

## Civil Protective Orders Effective in Stopping or Reducing Partner Violence Challenges Remain in Rural Areas with Access and Enforcement

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### Introduction

About one-fourth of women in the United States will experience violence from an intimate partner in their lifetime.<sup>1</sup> Partner violence affects physical and mental health, social connectedness, overall quality of life, employment, child safety, and agency and community resources. Many interventions have been developed to address partner violence, including civil protective orders. All fifty states have enacted legislation to use civil protective orders to direct perpetrators of intimate partner violence to refrain from further abusive behavior and/or to stay away from the victim.<sup>2</sup> Research suggests that civil protective orders do prevent further partner violence for many victims. Between 30 percent and 77 percent of protective orders issued for partner violence were not violated.<sup>3</sup> Victims report less fear after obtaining the protective order, and the vast majority believe the protective order was effective.<sup>4</sup> Less is known, however, about community contextual differences—and, in particular, differences in rural compared to urban areas—in the effectiveness of civil protective orders in preventing ongoing partner abuse.

Although the overall rate of partner violence is similar in rural and urban areas,<sup>5</sup> experiences of partner violence may differ. For example, an analysis of homicides across a 20-year period found that rates of intimate partner murder in rural areas were higher than in non-rural areas, and that the rate of intimate partner murders has increased over time in rural areas while remaining stable in non-rural locations.<sup>6</sup> Explanations for differences in the experience of partner violence in rural areas include chronic poverty, limited employment and educational opportunities, limited resources and services, more conservative political and social values, and more conservative attitudes toward gender roles.<sup>7</sup> These factors can affect how agencies and the justice system respond to partner violence.

### Key Findings

- Civil protective orders are effective in reducing partner violence for many women. For half the women in the sample, a protective order stopped the violence. For the other half, the orders significantly reduced violence and abuse.
- Not only are civil protective orders effective, but they are a relatively low-cost solution, particularly when compared with the social and personal costs of partner violence.
- The impact of civil protective orders on reducing violence and abuse did not differ for rural and urban women.
- In rural areas, where resources and services for partner violence may be more limited, it is critical to reduce barriers to obtaining protective orders as research indicates they may be an effective resource.
- Community-level barriers to enforce civil protective orders exist for women in rural areas.

In particular, research suggests rural women have more difficulty accessing protective orders due to a more bureaucratic process and more negative and blaming attitudes when they seek protective orders.<sup>8</sup>

This brief examines urban and rural differences in the community context of partner violence and the effectiveness of protective orders. The study uses data from an urban area and a rural area in Central Appalachia in Kentucky.<sup>9</sup> Consistent with past research on Central Appalachia, three of the

four rural counties in this study are classified as economically distressed, and the fourth is classified as economically at risk. This study focused on communities in one state for three reasons: (1) these areas provided distinctly different community contexts but all fall under the same statutory provisions; (2) the rural areas had a mix of more remote rural and small cities, which makes it possible to generalize the results to other rural states; and (3) community context can be examined better using local rather than statewide data.

The rural area for this study is predominantly white (98.9 percent), with 62.3 percent of the female population not in the workforce compared with 35 percent in the urban area. Women and children bear the heaviest burden of poverty in this region. Women in the study were 33 years old, on average, and predominantly white (73 percent in the urban area and 99 percent in the rural area). Significantly more rural (89 percent) than urban women (70 percent) had children. Significantly more rural women (59 percent) were unemployed than urban women (37 percent) at the time of the survey. More rural women had been or were married to the violent partner (66 percent versus 36 percent), had longer relationships with the violent partner (seven years versus five years), and had children in common with the violent partner (58 percent versus 39 percent).

## Effectiveness of Civil Protective Orders

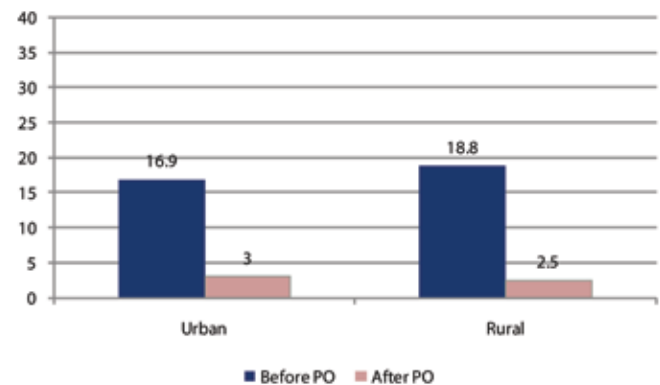
The 213 women in the study (107 urban and 106 rural) were recruited from court after they had received a civil protective order. Women were interviewed, on average, three weeks after obtaining a protective order and then again at three-month and six-month follow-ups (99 percent of the sample completed the follow-up survey). Participants were asked about their experiences of partner violence, health, and service use six months before they had obtained the protective order and during the six months after they had the protective order.<sup>10</sup> Protective order effectiveness was measured in three ways: whether civil protection orders (1) eliminated or reduced violence; (2) improved or lessened quality of life; and (3) whether the costs of protective orders outweighed the benefits.

### Elimination or Reduction in Violence

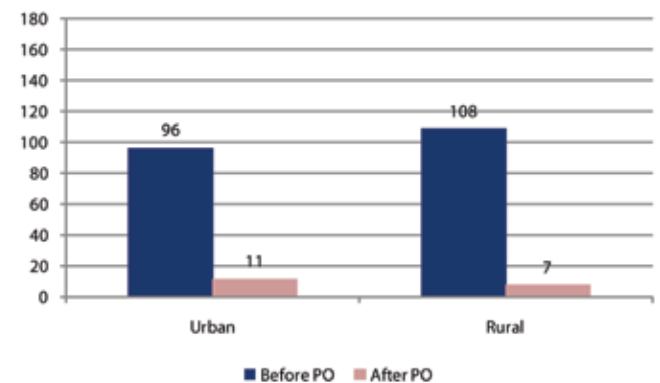
Half of the victims of partner violence indicated the protective order was *not* violated. There were no differences in percentage of rural or urban women who experienced a violation. Protective order violations were defined as any property damage, threats to harm or kill, physical violence, any threats or use of a weapon, or victim perception that the protective order was violated (even if the offender did none of the above tactics).<sup>11</sup>

Protective orders also reduced experiences of violence and abuse even for those who experienced protective order violations. Specifically, those who experienced protective order violations reported significantly lower physical severity scores (see Figure 1) and significantly fewer days of jealousy and control (see Figure 2) during the six months after the protective order compared to the six months before the protective order.

**FIGURE 1. AVERAGE PHYSICAL VIOLENCE SEVERITY SCORES FOR VICTIMS WITH VIOLATIONS SIX MONTHS PRIOR TO AND AFTER A PROTECTIVE ORDER [SCORES RANGE FROM 0 (LOW) TO 38 (HIGH SEVERITY)]**



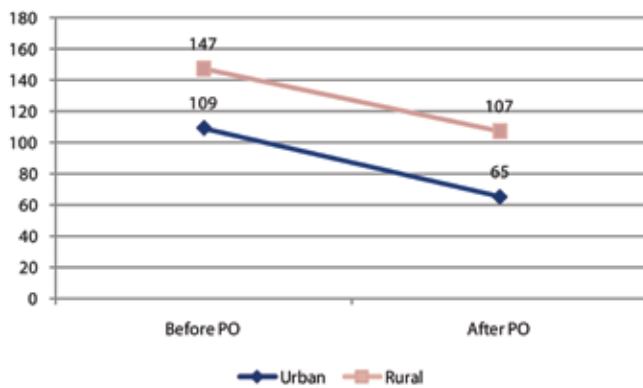
**FIGURE 2. AVERAGE NUMBER OF DAYS VICTIMS WITH VIOLATIONS EXPERIENCED PARTNER JEALOUSY AND CONTROL SIX MONTHS PRIOR TO AND AFTER A PROTECTIVE ORDER**



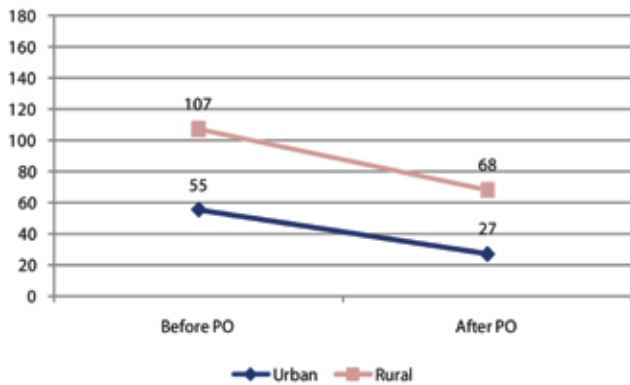
### Improvement in Quality of Life

Overall, the vast majority of rural (86 percent) and urban (87 percent) women thought the protective order was effective. As Figures 3 and 4 show, the quality of life, measured as days of distress and sleep loss due to the abuse, improved drastically. However, the differences in rural and urban women's ratings are striking. Rural women reported significantly more days of distress and sleep loss before and after receiving the protective order than did urban women. Urban women reported greater declines in number of days of distress and days of sleep loss than rural women.

**FIGURE 3. AVERAGE DAYS OF DISTRESS SIX MONTHS PRIOR TO AND AFTER THE PROTECTIVE ORDER**



**FIGURE 4. AVERAGE DAYS OF SLEEP LOSS SIX MONTHS PRIOR TO AND AFTER THE PROTECTIVE ORDER**



As another indicator of quality of life, we measured fear of future harm with four categories: ongoing harassment, physical harm or injury, harm to children or interference with child care, and harm to family or friends. Both rural and urban women experienced significant reductions in fear (see Table 1). However, significantly more rural women were afraid of future harm both before and after they obtained a protective order. Further, fear of future harm had steeper declines in urban than rural areas in three of the four fear categories.

**TABLE 1. FEAR OF FUTURE HARM SIX MONTHS PRIOR TO AND AFTER A PROTECTIVE ORDER WAS OBTAINED**

Percent of Victims Afraid of Future Harm	Urban		Rural	
	Before	After	Before	After
Ongoing harassment	68	42*	80	61*
Physical harm	44	26*	65	46*
Child interference/harm (for those with minor children in common)	51	26*	82	50*
Harm friends or family	33	30	75	50

\*Note: An asterisk indicates a significant decline in the number of women who reported being very or extremely afraid of future harm at follow-up ( $p < 0.05$ ).

### Civil Protective Order Enforcement: The Weak Link

Critics of protective orders have noted poor enforcement as a primary weakness. In other words, the police and the courts must act decisively and swiftly when civil protective orders are violated. We examined such enforcement from several different perspectives, including: (1) victim perspectives, (2) interviews with key community victim service and justice system informants, and (3) court data. Overall, the results suggest that enforcement is problematic, particularly in the rural areas.

#### Victim Perspectives of Enforcement

As noted above, about half of the rural and urban women experienced at least one violation of the protective order, with rural women reporting significantly more violations, on average, than urban women. Sixty-five percent of the victims who experienced a protective order violation reported at least one violation to the police or other authorities. Of those who reported the violation, 38 percent of urban women and 19 percent of rural women believed the offender was arrested for the violation. Because not all victims who reported protective order violations knew for sure whether there was an arrest, we examined offender court records for those women who reported violations to the police or to the court. More than one half (56 percent) of the urban offenders who were reported to have violated the protective order had a specific domestic violence-related charge noted in their court record compared with only 6 percent of the rural offenders during the six month follow-up period.

### *Costs of Partner Violence and Cost-Benefits of Civil Protective Orders*

To justify the justice system resources in processing and enforcing protective orders—even though they are shown to be effective—it is necessary to establish their cost-effectiveness. We determined costs of partner violence victimization using established methods for crime victimization. We used actual claim averages and cost reports for health care as well as average legal fees and justice system costs.<sup>12</sup> In addition, we estimated costs by assigning dollar values to the number of days of lost productivity and days of emotional distress the women experienced. We then compared the costs of partner violence for the six-month period prior to the protective order and six months after the orders were issued. The cost of a protective order was also estimated at \$354 for each person, on average.

For every dollar spent on the protective order intervention, \$30.75 in costs to society were avoided. To estimate the costs and offsets to the state, we extrapolated the results to a one-year period and to the protective order cases statewide in 2007 (adjusted by 15 percent for male victims). Results suggest that protective orders saved the state in avoided costs an estimated \$85 million in one year. Overall costs and avoided costs did not differ significantly by rural or urban area.

### Key Informant Community Professional Interviews

To better understand the community context of domestic violence, it is important to consider key community professionals' opinions about the protective order process. We interviewed 188 key informant community professionals from victim services and the justice system about the protective order process in their community, including their perceptions of enforcement. Two main themes emerged from the results: (1) there are fewer arrests and prosecutions for partner violence in the rural areas than the urban areas, and (2) there are several important barriers to enforcement of protective orders in rural areas.

More specifically, when asked how often they believed an arrest was made in their community for a protective order violation, significantly fewer rural professionals than urban professionals indicated an arrest *often* followed a report of a protective order violation (34 percent versus 48 percent). Also, rural professionals indicated that fewer protective order violation cases would be prosecuted (five in ten in rural areas compared with six in ten in urban areas). Among cases that were prosecuted, rural professionals believed significantly fewer offenders would be found guilty compared to urban professionals (five in ten for rural versus six in ten for urban).

Two important barriers to protective order enforcement in rural areas include the difficulty in determining the “primary aggressor.” Nearly nine in ten rural (but only 42 percent of the urban) criminal justice representatives said both parties would be arrested. The threat of arrest when a protective order violation is reported can be a barrier to a

victim reporting violations. Second, significantly more rural key informants reported local politics would play a role in prosecution (45 percent versus 16 percent). Here, “politics” meant the degree to which family or other connections could result in lack of law enforcement actions.

### Court Data

Official court data on case dispositions of protective order violation charges is consistent with key informant perceptions. From five years of protective order violation data, we found that 71 percent of the charges had guilty convictions in the urban area versus only 49 percent in the rural area. Further, 17 percent of the protective order violation charges were dismissed outright in the urban area compared with 38 percent in the rural area. Both of these differences were statistically significant.

### Policy Implications

The results show clearly that civil protective orders are an effective intervention in addressing partner violence. Our findings also replicate those from an earlier study that used the same rural and urban jurisdictions with more than 750 women and using a twelve-month follow-up.<sup>13</sup> For approximately half the women in both of these studies, all it took to stop the violence was a protective order. For the other half, the violence and abuse was significantly reduced.

Not only are civil protective orders effective, but they are relatively low cost, especially when compared with the social and personal costs of partner violence. The effectiveness is particularly relevant for low-income rural women. These women had more personal and social barriers to stopping the violence including higher unemployment and tighter connections to the violent partner. Rural women also had fewer community resources or alternatives available to help them. Therefore, increasing access to civil protective orders should be an important goal in helping victims and their children and in lowering societal costs of partner violence.

Women continue to face numerous barriers to obtaining a protective order, and those barriers differ depending on jurisdiction. Understanding the unique and specific barriers in each jurisdiction will help increase access to protective orders. One-size-fits-all trainings and policies should be replaced with more tailored approaches to address jurisdiction and community specific barriers. These differences include gatekeeper attitudes, hours of access, parking, safety during the process, time it takes to obtain or serve an order, and access to information about the process. Further, increasing community agency collaboration and developing systems of ongoing feedback and accountability are also important.

Although the initial civil protective order was effective for many victims of partner violence, enforcement was problematic, particularly in rural areas. This underscores a well known problem; namely, that the community contexts in

which people live matter. We found clear differences in how the rural and urban communities respond to ongoing partner violence, along with a greater impact of partner abuse on physical and mental health for rural victims.

Far more needs to be done to educate both rural and urban policymakers and stakeholders about partner violence. For example, educating key community professionals about the effectiveness of protective orders, dynamics of partner violence, and factors that inhibit effective enforcement is crucial. Law enforcement and prosecutors should be included in these discussions to facilitate more effective responses. Because local law enforcement may promote a culture that is less amenable to a modern understanding of partner violence, it may require enhanced state police involvement in rural areas to reduce some of the enforcement problems faced by local law enforcement. However, it is unlikely that training alone will substantially alter deeply ingrained cultural values and traditional gender roles. Rural areas, especially those characterized by chronic poverty, need more types and levels of interventions to influence a cultural shift in their response to partner violence.

This report reinforces other studies showing that rural communities, especially chronically poor rural areas, often lack a solid infrastructure of supports, and those seeking to support vulnerable families often must grapple with ineffective or corrupt local leadership.

We have seen that partner violence victims in these poor rural communities experience stress and a poor quality of life, have difficulty accessing protections from the courts, and then face poor enforcement of protective orders—all issues that point to the need for infrastructure improvements. On the other hand, although there are serious problems with how rural communities deal with partner violence, many women continue to persist in pressing the courts and law enforcement to do their duty to protect them and their children. This study also provides evidence of tangible strengths from the civil protective order that both rural and urban communities can use to build better responses to partner violence.

## ENDNOTES

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9. This brief used data collected for a larger study of civil protective order effectiveness funded by the National Institute of Justice.

10. T. Logan et al., "The Kentucky Civil Protective Order Study."

11. It is important to note that having a protective order does not mean the victims and offenders do not have any further contact. Not only is contact necessary for children or other family matters, but about one-third of the women in the study spent some time back in the relationship with the offender after the protective order was obtained. Further, several different kinds of conditions can be ordered with a protective order and no contact between parties is one of those conditions. Violations of no contact orders were accounted for by victim perception that the offender had violated the order regardless of any other violence tactics.

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