 %	42 %	28 %	100 %
Substance abuse by the victim is a primary cause of DV.	Count	3	15	34	68	52	172
	%	2 %	9 %	20 %	40 %	30 %	100 %
Most DV incidents are isolated events in otherwise good relationships.	Count	1	3	14	87	67	172
	%	1 %	2 %	8 %	51 %	39 %	100 %
I think DV offenders should be arrested and prosecuted even when the victims don't want it.	Count	49	93	20	6	4	172
	%	28 %	54 %	12 %	3 %	2 %	100 %
DV victims often exaggerate the amount of violence involved.	Count	1	8	38	85	40	172
	%	1 %	5 %	22 %	49 %	23 %	100 %
Most DV offenders who violate probation should be sent to jail.	Count	39	74	38	19	1	171
	%	23 %	43 %	22 %	11 %	1 %	100 %
There should be a limit on how many cases are filed involving a victim who repeatedly refuses to prosecute.	Count	8	23	33	66	42	172
	%	5 %	13 %	19 %	38 %	24 %	100 %
Too many victims try to use DV prosecution to help them in family law disputes.	Count	2	24	78	51	17	172
	%	1 %	14 %	45 %	30 %	10 %	100 %
Conviction of a DV offense should not affect a parent's visitation or custody rights.	Count	4	17	36	88	26	171
	%	2 %	10 %	21 %	51 %	15 %	100 %
Any DV probationer who violates an order of protection should be prosecuted or held in contempt.	Count	69	91	10	1	1	172
	%	40 %	53 %	6 %	1 %	1 %	100 %
Orders of protection seldom prevent more violence by DV offenders.	Count	19	86	37	30		172
	%	11 %	50 %	22 %	17 %		100 %
Substance abuse by the offender is a primary cause of DV.	Count	7	43	44	53	25	172
	%	4 %	25 %	26 %	31 %	15 %	100 %
Supervision of DV probationers effectively prevents further violence against intimate partners.	Count	6	49	55	56	6	172
	%	3 %	28 %	32 %	33 %	3 %	100 %
Court-ordered DV treatment seldom reduces future violence.	Count	2	26	56	80	8	172
	%	1 %	15 %	33 %	47 %	5 %	100 %

Statement		Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Total
Most batterers who abandon court-ordered treatment are then sanctioned effectively.	Count	3	38	46	65	20	172
	%	2 %	22 %	27 %	38 %	12 %	100 %
All DV probationers convicted of violence should be supervised.	Count	36	83	22	18	2	161
	%	22 %	52 %	14 %	11 %	1 %	100 %
Most DV victims cooperate with probation supervision.	Count		29	57	68	7	161
	%		18 %	35 %	42 %	4 %	100 %
I always inform police or prosecutors when the victim of a supervised abuser tells me of new abuse.	Count	32	65	48	16		161
	%	20 %	40 %	30 %	10 %		100 %
The primary goal in supervising DV probationers is victim safety.	Count	61	74	19	7		161
	%	38 %	46 %	12 %	4 %		100 %
Most DV incidents stem from abusers' need for power and control over victims.	Count	74	62	18	7		161
	%	46 %	39 %	11 %	4 %		100 %
I require DV probationers to inform me of new intimate partners.	Count	54	70	32	4	1	161
	%	34 %	43 %	20 %	2 %	1 %	100 %
Probation officers too often end up as the primary resource for victims.	Count	19	76	44	19	1	159
	%	12 %	48 %	28 %	12 %	1 %	100 %
Most DV victims who drop out of prosecution have good reasons for doing so.	Count	1	30	66	49	15	161
	%	1 %	19 %	41 %	30 %	9 %	100 %
Most DV incidents occur because of offenders' anger-control problems.	Count	12	71	31	34	13	161
	%	7 %	44 %	19 %	21 %	8 %	100 %
DV is best handled as a private matter, rather than by the justice system.	Count	2		10	54	95	161
	%	1 %		6 %	34 %	59 %	100 %
Police are usually cooperative in serving warrants on DV probation violators.	Count	17	70	54	18	2	161
	%	11 %	43 %	34 %	11 %	1 %	100 %
More training would improve my handling of DV cases.	Count	37	89	27	6	2	161
	%	23 %	55 %	17 %	4 %	1 %	100 %
Court-ordered treatment programs too often teach abusers how to be better abusers.	Count	2	14	54	73	18	161
	%	1 %	9 %	34 %	45 %	11 %	100 %
My office lacks the resources to supervise misdemeanor DV probationers effectively.	Count	26	39	39	40	17	161
	%	16 %	24 %	24 %	25 %	11 %	100 %
My office has sufficient resources to provide DV victims the help they need.	Count	2	51	48	40	19	160
	%	1 %	32 %	30 %	25 %	12 %	100 %
Orders of protection would be more effective if they applied to both parties.	Count	32	62	44	18	5	161
	%	20 %	39 %	27 %	11 %	3 %	100 %
Prosecutors usually respond effectively to my requests for full hearings for DV probation violators.	Count	4	51	86	15	5	161
	%	2 %	32 %	53 %	9 %	3 %	100 %
I keep in regular contact with most DV victims while supervising their abusers.	Count	11	68	61	19	1	160
	%	7 %	43 %	38 %	12 %	1 %	100 %
Most DV probationers successfully complete probation.	Count		33	82	41	5	161
	%		20 %	51 %	25 %	3 %	100 %
DV offenders are more likely to fail probation than other offenders.	Count	6	31	79	45		161
	%	4 %	19 %	49 %	28 %		100 %
In my experience, most judges are too lenient in sentencing DV offenders.	Count	19	57	57	27		160
	%	12 %	36 %	36 %	17 %		100 %

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