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**VICTIMS' PERSPECTIVES ON THE PROCESS OF SEEKING A
PROTECTIVE ORDER: PREDICTORS OF PERCEIVED EMPOWERMENT**

A dissertation submitted in partial fulfillment of the requirements for the degree of
doctor of Philosophy in Social Work at Virginia Commonwealth University.

by

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Abstract

VICTIMS' PERSPECTIVES ON THE PROCESS OF SEEKING A PROTECTIVE ORDER: PREDICTORS OF PERCEIVED EMPOWERMENT

By Sara-Beth Plummer, PhD Candidate

A dissertation submitted in partial fulfillment of the requirements for the degree of
Doctor of Philosophy in Social Work at Virginia Commonwealth University.

Virginia Commonwealth University, 2007

Major Director: Elizabeth P. Cramer, PhD
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This study examined victims' perceived sense of empowerment during the process of seeking a Preliminary Protective Order. A cross sectional survey design with stratified sampling was used to gather information from women seeking Preliminary Protective Orders in Richmond City, Virginia. During a six month period 89 women agreed to participate, for a response rate of 83 percent. In general, the sample consisted of women who identified themselves as African-American, single, with either a high school/GED degree, and/or some college education.

Overall, the women found the steps during the process of seeking an Order, either easy or very easy. In general, the participants responded positively to the steps

outlined in the process index. Exceptions to the largely positive results included: getting help preparing a safety plan, explaining what you wanted to the judge, and learning about how to seek a Protective Order.

The empowerment sub-scales' results suggest that overall the participants felt empowered during the process of seeking an Order. The final mean for each sub-scale was higher than the minimum score necessary to be considered a high score. The results of the multivariate analysis suggest that the process of seeking an Order was an empowering act on two of the three levels of empowerment studied. The two sub-scales found to have a positive and statistically significant relationship with the process index were the self-efficacy, and collective advocacy level. Alternatively, when utilizing the self-advocacy sub-scale as the dependent variable, only marital status was found to be significant.

Implications for social work practice include practitioners educating themselves on legal protections for abused women and educating clients about the process of seeking an Order. Additionally, social workers should incorporate empowerment theory concepts while working with clients. Social work educators should incorporate empowerment theory throughout the curriculum and increase content on intimate partner violence and interdisciplinary teams. Additionally, social workers should consider partnering with other disciplines, such as criminal justice departments to offer cross-listed courses and certificate programs to prepare future professionals who will work in the domestic violence field. Policies to enhance victim-witness advocates' ability to assist victims and specialized courts are recommended

CHAPTER ONE:

Scope of the Problem

Over the past thirty years, domestic violence has taken its place in the forefront of social issues. During this period social workers have increasingly addressed violence in the home, by providing services to individuals who have experienced abuse. These workers have also witnessed dramatic changes in the way the criminal justice system has approached domestic violence. In the last twenty years there has been nationwide acceptance that abuse is a crime. Local, state, and federal government agencies institutionally changed laws and policies to address domestic violence. Arrest, prosecution, and the use of Protective Orders became the preferred response to abuse. This has become known as the “criminalization” of domestic violence (Danis, 2003).

Consequently, many clinicians and advocates who worked with abused women began to identify and address domestic violence through a criminal justice lens (Bohmer, Brandt, Bronson, & Hartnett, 2002). Alternatively, as this shift occurred, some social workers and researchers began to question the utility of the newly accepted perspective on domestic violence. A debate ensued between those who support the criminalization of domestic violence and those who oppose it. Individuals on both sides of the debate evoked the use of empowerment to defend their views. Those who support a crime perspective argue that these changes empower victims by providing tools to be used to protect abused individuals. Additionally, they suggest that a crime approach enables victims to witness their abuser being penalized for his or her behavior. Those who are more skeptical of these changes suggest that these laws actually

disempower victims by severely limiting their decision-making abilities. The use of mandatory arrest laws and no-drop prosecution policies are viewed as a restriction on the victim's self-determination by taking away the right to decide if the abuser should be arrested and/or prosecuted. Academics, advocates, and social workers have all weighed in with their thoughts and views on this debate, yet little is known about how the abused individual feels about the judicial response. This researcher intended to provide an opportunity for victims to voice their opinions and perceptions about one of these interventions, Protective Orders.

Response to Domestic Violence

Prior to the late 1970s domestic violence received little societal and governmental attention. There was no formal provision of services or laws available to assist those that experienced abuse (Davis, Hagen, & Early, 1994). Furthermore, wife abuse was considered a private matter, in which law enforcement did not interfere (Berk Fenstermaker & Loseke, 1980; Hutchinson, Hirschel, & Pesackis, 1994). In the 1970s, radical feminists promoted interest in women's issues, including equality and domestic violence. In 1974, grassroots coalitions came forward to highlight this issue by opening the very first battered women's shelter, in Minneapolis-St. Paul (Dobash & Dobash, 1979).

The media also promoted societal interest in domestic violence by publishing newspaper and magazine articles on the topic of abuse, along with graphic pictures of bruised women (Pleck, 1987). A sympathetic portrayal of these women, in the press,

elicited societal and governmental interest and a desire to protect them from further violence (Pleck). The subsequent reaction to the issue included the formation of the Office of Domestic Violence by President Carter in 1979. This office became responsible for the dissemination of information about abuse, and for the allocation of funds to agencies providing services for domestic violence survivors.

As awareness of domestic violence gained momentum, local and federal agencies increasingly requested funds to support domestic violence services. The federal government responded in 1994 with the passing of the Violence Against Women Act (VAWA). This Act provided grants, guidelines, and regulations directed specifically at reducing violence against women (Brooks, 1997). During that same year, domestic violence coalitions, statewide hotlines, shelters, and counseling centers were made available in every state (Davis, et al., 1994).

Along with shelters, hotlines, and individual services, the feminist movement promoted the idea of protecting abused women. Advocates strongly encouraged the police, social agencies, and the state and federal government to respond adequately to the problem (Bohmer, et al., 2002; Pleck, 1987). Female attorneys in New York and Michigan who supported the domestic violence cause began to question and document the lack of police response during domestic violence calls. It became public knowledge that officers were only addressing particularly brutal attacks. “The police often relied on a ‘stitch rule’ arresting an abusing husband only if his wife had been injured badly enough to require a specific number of surgical sutures” (Pleck, p. 186). Several high

profile and very lucrative court cases were brought against police departments for failing to protect women from assault (Ferraro, 1989). Citing equal protection under the law, otherwise known as the 14th amendment, police departments were ordered by the courts to pay millions of dollars to the plaintiffs (Danis, 2003). Finally, an experiment, funded by the National Institute of Justice (NIJ), compared three different interventions to the recidivism rate of abusers, and arrest was found to be the best deterrent of future incidents of abuse (Sherman & Berk, 1984). Domestic violence began to be couched in criminal justice terms.

As the crime perspective was accepted, several interventions were implemented across the nation, including mandatory arrest, no-drop prosecution, and Protective Orders. In states with mandatory arrest laws, police officers are expected to arrest an individual during a domestic dispute when that person threatens to or has hit another family member (Smith, 2001). After mandatory arrest laws were adopted, no-drop prosecution policies were introduced across the nation. No-drop prosecution policies specify that if a prosecutor deems the case worthy of further attention, the responsibility for the decision to prosecute is transferred from the victim to the state (Berliner, 2003). If a prosecutor decides to continue with the case, the victim cannot drop the charges against the perpetrator. A Protective Order is a legal document issued by the court system. The terms and definitions of a Protective Order can vary from state to state, but it is primarily used to restrict an individual's ability to contact and physically approach another individual.

Prevalence of Domestic Violence

Domestic violence is defined as “a pattern of behaviors used by people who abuse their intimate partners, including physical, sexual, and emotional abuse” (Danis, 2003, p. 238). In Virginia, The Code of Virginia Section 16.1-228 states:

“*Family abuse*” means any act involving violence, force, or threat including, but not limited to any forceful detention, which results in bodily injury or places one in reasonable apprehension of bodily injury and which is committed by a person against such person’s family or household member (Virginia Sexual & Domestic Violence Action Alliance, 2005, ¶ 6).

Abuse is an issue that affects many individuals in their lifetime, yet statistics have consistently reported that women represent the majority of victims of domestic violence. The Bureau of Justice Statistics reports, that between 1998 and 2002, 84% of spousal abuse victims and 86% of dating/partner abuse victims were female (Durose, et. al., 2005). Statistics indicate that in the United States domestic violence remains a significant issue. Between 1998 and 2002, there were 32.2 million victims of violent crime, 3.5 million victims, or 11% of those crimes, were a result of an act of family violence. Domestic violence is not only an extensive problem, it also can be lethal. In 2000, 1,247 women were killed by their partners (Rennison, 2003). In Virginia, during 2004, Domestic Violence Programs and Sexual Assault Centers fielded 45,780 hotline calls, and offered shelter to 3,519 families (Virginia Sexual Assault & Domestic Violence Action Alliance, 2005).

Domestic Violence Terminology

Women who have been abused have been assigned various labels, including battered women, victim, and survivor. *Survivor* is a term that was adopted by those in the domestic violence field who wanted to focus on the strengths of the women who endured abusive situations. Feminists, social workers, and advocates alike began to use *survivor* as a way to describe abused women in order to avoid “victim blaming” and “victim thinking.” The intentional use of the word *survivor* was a response to those who wondered why women did not leave, get help, or call the police. These women were blamed for a perceived lack of initiative to leave dangerous situations. Currently, the use of the term *victim* has been adopted once again in response to the criminalization of domestic violence. As the criminal justice system responded to abuse, and nationwide laws and polices were instituted, the language changed as well. The use of *victim* to describe women who are abused signifies their involvement in the criminal justice system. This researcher will use *survivor* and *victim* interchangeably to describe both those women experiencing abuse as well as those women who left the abusive situation. The term *victim* will be used to represent the language of the criminal justice perspective, often addressed in this paper. This does not signify that the researcher views these individuals as victims of their own choosing. In fact having worked with several women who were in domestic violence situations, this researcher, along with many others, view them as survivors.

Perspectives on Domestic Violence

The social work profession has approached domestic violence in various ways over time and there have been many disagreements about what theories to use to explain abuse of women by their partners or spouses and to guide interventions (Chornesky, 2000). Social work clinicians, domestic violence advocates, and victim-witness workers have expressed different beliefs about how to address domestic violence. Prior to the emergence of the domestic violence movement in the 1970s, abuse was considered to be pathology-based, focused on the victim's and/or the perpetrator's presumed personality and behavior flaws. Currently, three primary theoretical perspectives have been identified in the domestic violence field.

Historical Background

During the 1940s and 1950s, social workers explored a more psychoanalytic approach to wife abuse. "Ideas derived from psychoanalysis, developed by Sigmund Freud, influenced the solutions handed out to women by counseling centers" (Felter, 1997, p. 14). Women were often labeled masochistic, encouraging the abuse in order to work out childhood trauma and conflicts. Counseling for domestic violence focused on the pathology of the female and relied on therapists identifying intra-psychic conflict. The violence in the relationship was viewed as a result of the domestic violence survivor's mental disorder (Ganley, 1989). The diagnoses of these women would commonly include depression and anxiety.

In the 1960s and 1970s, there was a shift from identifying one individual as pathological to a focus on the couple. Violence in the marriage was identified as the result of a dysfunctional relationship and blame was placed on both the husband and the wife (Ganley, 1989). Family systems theory was utilized to explain the continuation of the abuse in the home. Marital therapy was promoted as an alternative for those couples who did not want to end their relationships, and the goal of treatment was to reduce violence and increase marital satisfaction (Margolin, 1979).

Feminist Perspective

In the 1960s and 1970s, the civil rights movement focused on issues of social justice and the need for a change in the societal response to those most disadvantaged in society. Women brought attention to discussions about domestic violence, and encouraged others to recognize the prevalence of violence in the home. Feminist theory was the focus, identifying abuse as a result of the hierarchy of the male gender and a patriarchal society that encouraged and sustained the abuse of females. Feminist theory purports that violence against women is a product of a male-dominated culture, and its gender specific socialization process (Dobash & Dobash, 1979; Schechter, 1982).

Mental Health Perspective

Various clinical theories have been utilized to understand and address the issue of domestic violence. Some theories that have been adopted by clinicians include attachment theory (Chornesky, 2000) and object relations theory (Zosky, 1999). Some authors report that the research overwhelmingly suggests that practitioners should focus

on post-traumatic stress disorder (PTSD) (Jones, Hughes, & Unterstaller, 2001). Other clinicians proposed the integration of various practice approaches (Lundy & Grossman, 2001). More recently with the introduction of health management organizations (HMOs), some authors have suggested the use of time limited, short term therapy when working with victims (Miller, Veltkamp, Lane, Bilyeu, & Elzie 2002).

Criminal Justice Perspective

The criminal justice perspective defines domestic violence as a criminal act. Abuse is framed as a social and public issue that can only be handled satisfactorily when addressed through the legal system. Additionally, victims are due equal protection under the law as provided by the 14th amendment. Based on this interpretation, treating domestic violence victims the same as non-intimate assault victims is an obligation of the government and is manifested in a law enforcement response (Robbins, 1999).

Empowerment Approach

Historically survivors of domestic violence were often blamed for their abuse. Societal views towards women in abusive relationships were negative and therapeutic approaches blamed the wife for the abuse by identifying them as nagging, provoking, or the cause of the abuse due to their “refusal” to leave the situation (Schechter, 1982). Abused women who sought treatment would often be labeled as depressed, anxious, or a dependent personality, due to various symptoms they exhibited. Lenore Walker (1979) suggested that the symptoms exhibited by battered women were directly related

to the abuse. Social workers adopted domestic violence interventions that incorporated both educational and feminist principles. Workers taught women about the cycle of abuse, which chronicles the interactions that often occur between the abuser and victim, and the power and control wheel, now a common educational tool in domestic violence programs, developed by the Domestic Abuse Intervention Project (DAIP) in Duluth, Minnesota. The DAIP model promotes a community based response that identifies abuse as an issue of power and control (Shepard, 1991). Most recently social workers have been encouraged to utilize both feminist and empowerment approaches when working with women who have been abused (Busch & Valentine, 2000; Dietz, 2000). The feminist and empowerment approach encourages social workers to work with their clients in a collaborative manner, supporting the client to choose her own goals and objectives in the working relationship. The educational aspect of the worker-client relationship focuses on identifying the existence of inequality in society and violence in the home as an oppressive act (Dietz). Empowerment as a theory has been adopted in both the domestic violence and social work fields. Empowerment was used as the theoretical base for this study. The following is a brief description of the theoretical foundation of this project.

Empowerment

Empowerment was introduced in 1976 with the publishing of Barbara Solomon's, *Black Empowerment*. In this book, Solomon chronicles the oppression experienced by certain groups in our society and offers definitions of power,

powerlessness, oppression, and empowerment. Solomon writes, “Empowerment refers to a process whereby persons who belong to a stigmatized social category throughout their lives can be assisted to develop and increase skills in the exercise of interpersonal influence and the performance of valued social roles” (p. 6). Since that time, empowerment has become a cornerstone of social work values as evidenced in the current Code of Ethics adopted by the National Association of Social Workers (NASW) (NASW Delegate Assembly, 1999). Empowerment practice is based on worker and client collaboration, initiated to promote the client’s power, through self-actualization, self-determination, and the fulfillment of personal goals (Gutierrez, Parsons, & Cox, 1998).

Since Solomon’s initial attempt to define empowerment, other professionals have attempted to refine and clarify its description. GlenMaye (1998) describes empowerment as the transformation from both individual and collective powerlessness, to personal, political, and cultural power and Rappaport (1987) writes that empowerment occurs when people, organizations, and communities gain mastery over issues of concern to them. What all three definitions have in common is the use of an action to describe empowerment. The use of the terms *process* and *transformation* elicit ideas of movement and progression, rather than an abrupt outcome. For the purpose of this study, empowerment will be identified as both a theory and process.

As stated, Solomon offered an initial description of empowerment through an introduction of three major concepts: power, powerlessness, and oppression. Gutierrez,

DeLois, and GlenMaye (1995) posit that as a theory, empowerment is based on these three primary constructs in a process that takes place within an individual. Although framed as a personal transformation, several authors suggest that empowerment cannot be obtained, and in turn measured, merely through internalized personal growth. On the contrary, several in the field suggest that in order to achieve empowerment one must obtain power through three distinct levels of intervention: personal, interpersonal, and community (Gutierrez et al., 1995; Zimmerman, 1995). These distinct levels and the major concepts of empowerment will be further clarified in chapter two.

Current Research

There remains a dearth of research regarding the experiences of domestic violence survivors in obtaining a Protective Order. Research has primarily focused on either predicting women's involvement with the criminal justice system (Dutton, Goodman, & Bennett, 1999; Fleury, Sullivan, Bybee, Davidson, 1998; Ford, 1983; Goodman, Bennett, & Dutton, 1999; Hutchison & Hirschel, 1998; Hutchison, et al., 1994; Weisz, 2002), or on their satisfaction with the response of police officers, prosecutors, and judges (Fleury, 2002; Miller, 2003; Smith, 1988). Several other studies have used both quantitative and qualitative methods to gain information about victims' views, as well as experiences with the changing approaches of law enforcement (Bennett, Goodman, & Dutton, 1999; Bohmer, et al., 2002; Chaudhuri & Daly, 1992; Coulter & Chez, 1997; Erez & Belknap, 1998; Ford, 1991; Smith, 2000; Smith, 2001; Stephens & Sinden, 2000). Before this study, there weren't any published studies that

asked about the perceived empowerment of women within the criminal justice system. This study advanced the knowledge base by providing victims a platform by which they voiced their thoughts and beliefs about a criminal justice approach to domestic violence. More specifically, it measured the level of empowerment women experienced while going through the process of requesting a Preliminary Protective Order.

CHAPTER 2:

Literature Review

This chapter provides a review of two separate literatures: literature on the conceptualization of empowerment, and historical and empirical literature on the criminalization of domestic violence. Empowerment, particularly that of survivors, has been identified as the basis for changes that have occurred in domestic violence laws and policies implemented over the past thirty years. Empowerment has also been the foundation of debate on the value of these changes and their impact on survivor choice and safety. This review will establish empowerment theory as a foundation for this study and offer a clear link between this concept and the criminalization of domestic violence.

Empowerment

In its most basic sense, empowerment can be conceptualized as a process by which an individual or group gains power. Empowerment has been defined in the literature as an outcome, a process, a theory, and an intervention (Gutierrez, GlenMaye, & DeLois, 1995). In *Black Empowerment*, Solomon (1976) writes, “Empowerment refers to a process whereby persons who belong to a stigmatized social category throughout their lives can be assisted to develop and increase skills in the exercise of interpersonal influence and the performance of valued social roles” (p. 6). Similarly, Rappaport (1987) states, “...empowerment is a process, a mechanism by which people, organizations, and communities gain mastery over their affairs” (p. 122). GlenMaye (1998) defines empowerment as a transformation, a change that occurs from having no

power to obtaining, “personal, political, and cultural power” (GlenMaye, p. 29). In all three definitions, empowerment is described as a progression whereby an individual or group is transformed through the obtainment of power.

As previously stated, empowerment for this proposal will be defined as both a theory and process. Gutierrez, DeLois, and GlenMaye (1995) posit that as a theory, empowerment is based on three primary terms: power, oppression, and powerlessness. The following is a description of those key terms that pertain to empowerment.

Power

The goal of empowerment theory is to obtain power, and power as a concept takes on several forms in empowerment literature. Robbins, Chatterjee, and Canda (2006) define power as “the ability to access and control resources and people” (p. 94). Solomon (1976) describes power as a process of human development in which an individual, through social/familial support and education, achieves a sense of self-worth, physical well-being, and adequate interpersonal skills. In turn, an empowered individual attains necessary attributes, including the ability to influence the course of one’s life, to express self-worth, to work with others to control aspects of public life, and to access to the mechanisms of public decision-making (Gutierrez, et al., 1998). In order to gain these attributes, an individual must be provided an environment and support system that encourages these skills and qualities. When that environment is inadequate, an individual experiences power deficits. If an individual does not grow up with these attributes, power can be gained as an adolescent or adult through consciousness-raising, praxis, and combining the personal and the political (Lee, 1996).

Consciousness-raising occurs when an individual becomes aware of both the existence of historical and societal oppression, and the state of powerlessness with which he or she was living. Praxis is a reaction to this knowledge of oppression and powerlessness that allows the individual to reflect and act on that knowledge of oppression. Through this process of reflection and action, individual issues become linked to the broader social issues of structural oppression (Dietz, 2000; Parsons, 2001; Perkins & Zimmerman, 1995). An individual becomes active in policies and decisions that affect him/her, and becomes involved in social action (Gutierrez & Ortega, 1991; Staples, 1990).

An individual who gains power experiences a transformation that is expressed in several different ways. On a personal level, an individual exhibits a reduction of self-blame and begins to express feelings of positive self-worth and self-esteem. On an interpersonal level, he or she exhibits an increased ability to interact and influence others. Finally, the person is able to identify and access necessary resources in the community.

Solomon (1976) suggests that power introduced in the form of systematic policy changes can decrease discrimination through positive changes in protocols and regulations. The author warns of the potential abuses of power, however. Solomon cautions that one must also be skeptical of any standardized modification of rules, policies, or regulations when these changes are based on values of the dominant group, and produce “institutional racism.” The introduction of these changes may only further perpetuate oppression through systematic and sanctioned discrimination.

Oppression

Historically, American history and its culture have exhibited an insidious undercurrent of prejudice that remains today. Demonstrations of bias, both overtly and subtly, have negatively impacted the public's views and treatment of certain groups. In order for oppression to occur, a dominant group marginalizes another group through the denial of freedom and equal rights. Oppression involves curtailing a group's opportunities, limiting their decision-making abilities, and treating individuals as subordinates. Oppression is viewed as a result of the uneven distribution of resources, and the hierarchical nature of society's social structure, which provides opportunities for some and systematically denies others the very same opportunities (Robbins, et al., 2006). Empowerment theory is rooted in the idea that our society has structurally created a hierarchy of power in which some groups "have" and others "have not" (Staples, 1990). The disproportionate allocation of services, opportunities, and wealth is viewed as a cause of oppression and powerlessness (Solomon, 1976). The focus of change in empowerment theory is on both an individual and institutional level.

Powerlessness

Powerlessness can be conceptualized as a result or consequence of negative valuations expressed towards individuals based on their membership in a marginalized group (Solomon, 1976). Powerlessness is "the inability to manage emotions, skills, knowledge, and/or material resources in a way that effective performance of valued social roles will lead to personal gratification" (Solomon, p. 16). Powerlessness occurs due to power blocks that impede one's ability to obtain attributes and resources that are

necessary to achieve one's personal goals. Solomon describes two types of power blocks: indirect and direct. Furthermore, these blocks function on three different levels: primary, secondary, and tertiary.

Indirect blocks occur due to familial influences on one's self-concept, interpersonal skills, and social roles. On the primary level, indirect blocks occur when an individual internalizes negative self-beliefs due to generational sharing of negative valuations. Formation of self-esteem and a positive self-image is stunted due to familial incorporation of stigmatized views spread by society. On the secondary level, interpersonal skills are impeded due to the impact of the stigma passed on during the primary level. On the tertiary level, an individual is unable to perform valued social roles due to deficits caused by the impact of the primary and secondary levels.

Direct blocks are a result of the institutional denial of services and resources simultaneously provided to other more affluent groups (Gutierrez, et al., 1998; Solomon, 1976). On the primary level, basic health and human services are denied to the marginalized group (e.g. medical care). On the secondary level, interpersonal and technical skills are limited due to a deficiency of educational services. On the tertiary level, individuals are denied materials that would enable one to acquire a valued social role. Therefore, based on limited resources, as well as one's association with a marginalized group, an individual is negatively impacted, and in turn made powerless.

Psychological Empowerment

The focus of empowerment theory is to identify marginalized and oppressed groups. Powerlessness is not the result of an individual problem or deficit, but of a

hierarchical social structure that denies power to certain groups (Staples, 1990). Staples warns that concentration on individual achievements rather than on the collectivity promotes blame towards those who remain powerless. Alternatively, Robbins, et al. (2006) suggest that collective action can take place at any level of practice, individual, family, community, etc. For the purpose of this study, the concentration was on the perceived empowerment of individuals only. Those who have written on the subject of empowerment have made an attempt to integrate both individual and collective empowerment. Zimmerman (1990) addresses this integration by distinguishing between individually-oriented conceptions of empowerment and psychological empowerment. He suggests that psychological empowerment, although based on an individual level, takes into account the contextual base of empowerment theory and incorporates environmental influences. Psychological empowerment is a combination of increased personal competence, active involvement in the community, and an understanding of the sociopolitical environment (Zimmerman, 1995). Furthermore, Zimmerman suggests that an emphasis on individual level empowerment should not be viewed as eclipsing the sociopolitical factors that are so inherent in empowerment theory. Both, Zimmerman and Gutierrez et al. (1998) have suggested that in order to evaluate empowerment one must address three levels of power. These levels not only address a personal sense of power (i.e. locus of control and/or self-esteem), but also measure interpersonal, and community empowerment. The following is a description of the three levels of power.

Levels of Power

Because oppression and its resulting powerlessness are defined as both internal and external processes, it would follow that the resulting evaluation of empowerment can only be conducted through an examination of both psychological and social transformation. Rappaport (1987) suggests that empowerment is not only a result of a psychological sense of personal control, but a shift in a person's perceived social and political influence. Gutierrez, et al. (1998) provide four key components essential to the empowerment process: increasing one's self-worth, reducing self-blame, accessing information, and developing strategies to exert personal influence. If one examines these components, it is evident that the process of empowerment is viewed not only as a personal sense of achievement, but also as an ability to effectively interact with others, exert influence over one's environment, and seek out essential resources. This indicates that empowerment cannot be evaluated purely by the individual's perceived sense of control or self-esteem. In fact, several authors who have written in the field of empowerment have identified three levels of empowerment to describe the process of obtaining power (Gutierrez & Ortega, 1991). Although different authors use varying terms to define these levels of empowerment, they all capture similar concepts. Additionally, these three levels are comparable to the levels of social work intervention: micro, mezzo, and macro. Gutierrez, et al. (1998) employ the terms personal, interpersonal, and environmental to distinguish three levels of power. Finally, Zimmerman (1995) describes empowerment as a result of the interplay between three distinct levels of power: intrapersonal, interactional, and behavioral.

The emphasis on a multi-level approach to empowerment is similar to the social work focus on “person-in-environment.” Practitioners not only address the intrapsychic issues that impact the problem or the concern brought by the client, but also the person’s interpersonal relationships (e.g. social supports, familial conflicts), as well as the interactions between the individual and the community (e.g. lack of services). Additionally, social work interventions are evaluated not only by their impact on a micro level, but also on a mezzo, and macro level. For example, positive results of social work interventions, introduced for individual clients, may become a platform for policy implications. Therefore, empowerment can only be evaluated when measured by an instrument that assesses each of the three levels. A chart listing the previously discussed authors and their chosen terms for each level is provided in Table 1.

On the *personal level*, also termed *intrapersonal* by Zimmerman (1995), power would depend on the individual’s ability to make choices and perceive control. Personal feelings of power would include an evaluation of, “self-efficacy, self-awareness, self-acceptance, being in self, self-esteem, feeling you have rights, and critical thinking” (Gutierrez et al., 1998, p.20). Zimmerman posits that *intrapersonal* power refers to, “perceived control, competence, and efficacy” (p. 588). Evaluation of personal-level empowerment should be context-bound and rely on perceptions regarding the ability to exert influence in one’s life (Zimmerman).

The *interpersonal level*, also termed the *interactional* (Zimmerman, 1995), addresses the relational aspect of power, including the degree to which an individual has the ability to influence others. Rappaport (1987) suggests that empowerment is not only

based on what occurs within the individual, but also by interactions and relationships between the person and his or her environment. This would include attributes such as “knowledge/skills, assertiveness, setting limits on giving, asking for help, problem solving, practicing new skills and accessing resources” (Gutierrez et al., 1998, p. 20). Zimmerman posits that the *interactional* level is related to the knowledge of and access to necessary resources, as well as methods to achieve those resources. This includes understanding the norms and values of the context, and learning behavioral options most appropriate to that particular setting (e.g. cooperative decision-making, mutual assistance, problem-solving).

The *environmental/political level*, also termed *behavioral* (Zimmerman, 1995), addresses the individual’s influence on his or her surrounding systems and involvement in social change/action. This type of power is exemplified through participation in “political action/participation, giving back, making a contribution, taking control” (Gutierrez et al., 1998, p. 20). Evaluation of this level would focus on the actions used to exert control and/or influence over one’s environment (Zimmerman). “Psychological or personal empowerment is not simply self-perceptions of competence but active engagement in one’s community and an understanding of one’s sociopolitical environment” (Zimmerman, p. 582). For example, collective action in the form of group work has been found to be effective in inspiring and motivating social activity, particularly when change on a structural level seems overwhelming to an individual (Gutierrez & Ortega, 1991; Robbins, et al., 2006).

Table 1. *Empowerment Levels*

	Level I	Level II	Level III
Social Work	Micro	Mezzo	Macro
Zimmerman	Intrapersonal	Interactional	Behavioral
Gutierrez, Parsons, and Cox	Personal	Interpersonal	Environmental /Political

History in Social Work

Empowerment theory has a long history in social work (Simon, 1994).

Evidence of empowerment can first be seen in the work of Jane Addams and settlement houses (Robbins, et al., 2006). In an attempt to correct the injustices of those oppressed individuals who faced prejudice and hardship, Addams worked with minorities and impoverished persons to help provide services that were often inaccessible to the most needy (Lee, 1996). Empowerment theory was originally named through the writings of Solomon in her 1976 publication of *Black Empowerment*. Chronicling the oppression of African Americans, she focused on how marginalized populations could increase their power by addressing intrapersonal, interpersonal, and societal forces. Solomon provides suggestions of specific skills helping professionals need to incorporate into their repertoire in order to facilitate empowering practices.

Gutierrez, et al. (1998) clearly identify the link between empowerment theory and the current *Code of Ethics of the National Association of Social Workers* (NASW) (NASW Delegate Assembly, 1999). Social workers are expected to uphold social work values and ethics identified by the NASW. Specifically, both empowerment theory and the *Code of Ethics* describe a commitment to social justice, self-determination and self-actualization, and the cooperative aspect of intervention, which promotes the client's full involvement in setting goals and objectives to meet previously identified needs (Gutierrez et al.).

A tenet of empowerment practice is the collaboration between worker and client. The emphasis on a cooperative relationship is largely based on social workers distancing themselves from the role of authoritarian expert (Perkins & Zimmerman, 1995). The client is considered the expert about his or her concerns, and as such, has the power in the relationship. Empowerment theory promotes and expects that practitioners offer an environment in which the client is the authority in his or her own life. The client is the one who identifies the "concern" and provides the lead on setting objectives and goals (Lee, 1996). The worker collaborates with the client to work toward a change in the current situation (Gutierrez & Ortega, 1991). Robbins, et al. (2006) provide an overview of the steps taken during empowerment practice: "structural barriers are identified, power dynamics are explored, personal and collective strengths and resources are maximized, and effective actions for social change are taken" (p. 114). As the client guides the helping experience, he or she is also encouraged to gain the skill of self-maintenance and self-directed accomplishment. Furlong (1987)

suggests that direct practice should always incorporate empowerment as a goal in which “the client can experience, or have restored, a level of self management competence, equal to coping with the client’s current life stage demands” (p. 25). Empowerment practice is two-pronged, serving both the person and attending to the social problem (Lee, 1996). Gutierrez and Ortega suggest that in order to perform empowerment practice, all three levels of power must be addressed.

Historically, social work has been dedicated to working with individuals who are marginalized by the power arrangements of society. Since the majority of public agency clientele come from disempowered groups, an empowerment approach is particularly applicable for social workers who work in the public sector (Hegar & Hunzeker, 1988). Several authors have encouraged the inclusion of empowerment into various types of direct practice, including casework, child welfare, and domestic violence (Busch & Valentine, 2000; Furlong, 1987; Hegar & Hunzeker). The incorporation of empowerment theory into practice is suggested as particularly appropriate when both clients and workers are marginalized. Workers often feel overly stressed and powerless in a bureaucracy that offers low wages, large caseloads, and limited decision-making power (Hegar & Hunzeker).

Although social work as a profession has declared its determination to adopt an empowering approach, there are circumstances in which prescribed interventions and practices may result in disempowering clients. Social workers are in a precarious situation where they are often caught between two allegiances; the agency and the client. A disconnect is not always present between client needs and agency

requirements, but there are times when social workers may find this to be true. Social workers often practice at agencies that have adopted protocols in order to satisfy funding sources or federal laws. These policies may impinge on social workers' abilities to facilitate empowering practices, and cause social workers to promote practices that may oppress the client population. Additionally, as suggested by Solomon (1976), there are instances when agencies introduce sweeping policy changes in an attempt to offer services that are dedicated to empowering their clientele, but these changes in policies may actually be even more disempowering. Solomon suggests that policies solely created by those in power may be tainted because decisions are being made from a privileged lens.

Empowerment has been described as the process of obtaining power. Alternatively, individuals who have been denied equal rights are victims of oppression. Domestic violence has been identified as an act of power and control through the threat and use of violence (Busch & Valentine, 2000). Abuse is an oppressive act whereby an individual's ability to live a life free of violence, pain, fear, and external control is severely limited. The use of empowerment theory has been strongly suggested, alongside feminist theory, as a base for social workers to address abuse issues with survivors of domestic violence (Busch & Valentine). Some suggest that feminist theory can be subsumed under the category of empowerment theories, as feminist themes run parallel to those in empowerment theory (Robbins, et al., 2006). In feminist theory, women are identified as a group being systematically marginalized and oppressed by a

society that maintains a patriarchal stance. Individual concerns are understood to be a function of social context, and women are encouraged to question the status quo.

Historically, laws and policies instituted by the United States government in response to domestic violence have been presented as a way to protect victims and the surrounding community from further violence. As those in the criminal justice system become aggressive in their response to domestic violence, supporters of these changes adopt empowerment as a framework and explanation for the new laws and policies introduced in the last twenty years.

History of Domestic Violence Policy

The literature on the topic of the criminalization of domestic violence, a term adopted to describe the justice response, has produced a debate centered in the construct of empowerment. Individuals on both sides of the debate have adopted empowerment to defend their arguments about changes in the criminal justice response to domestic violence. The following review of the history of domestic violence policy in America provides a dual purpose. It outlines the progression of the governmental and societal responses to the issue of domestic violence and it provides insight into the overarching debate over the laws and policies created in response to requests by various stakeholders in society to address domestic violence.

The first known American reform against domestic violence, including child abuse, was written in 1641 in the Massachusetts *Body of Liberties* (Pleck, 1987). The Puritans believed that family violence threatened the piousness of their town. Therefore, it was each individual's responsibility in the settlement to watch his or her

neighbors and involve oneself if obvious abuses, drunkenness or other less than saintly behaviors, were occurring (Pleck). Puritans created a code that defied a husband's blatant use of physical aggression against his wife. Devoutly religious, they also placed family values and family cohesiveness first. Therefore, women were rarely able to divorce even in the face of brutal forms of abuse. Separation was temporarily allowed in certain circumstances, but with a caveat that the couple would reconcile and resume married life after the man acknowledged his wrong doing and offered to reform (Pleck). The emphasis was on the family and maintaining a familial structure that upheld biblical scripture and holy living.

In Chesapeake, Virginia, during the 17th century, marital customs, and laws differed from their Puritan neighbors in Massachusetts. Tradition dictated that women were to obey their husbands, who were deemed the authority of the home. Although outward violence was frowned upon, men were encouraged to discipline their wives when necessary. "Men were expected to exercise moderate 'chastisement' from time to time" (Fischer, 1989, p.295). Women were not able to seek protection from violence by leaving the marriage, as divorce did not exist in Virginia (Fischer). Marriage customs were even more brutal along the southern areas bordering the Appalachian Mountains. Marriages were marked with violence from the inception of the relationship as women were regularly abducted to become brides (Fischer). As in Virginia, men and women adopted traditional gender roles, and women were treated as subordinates. Violence towards wives was a common occurrence in this territory (Fischer).

The temperance movement catapulted the next reform campaign against domestic violence starting in the 1840s. “Temperance reformers regarded family violence not as a distinct social problem, but as an evil consequence of alcohol” (Pleck, 1987, p. 32). Initially created to abolish alcohol use, women used the temperance movement to generate legislation for equal rights, economic independence, divorce, and protection against physical abuse (Dobash & Dobash, 1979; Pleck). Legislation that passed because of temperance conventions focused on the ability to divorce for reasons of cruelty and abuse. By 1850, nineteen states had passed laws allowing women to divorce their husbands because they were abusive (Pleck). Although no specific laws were passed against wife beating, the policies regarding divorce provided necessary attention to the issue of family violence.

The changes in marital legislation that occurred during the 19th century were instigated by the push for women’s rights. In 1848 in Seneca Falls, New York, the first women’s conference was held. The participants of this conference wrote a list of grievances, which included the recognition that women had been historically oppressed and denied the rights and liberties of their male counterparts. “Women had become a group aware of their collective oppression and oriented toward bringing about far-reaching changes in the society and in the social institutions, especially marriage, that defined and supported the conditions of that oppression and denied them access to the means of ending it” (Dobash & Dobash, 1979, p. 66). A social movement that began as a stand against alcohol became the bridge to larger and more significant social justice issues, including family violence and equal rights in marriage, such as the right to

divorce, seek child custody, and obtain court-ordered child support. It is important to note the overall perspective from which these women viewed family violence.

Towards the end of the 19th century, governments in England and America began to recognize the issue of wife beating. In 1853, England passed The Act for Better Prevention and Punishment of Aggravated Assaults upon Women and Children (Dobash & Dobash, 1979). This act provided women the same protection against abuse previously passed for animals. The punishment for cruelty was up to six months in prison and a fine. In America, Tennessee and Georgia passed laws in 1857, establishing wife beating as a misdemeanor, and punishing such crime with jail time or a fine (Pleck, 1987).

The next change in policy and law in the United States briefly occurred in the late 19th century. Lucy Stone, a temperance pioneer, began to advocate that flogging laws be passed for wife beaters. Maryland, Delaware, and Oregon all passed laws allowing whipping posts as punishment for wife beating. Men were publicly whipped after being convicted of violence against their wives. Public flogging was encouraged by certain legislators who believed public displays of retribution for a crime would discourage further illegal actions. Other crimes were punished with the use of a whip, including strangling. However, the fervor for corporal punishment died quickly as physical punishment was deemed too brutal. These laws were rarely enforced and quickly lost favor amongst legislators (Pleck, 1987).

By the beginning of the twentieth century, domestic relations courts were being instituted nationwide. Family violence issues and child abuse and neglect cases were

sent to these courts rather than the criminal court system. Instead of being viewed as a crime, domestic violence was now seen as the fault of both the man and the woman, and violence against a wife was perceived as a misunderstanding in the marriage. The goal of these courts was not to punish the abuser as a criminal, but to encourage reconciliation in the marriage (Pleck, 1987). The courts used their authority to reinforce traditional family values and morality, while judges and social workers took on the role of providing knowledge and guidance to a happy and harmonious marriage. Couples were given practical requirements to fulfill in order to resolve the abuse issue (Pleck).

Historically speaking, there was little political or legislative movement on the issue of domestic violence from early twentieth century until the 1970's (Pleck, 1987). On the heels of the 1960s and the radical changes that occurred, women began to organize, publicly assert their rights, and demand change. The National Organization for Women (NOW) founded in 1966, created a platform for women's issues in the United States and by 1974, the first battered women's shelter was opened in Minnesota. By 1976, state laws were passed regarding wife abuse, including funding for shelters, improved police reporting, and court procedures (Pleck).

By the mid to late 1970s the federal government had begun to take notice of domestic violence as a significant issue. The Senate, House, and the U.S. Civil Rights Commission held hearings on battered women in 1978, and President Carter established the Office of Domestic Violence in 1979. The federal government began to pay for the training and employment of shelter workers through the Concentrated Employment and

Training Act (CETA) and states began to tax marriage licenses to fund shelters (Felter, 1997).

In 1976, five women filed a class action suit against the Oakland, California police department because the police did not respond to their calls for help when their mates assaulted them. The resulting settlement brought about mandatory policy changes, including prompt responses to domestic dispute calls, arrest if there is probable cause, and the enforcement of Civil Orders of Protection (Sparks, 1996). During this time, officers were given the opportunity to use discretion when arresting an alleged abuser. In fact, most states required that any abuse had to be witnessed by an officer, or had to be serious enough to be considered a felony, in order for the officer to make an arrest (Buzawa & Buzawa, 1990). If the situation was not ideal for an officer to make an arrest, it became the woman's decision as to whether or not she wanted to press charges.

In 1977, Oregon took the next step in domestic violence laws by passing a bill requiring mandatory arrest in domestic violence cases (Sparks, 1997). That same year, Carmen Bruno filed a lawsuit against the New York City police department, probation, and family court departments on the basis that she had not received equal protection under the law when police officers failed to arrest her abuser. Bruno won her case, and as a result, the city adopted a policy requiring the arrest of an abuser if a victim had a visible injury (Miller & Mullins, 2002).

The 1980s offered both positive and negative policy changes for domestic violence survivors. The beginning of the decade began bleakly when President Reagan

dismantled the Office of Domestic Violence. With a predominately conservative government in power, many bills requesting funds for domestic violence shelters quickly died (Pleck, 1987). However, 1984 was a year of great change and influence on domestic violence policy in the U.S. First, the passing of both the Family Violence Prevention and Services Act and the Victims of Crime Act provided monies to shelters and other related services to survivors of domestic violence (Brooks, 1997). Second, research was undertaken to study the possible effects of a criminal justice response to domestic violence.

A giant step in domestic violence policy was taken on June, 19, 1990 when Senator Joseph R. Biden Jr. introduced the Violence Against Women Act (VAWA). The bill had several initiatives and funding components including “Safe Streets for Women,” “Safe Homes for Women,” and “Equal Justice for Women in the Courts Act of 1994” (Office on Violence Against Women [OVW], 1994). After several additional revisions over the next three years, both the House and the Senate passed the bill in 1993. However, the bill was approved with one large caveat; it was attached to the Crime Bill of 1993. After several additional revisions and bi-partisan arguments, President Clinton signed the Violent Crime Control and Law Enforcement Act of 1994, with VAWA as Title IV (Brooks, 1997). This bill has become the most important piece of legislation for domestic violence survivors, providing related agencies with \$1.62 billion dollars in funding over the course of six years.

VAWA was re-enacted in October 2000 and maintains many of the initial objectives set out by the original document. Additionally, it offers some new programs

and policies to address domestic violence. These changes include but are not limited to recognizing dating violence, and increases in grant funding to both Indian Tribal Governments and programs that encourage arrest policies (OVW, 2005). In September 2005, both the Senate and Congress reauthorized the Violence Against Women Act (VAWA) of 2000. This bill will continue to provide support services for those who have experienced domestic violence. Proposed additions include expansion of financial support to victims of sexual assault, women of color, children, and youth affected by violence, and prevention programs (National Task Force to End Sexual and Domestic Violence Against Women, 2005).

At first glance, a review of the history of social policy related to domestic violence indicates that wife abuse was addressed early on in American history. However, a closer inspection of these policies demonstrates that although these laws were a positive step towards increased awareness of violence in the home, overall they did not come about due to a societal realization that a husband beating his wife was wrong. The inception and eventual change in the laws were often based on other social issues the public and government deemed necessary to address. Initial laws against domestic violence were not necessarily about stopping abuse; they were brought about by the fear that society was surrendering its piety and family values to social ills such as alcoholism. Not until the civil rights era of the 1970s was domestic violence named and identified as its own issue. With the support of a growing women's movement, violence against women was finally accepted in the forefront of governmental concerns. These concerns were put into motion in 1994 with the passage of VAWA. The platform

for the introduction of VAWA, on the Violent Crime Control and Law Enforcement Act of 1994, may have been a foretelling of how our society would soon approach the issue of domestic violence. In fact, many of the grants offered by the government were either contingent upon a partnership with a criminal justice entity or a pro-arrest policy proposal.

Criminalization of Domestic Violence

The criminalization of domestic violence, as it has been termed, “refers to efforts to address domestic violence through the passage and enforcement of criminal and civil laws” (Danis, 2003, p. 237). Ferraro (1996) hypothesizes that the criminalization of domestic violence was sparked by a combination of social and political incidents between 1980 and 1990. More specifically, a mixture of a conservative political agenda, combined with a 1984 study on the effects of arrest on the recidivism rate of abusive men funded by the National Institute of Justice (NIJ), and a high profile court case, offered an atmosphere ripe for a change in the direction towards viewing domestic violence as a crime.

Prior to changes in the law and subsequent policy changes, the criminal justice system viewed domestic violence as a private and personal matter (Hutchinson et al., 1994). Police officers were reluctant to be involved in “domestic disputes” and responded to these situations by talking to the husband, or asking him to take a walk around the block. Arrest occurred only when injuries necessitated medical attention or if the abuser directed his violence toward the police officers (Schechter, 1980). In addition to viewing domestic violence as a private matter, best settled within the

confines of the home, officers were also disinclined to get involved in these cases due to the lack of occupational incentives as well as a patriarchal undertone encompassing the legal system (Berk & Loseke, 1980). The lackadaisical response on the part of police officers was to some extent due to the lack of laws and policies on the books. In fact, if a police department had a policy on handling individuals involved in domestic violence situations, often the protocols indicated a preference for non-arrest (Zorza, 1992). This lack of response of the criminal justice system changed dramatically over the course of 10 years.

During the 1980's Reagan era, a conservative government entered the White House. With this change in presidency came the "devolution" of public monies for social services (Ferraro, 1996). Funds for social agencies were cut significantly and diverted to federal programs that focused on military goals. Policies related to domestic violence and child abuse shifted to a criminal justice perspective. Reagan's conservative government co-opted feminist suggestions for domestic violence reform, in particular the belief in equal protection under the law. "Feminist discussions and demands for equal protection were utilized as grounds to legitimize a crime control model" (Ferraro, p. 10).

In 1984, in their seminal article, "The Specific Deterrent Effects of Arrest for Domestic Assault," Sherman and Berk studied types of punishment and its effects on the criminal and subsequent acts of crime. The authors compared three different types of interventions, arrest, separation, and mediation/advice, to the recidivism rate of abusers. Arrest was found to be the most effective of these three interventions in

reducing repeat abusive events. The criminal justice system quickly responded to these results, and there was a nationwide movement towards preferred arrest policies (Hirschel & Hutchinson, 2001). By 1986, six states had passed mandatory arrest laws for domestic dispute calls, and the adoption of these laws has since progressed nationwide (Avakame & Fyfe 2001; Ferraro, 1989).

Finally, a number of high profile class action lawsuits were brought against police departments in New York, California, and Connecticut. Women who had been abused by their partners reported that the responding officers were neglectful in their lack of response to the assault. These women argued for changes in the law, citing equal protection under the law. In particular, in one case, *Thurman v. City of Torrington*, the plaintiff was awarded 2.3 million dollars (Danis, 2003).

The atmosphere of the 1980s was ripe for changes in the way society viewed domestic violence. Governmental goals focused on “Star Wars” and similar militaristic objectives provided a backdrop for the criminalization of domestic violence. With the dismantling of the Office of Domestic Violence, Reagan understood the societal pressure for government to change the way that all systems approached abuse of women. As women’s groups became more vocal about the lack of police protections, and high profile and lucrative court cases were brought against police departments, the criminal justice system eagerly accepted Sherman and Berk’s experiment as proof that arrest was the answer to deterring future incidents of domestic violence. Policies were put into place, and soon across the nation, states accepted mandatory arrest laws. An

individual accused of abuse can be charged with either a misdemeanor or a felony dependent upon severity of injury and/or the use of a weapon (Danis, 2003).

Police Response

Over the course of eight years, five researchers attempted to replicate Berk and Sherman's study. Schmidt and Sherman (1993) reviewed their work and conducted subsequent replications of the 1984 study; they found that results were mixed and that both deterrent effects and exacerbation of violence occurred when the abuser was arrested. They reported that arrest has differential effects on offenders from different types of households, and varies depending upon the offender's socioeconomic status and race.

As mandatory arrest laws were adopted nationwide, research began to look at how police officers responded to these changes. Researchers began to ask, did mandatory arrest laws influence police behavior, and if so how? Some research suggested that even with mandatory laws in place, officers were not arresting abusers in greater numbers. Police officers were still found to be utilizing their own criteria when deciding to make an arrest, regardless of mandatory laws (Avakame & Fyfe, 2001; Ferraro, 1989; Kane, 1999).

These authors found that even though their respective states had mandatory arrest laws, domestic violence incidents frequently did not result in arrest. It was concluded that officers were using their own personal criteria when deciding whether to arrest despite mandatory laws. The basis of their decision-making was not the law but

rather their assessment of potential risk to the victim as well as the relationship between the individuals involved.

Prosecutor Response

After mandatory arrest laws were put into place, no-drop prosecution policies were similarly adopted state-to-state across the nation. No-drop prosecution policies are framed as a victim empowerment model, but, ironically, they actually protect battered women by taking their decision-making powers away and placing them in the hands of the state. Within this structure, domestic violence is seen as a social and public issue that can only be handled satisfactorily if addressed through the legal system. Supporters of no-drop policies list several positive outcomes for the victim. First, victims are able to witness the abuser being penalized publicly for his or her actions. The victim is relieved of the burden of deciding whether to prosecute. Lastly, the blame of prosecution is transferred from the woman to the state, thereby reducing retaliatory or intimidating tactics occasionally exhibited by the abuser (Berliner, 2003). Furthermore, no-drop prosecution provides equal protection rights under the law by treating domestic violence victims in the same way as non-intimate assault charges (Robbins, 1999). The strongest argument for no-drop policies points to decreased case attrition and increased cases proceeding through the court system. Jurisdictions that do not have no-drop policies report that over half of their cases are dropped (Robbins).

No-drop policies are considered a response to the large numbers of victims that drop their charges soon after arrest. These women are seen as uncooperative and difficult, yet studies have suggested that domestic violence victims often dropped their

charges against the abuser due to fear of retaliation, as well as a sense of confusion and frustration brought on by the criminal justice system (Goodman, et al., 1999).

Prosecution is also described as a stressful period in one's life, which adds vulnerability to everyday pressures, such as childcare, finances, and daily chores. In turn, a higher degree of social support from family and friends increased the potential for a woman to aid in the prosecution of her abuser (Goodman, et al.).

Yet victims of domestic violence are not the only players in the decision about if a case is to be processed fully by the courts. Similar to police officers, prosecutors take into account both victim and abuser characteristics when deciding whether to prosecute (Hirschel & Hutchinson, 2001). Various characteristics have been taken into account to best predict a prosecutor's choice to proceed with the case. Coincidentally, a victim's preference to prosecute positively correlated with a prosecutor's final decision to go forward with the case (Hirschel & Hutchinson).

No-drop policies did not secure the expected outcome of conviction as initially expected. Just as the police remain the gatekeepers to arrest, prosecutors maintain the lock and key to prosecution. No-drop prosecution policies were touted as a way to offer survivors the opportunity to see their abuser held accountable for his actions. Studies show, however, that arrest did not always yield these results. Regardless of state laws and policies, similar to police officers, prosecutors also use their own personal criteria when deciding to pursue conviction.

Debate Regarding Criminalization

These sweeping law and policy changes sparked a debate amongst those working in the domestic violence field and subsequently created a division that supports two very different perspectives. These perspectives divide individuals into groups that are pro-mandatory arrest laws, and those who are pro-victim preference, or anti-mandatory arrest.

The issue surrounding this debate focuses on whether states should implement mandatory arrest laws for domestic violence incidents. In states with mandatory arrest laws, police officers are expected to arrest an individual during a domestic dispute when that person threatens to or has hit another family member (Smith, 2001). States without mandatory arrest laws allow victims to decide whether they want the abusive partner to be arrested or given a less restrictive alternative, such as leaving the home temporarily.

Victim empowerment is the foundation of the debate surrounding mandatory arrest laws. Those who oppose mandatory arrests believe these laws disempower victims by taking away their right to choose what happens to their abuser. They promote a pro-victim decision making model (see for example, Buzawa, Austin, Bannon, & Jackson, 1992; Smith, 2001), suggesting that policies should be based in victim empowerment, and therefore, the woman should have the power to make decisions about what occurs in incidents of abuse, arrest, and prosecution.

Those that promote mandatory arrest and no-drop prosecution policies suggest that these laws actually empower abused women by giving them an opportunity to witness the perpetrator being penalized and held accountable for his behavior (Robbins,

1999). A no-drop policy is viewed as taking power away from the abuser and giving it to the victim through legal action. Domestic violence is viewed as a criminal act, and by defining it as such, society will identify abuse as a public matter.

However, those who oppose these policies view this shift as disempowering and coercive towards victims (Ford, 2003). They view the decision making process as a woman's chance to exert control and power over the abuser, and by taking that power away from a woman, power is shifted from the abuser to the state. Additionally, they note that there is no current research that supports the use of no-drop policies as a deterrent to future abuse (Ford).

Regardless of the side on which one falls in this debate, survivors have been given alternative ways to find safety and protection from the law, which do not necessarily have to include the involvement of the police or prosecutors. More specifically victims of domestic violence can obtain a Protective Order against their abuser.

Restraining Orders

A Protective Order is a legal document, issued by the court system. The terms and definitions of a Protective Order can vary from state to state. Across the states, an Order of Protection is primarily used to restrict an individual's ability to contact and physically approach another individual. In Virginia, a Protective Order can also stipulate that a person vacate a shared residence, attend a counseling program, such as a batterers' intervention program, pay child support, and abide by decisions of the court

regarding child custody and visitation (City of Richmond Department of Social Services, 1993).

There are two types of branches of law, criminal and civil. Civil law oversees incidents that are not deemed criminal by the justice system. Therefore, when one receives an Order of Protection through the civil law branch, the alleged abuser has not been charged with a crime. Criminal law covers situations in which an individual has been accused of committing a crime, such as assault and harassment (WomensLaw.org, 2005). In Virginia, a Protective Order is always identified as a Civil Order, regardless of the route by which an individual obtains that order. A Protective Order may be accompanied by criminal charges made against the alleged abuser by the police.

There are three types of Protective Orders in Virginia, an Emergency Protective Order (EPO), a Preliminary Protective Order (PPO), and a Permanent Protective Order (OOP). Victims of abuse, police officers, or sheriffs can request an Emergency Protective Order (EPO), which expires after 72 hours. An EPO can be obtained through a magistrate at the Court Service Unit of a Juvenile and Domestic Relations Court, or at a General District Court or Circuit Court. In Richmond, Virginia, the majority of EPOs are obtained after court has closed by the victim of abuse through a magistrate. Victims of abuse are informed of this option through a recommendation by either police officers or social workers who arrive at the scene of the incident (Personal communication, Shelia Garland and Cathy McAllister, Court Services Intake Registrar's Window, June 6, 2005). Second responders are social workers, employed by the Department of Social Services, responsible for providing services for crisis calls that occur after normal

working hours (Richmond City, 2005). The term second responder indicates that these social workers arrive after police officers, emergency medical technicians, or the fire department respond to the incident and secure the environment.

A Preliminary Order of Protection (PPO) must be filed in person at the Juvenile and Domestic Relations courthouse intake office. PPOs last up to 15 days, or until the victim's hearing is scheduled by the court. A written request for a Protective Order, is first presented to the Intake Registrar's window, then secondly to an Intake Worker who requests more detailed information, and finally to a judge who hears the evidence and decides whether to grant the order. A judge can only grant a Permanent Order, after a court hearing at which both the abused person and abuser present their arguments. A Permanent Order may last for a maximum of two years. A PPO and a OOP are valid only after the sheriff's department has successfully served the Order to the perpetrator (WomensLaw.org, 2005).

Critics argue that the use of Civil Orders without concurrent criminal charges, "perpetuates the idea that domestic violence does not warrant the full force of criminal prosecution" (Keilitz, 1994, p. 80). This argument mirrors the argument for and against mandatory arrest laws and no-drop policies; those that oppose the use of Civil Orders argue that they promote domestic violence as a private matter rather than a public and societal one.

Alternatively, Civil Orders can be viewed as a positive and helpful option for survivors who prefer not to contact the police and risk arrest of the abuser (Keilitz, 1994). Civil Orders provide more specific detail about the terms of the restraining order

and enable a victim to establish guidelines for child custody and visitation rights. Civil Orders are more accessible than Criminal Orders because they are not contingent on the perpetrator demonstrating a criminal action, such as assault, or stalking, nor are they dependent on police involvement. Civil Orders can also be obtained at more flexible times. Additionally, the process of obtaining a Civil Order is generally connected to more advocacy and resources (Keilitz).

Research suggests that Orders of Protection, whether Criminal, Civil, temporary or permanent, are effective in reducing future abuse rates. Orders also increase an officer's willingness to answer a call that pertains to domestic violence (Chaudhuri & Daly, 1992). Declines in abuse after a woman obtains an Order of Protection can plunge 66% according to a two-year study by Carlson, Harris, & Holden (1999). Yet Orders of Protection are not the complete solution to protect women from abuse. In fact, holding a Protective Order does not necessarily mean the officer will arrest the abuser. It appears that Protective Orders are rarely enforced, although Criminal Orders are more likely to be upheld than Civil Orders (Rigakos, 1997). The advantage to obtaining an Order of Protection depends largely on a victim's propensity to seek out these services. Survivors' views about the criminal justice system provide insight into what interventions work and do not work in responding to domestic violence.

Victims' Responses to Criminal Justice Interventions

Current research has indicated that survivors have mixed perceptions of and views on policy and law reforms targeted towards domestic violence. Many women view mandatory arrest laws and no-drop prosecution policies as detrimental at best, and

life threatening at worst. Negative views towards these reforms are based on a woman's fear of possible retaliatory acts from the abuser, loss of financial support while he is incarcerated, and lingering emotional connections that remain despite the abusive behavior. These negative views translate into a victim's refusal to follow through with prosecution. In fact, many women who initiate arrest often decide to drop their charges against the abuser (Bennett, et al., 1999). In addition to these negative views, some victims may be concerned about the recent unintended consequences that have followed the introduction of mandatory arrest and no-drop prosecutions. One such effect is that more women are being arrested in dual arrests, or are being charged as the "primary aggressor," or the individual who instigated the violence (Bohmer, et al., 2002)

Research also indicates that survivors express a sense of confusion and frustration with the criminal justice system, fear of reprisal by the abuser, and feelings of conflict over incarceration of their mate. In fact, many women do not view domestic violence as a criminal act and often desire alternative repercussions for their abusers (Bennet, et al., 1999; Bohmer, et al., 2002). Those women that do seek help through the criminal justice system for protection, confirmation of abuse, the sake of a principle, or to threaten the abuser, prefer that the abuser be arrested, jailed, and immediately released (Ford, 1983). It has also been suggested that survivors who drop charges against their abusers do so once they have obtained their desired outcome without the need to proceed legally, and as such, deem prosecution unnecessary. Because of this, it has been suggested that the threat of prosecution by a survivor is a powerful tool against her abuser (Ford, 1991).

Alternatively, additional research suggests that survivors support all reforms initiated by the criminal justice system. In particular, victim advocates and specialized courts that are devoted to domestic violence cases have been found to be the most supported legal reforms by the respondents (Smith, 2001). Although the majority of women supported all of the laws and programs, they indicated that existing policies would be more beneficial for others than for themselves (Smith, 2000). Even though there seems to be widespread acceptance of law reforms, many women do not believe these changes in the criminal justice system will specifically help them. Contrary to other research findings, one study (Weisz, 2002) found that African-American women who have survived domestic violence overwhelmingly described abuse as an illegal, criminal act, and should therefore be punished with prosecution.

Victim Satisfaction

Feelings of fear, frustration, and confusion are all connected to a woman's satisfaction or dissatisfaction with the criminal justice system. If a woman is scared and perceives a lack of understanding and support from the very people expected to protect her, there will inevitably be dissatisfaction with individual agents of the criminal justice system and the entire system itself. Research indicates that satisfaction is expressed when the victim experienced support, sympathy, and encouragement from officers, prosecutors, and judges. Several studies have proven that victims desire support, a sense of control (Fleury, 2002), and a voice in how the criminal course of action will proceed (Buzawa, et al., 1992). More specifically, victims expressed increased

satisfaction when their preference was taken into account by police when deciding whether to arrest the abuser (Buzawa, et al.; Miller, 2003).

A victim's satisfaction with the criminal justice system appears to be based on a perceived sense of sympathy, encouragement, and the time that an individual, be it an officer, counsel, or judge, will listen to her story (Chaudhuri & Daly, 1992). Victims' desires for others to hear their stories are consistent with Nabi and Horner's (2001) research, which questioned survivors about their views on how society might help solve the problem of domestic violence. Victims reported that acceptance of violence against women as the "norm" contributed to the problem, and responded that the best way to address this problem was to talk more openly about domestic violence.

Satisfaction is also related to victims' decisions to contact the police during future abusive incidents. Negative or unsatisfactory experiences with the criminal justice system may prevent or discourage women from calling the police, which occurs out of frustration related to lack of protection in the past (Fleury, et al., 1998).

Criminal victims of both interpersonal and stranger violence are more satisfied with the results of prosecution when they are more significantly involved in the legal proceedings. This suggests that a sense of control is gained through participation and input into the sentencing (Erez & Bienkowska, 1993). When victims become involved in their proceedings, such as through victim impact statements addressed to the judge for consideration in perpetrator sentencing (Erez & Tontodonato, 1992), they expect their statements to influence the outcome of the sentence. If victims perceive that they

are not involved in the process, they will become wholly dissatisfied with the system (Erez & Tontodonato).

Survivors of domestic violence desire respect and fair treatment during a time of crisis and pain. Expressions of dissatisfaction occurred when survivors experienced either a negative or lack of response from police, including victim-blaming comments by officers (Chaudhuri & Daly, 1992; Erez & Belknap, 1998). Negative encounters with police include minimizing the situation, disbelieving the victim, a “we don’t care” attitude, and a “macho cop” demeanor (Stephens & Sinden, 2000). Some women expressed dissatisfaction if the abuser was not convicted, or if the disposition of the assailant was too lenient, due to lack of jail time or small fine (Erez & Belknap, 1998; Fleury, 2002). This suggests that a woman who has taken the time to navigate the criminal justice system and summoned her intent to stop the abuse wants and expects the abuser to be penalized for his behavior.

Conceptual Framework

Current literature has begun to look at women’s satisfaction with the criminal justice system and the current laws and policies now in place. The literature has called for increased opportunities for the voices of survivors to be heard. As researchers and scholars begin to debate the issue of the empowering or disempowering effects of these changes in the legal system, it would appear that the next logical step in the research would be to ask the very women using the system themselves how they feel. Empowerment theory is promoted throughout the social work field, and the use of this theory has been introduced into domestic violence practice. Therefore utilizing this

theory to provide a foundation for gaining survivors' voices is the next step in this research topic. Indeed, the literature identified the need to address empowerment in domestic violence research. "The role of the victim in taking proactive steps to involve the criminal justice system is an important issue, although the linkage between a stronger deterrent effect, victim empowerment, and specific legal intervention is not known" (Danis, 2003, p. 10). Previous research on criminal justice interventions has neglected the variable of victim empowerment. "Victim empowerment...whether the battered woman feels empowered as a result of the intervention—is a critical missing variable in previous studies designed to assess recidivism" (Mills, 1998, p. 2). The current study bridged this gap by offering women an opportunity to voice their thoughts and feelings about the interventions offered by the criminal justice system. In particular, this researcher gathered information pertaining to survivors' perceived sense of empowerment during the process of seeking an Order of Protection.

Summary and Critique of Existing Literature

As the criminal justice system increased its response to domestic violence, much of the literature and research has focused on the reaction of the police officers, prosecutors, and judges to the new laws and policies. Although current literature has begun to study predictors of victim satisfaction and follow through, there is still an obvious void in the literature regarding the victims' views on the criminalization of domestic violence. As the literature debated the empowering or disempowering effects of these laws and policies, victims' views on this topic have been ignored.

Most recently, there has been a call for the inclusion of survivors' thoughts, concerns, and preferences related to criminal justice responses (Danis, 2003; Mills, 1998). In particular, these authors suggest that future research must include empowerment as a variable in order to increase our knowledge of survivor experience in the criminal justice system.

This researcher has answered this call by surveying individuals in the process of obtaining a Preliminary Protective Order. Addressing the three levels of empowerment, intrapersonal, interpersonal, and community, the study assessed the perception of empowerment through the process of getting a Protective Order. The researcher tested the relationship between the process of seeking the Preliminary Protective Order and empowerment.

Chapter 3: Methodology

Purpose of Study

This study was designed to explore domestic violence survivors' perceived sense of empowerment during the process of seeking a Protective Order. While previous research has limited its focus to victims' satisfaction with the criminal process, this study sought to gain a clearer understanding of the survivor's experience of empowerment while pursuing a Preliminary Protective Order. Furthermore, prior studies have often focused on victim satisfaction in relation to outcomes, i.e. arrest or prosecution. In the case of Preliminary Protective Orders only judges can decide if the individual ultimately obtains that Order, but by focusing on the process rather than the outcome, the researcher recognizes that an individual can be empowered without having the authority to decide an outcome (Zimmerman, 1995). This researcher explored whether the process or act of seeking a Preliminary Protective Order predicts a feeling of empowerment. The results are expected to provide both social workers and criminal justice advocates vital information about survivors' experience with the criminal justice system.

Paradigmatic Foundation

A paradigm provides a foundation for researcher assumptions and views (Rubin & Babbie, 2001). Choosing a paradigm offers a basis for the beliefs that organize and define the type of inquiry a researcher will accomplish (Guba, 1990). Burrell and Morgan (1979) outline four paradigms for the analysis of social and behavioral research projects. This researcher has chosen the Functionalist paradigm to inform this research

study. All paradigms hold several assumptions about the world, knowledge, and research methods.

The Functionalist paradigm offers its own conclusions about ontology, epistemology, and research methods. Functionalist ontology is based on a realist viewpoint, which assumes reality exists in the world outside of the human mind and is based on “immutable natural laws” (Guba, 1990, p. 19). Functionalist epistemology is based on a positivistic view that assumes knowledge is based on real, hard evidence. Therefore, knowledge is objective and in turn the truth of a social experience can be found when scientific approaches are properly utilized. Functionalist research utilizes quantitative methods that incorporate measurements and empirical data. This paradigm provided a foundation for the researcher’s use of quantitative data.

Hypotheses

This study collected primarily quantitative data from domestic violence survivors. One open-ended question was also included to elicit survivors’ views about the process of seeking an Order of Protection. A survey was administered to individuals who were going through the process of seeking a Preliminary Protective Order through the Juvenile and Domestic Court in Richmond, Virginia. These data provided information regarding the participants’ demographics, experience requesting a Preliminary Protective Order, and perceived sense of empowerment during the process of seeking a Preliminary Protective Order. Specifically the researcher asked: Does the process of seeking a Preliminary Protective Order predict empowerment?

This study: (1) measured three levels of perceived empowerment a woman experiences while in the process of seeking a Preliminary Protective Order; (2) identified variables that may impact levels of empowerment during the process of seeking a Preliminary Protective Order; (3) identified if the process of seeking a Preliminary Protective Order predicts empowerment.

Empowerment has been identified as a process by which one gains mastery over a concern (Zimmerman, 1995). For the purpose of this study, the concern is identified as the violence inflicted upon one partner by the other partner, and seeking a Preliminary Protective Order is viewed as gaining mastery or taking steps to protect oneself from further violence. The decision to seek a Preliminary Protective Order may exemplify one's attempt to take steps towards safety and empowerment. This study attempted to operationalize the construct of empowerment through the use of one instrument, separated into three subscales: intrapersonal, interpersonal, and environmental/political.

Hypotheses:

1. The participants who go through the process of seeking a Preliminary Protective Order will score high on the intrapersonal empowerment subscale.
2. The participants who go through the process of seeking a Preliminary Protective Order will score high on the interpersonal empowerment subscale.
3. The participants who go through the process of seeking a Preliminary Protective Order will score high on the environmental/political empowerment subscale.

4. There will be no difference in perceived empowerment on each of the three subscales between women who are granted a Preliminary Protective Order and those who are not granted an Order.
5. The participants with a higher level of education will score higher on all three empowerment subscales than those who have lower levels of education.
6. Participants who suggested to themselves to seek a Preliminary Protective Order will score higher on all three empowerment subscales as compared to those who were encouraged by others to see an Order.
7. There will be no difference in perceived empowerment on each of the three subscales due to race.
8. Participants who are not married will score higher on all three empowerment subscales as compared to those who are married.

Study Design

This non-experimental, cross-sectional study utilized one survey distributed to domestic violence survivors who were in the process of seeking a Preliminary Protective Order. Survey research enables the researcher to collect, and examine data of a large sample of a defined population, and is particularly appropriate when the unit of analysis is an individual (Rubin & Babbie, 2001). The instrument consisted of a pen and paper self-report survey, distributed to participants using probability sampling methods. The instrument included demographic questions, an empowerment scale separated into three subscales, a list of questions pertaining to the process of seeking a Preliminary Protective Order, and single-item questions (Appendix A).

Sampling Plan

The researcher utilized probability sampling to recruit a representative sample of adult females, who were in the process of seeking a Preliminary Protective Order in Richmond City Juvenile and Domestic Relations District Court. The researcher employed stratified sampling in order to choose days of week that the researcher went to the Richmond Juvenile and Domestic Relations Court to distribute the survey. The sampling time frame was initially stratified by month, beginning December 2005 and ending May 2006, for a total of six months. The sampling time frame was then randomly stratified according to day of the week. The researcher wrote down all of the business days of the week on slips of paper, Monday through Friday, for each month separately. These slips of paper were then placed in five separate bowls (one for each day of the week) and three days were randomly chosen for each month. The researcher chose three Mondays, Tuesdays, Wednesdays, etc. for each month (December, January, February, etc). There is no noted difference in the types, or numbers of individuals who request orders based on month of the year. There is a difference in the amount of individuals who seek Preliminary Protective Orders based on the day of the week, however. More people request Preliminary Protective Orders on Mondays and after a holiday, as compared to other days of the week (Personal communication, Kim Russo, October 7, 2005).

The unit of analysis consisted of adult women (18 and older) who were in the process of seeking a Preliminary Protective Order through the Richmond City Court system. Although males are also victims of abuse, the majority of individuals who

experience domestic violence are women, and the number of females who request Preliminary Protective Orders at the Richmond Juvenile and Domestic Court far out number the amount of males who obtain these Orders. According to the Virginia State Crime Commission (2003), from July 2002 to July 2003, 96% of the victims of abuse who requested Protective Orders across the state were female. This percentage includes Emergency, Preliminary, and Permanent Protective Orders. This disparity of requests for Protective Orders would make comparisons based on gender difficult.

The target sample size largely depended on the availability and interest of the target population. Women seeking Preliminary Protective Orders are often in crisis situations and have recently experienced violence in their homes. The researcher expected that due to their life circumstances, many of the women may not want to participate in the study. Therefore, it was difficult to estimate the amount of participants willing to complete the survey. The researcher attempted to increase the amount of participants by personally distributing the survey, offering assistance with completing it, and providing an incentive. The completion rate for surveys is higher when the researcher delivers and retrieves the survey (Rubin & Babbie, 2001).

Although there were some barriers to obtaining a sample based on this particular population, an attempt to calculate an appropriate sample size remained necessary. In order to determine a sample size, the researcher must compute a power analysis. Power is the probability of correctly rejecting the null, and the identification of statistical significance (Hair, Anderson, Tatham, & Black, 1998). The calculation of power depends on the ability to estimate the effect size, and sample size as well as choosing an

acceptable alpha level. The effect size is dependent on approximation of the difference in means between the sample and the population and/or the correlation between each of the variables (Hair, et al.). This estimate is often difficult to perform if the type of study is new and there were no previous studies with which to gather the approximation of means, and correlation between variables (Maxwell, 2000). In this particular study, there are no known articles that offer a guideline to the expected standard deviations of the current sample and population. An alternative was to utilize an identified adequate effect size. For example, Rubin and Babbie (2001), citing Cohen, indicate that an effect size of .5, in which 6 percent of the dependent variable variance is explained, is considered medium strength, with a power level of 80 percent.

The approximation of an adequate sample size has also depended on various rules, including the oft-quoted ten observations per independent variable (Maxwell, 2000). Hair, et al. (1998) offer their own rule regarding sample size suggesting that the minimum desired ratio of observations to independent variables is five to one, but the desired level is 15 to 20 observations to one variable. Finally, Maxwell quotes S. B. Green, who suggests a rule of $N=104 + p$, where p is the number of independent variables. This study initially utilized ten independent variables, based on the number of questions asked of the participants. Since the majority of variables were nominal, each question was transformed into a “dummy variable” so that they may be used in the ordinary least squares regression. The number of variables increases significantly through the creation of these variables and would have brought the final number to 37. Based on the above suggestions, sample size for this study would range from 50 to 200

participants if one counted the initial number of questions, or the final number of dummy variables (370 to 740).

Hair, et al. (1998) write that in multiple regression “power refers to the probability of detecting as statistically significant a specific level of R squared” (p. 165). Hair, et al., provide a table that lists the minimum R squared that can be detected as statistically significant depending on sample size and alpha level. They suggest that a sample size of 100 at a significance level of .05, with 10 variables, the minimum R squared that can be found statistically significant with a power of .80 is 15 percent.

According to a review of the statistics that were gathered for Preliminary Protective Order intakes (Richmond Juvenile and Domestic Intake Services, 2005), a total of 714 Orders were requested in 2004. The requests for Preliminary Protective Orders averaged 60 a month, with a range of 42 to 79. This translates into approximately 15 requests a week or 3 a day. As stated, the researcher randomly chose 3 days a week to recruit participation in the study, providing an opportunity to gather about 9 surveys a week at a 100% return rate. Therefore, the largest amount of responses the researcher could have gathered in a 6 month period was 216. Of course a response rate of 100% is unusual and not likely. According to Rubin and Babbie (2001), a response rate of 70% is a very good response, whereas a 50% response is considered adequate. The actual number of requests for Preliminary Protective Orders during data collection was significantly lower, although the response rate remained high. A discussion around data collection and the number of Orders sought will be summarized further in the results section.

Several times during the process of collecting the data, the researcher utilized NQuery Advisor 6.0 to calculate an adequate sample size. NQuery is a power analysis calculator linked to the Virginia Commonwealth University website. The researcher inputted a statistical significance of .5 (considered a moderate effect size), a significance level of .05, and power of 80 percent. Based on the results, a sample size of 30 would be required to provide the researcher the ability to identify a moderate effect. Secondly, the researcher ran a preliminary factor analysis using an obtained sample size of 64. The results of this analysis established that the data were exhibiting a stable structure, although different from the three factors predicted at the beginning of the study.

Data Collection

On the days the researcher was at the courthouse, recruitment for participants included the distribution of a flyer to every female that sought a Preliminary Protective Order in the Richmond City District Courthouse. This flyer briefly described the research project, the incentive to complete the survey, and directed interested persons to the researcher, in order to obtain the survey (Appendix B). The court services registrar at the Victim-Witness Program in Richmond City Juvenile and Domestic Relations District Court distributed this flyer. Those individuals who agreed to participate in the study were referred to the researcher, who was on-site at the Courthouse. The researcher reviewed the purpose of the study with the participant, and provided a survey along with a letter explaining the project in more detail (Appendix C).

The survey was distributed during the period that the respondent waited to see the judge. Involvement in this study did not interfere with nor affect the participant's court hearing. The respondent was informed that the completion of the survey indicated her informed consent to be involved in the study. Each completed survey was assigned a number for data entry purposes only. In order to insure the protection of human subjects, participation in the study was entirely voluntary and anonymous. Participants did not provide any identifying information, nor sign a consent form. By waiving the signed consent, the researcher intended to maintain confidentiality and anonymity. A signed consent form would have created a link to the participants, which the researcher wanted to eliminate. Researchers who study domestic violence must take all necessary precautions to protect the participants' confidentiality and safety (Sullivan & Cain, 2004). The Virginia Commonwealth University Institutional Review Board (IRB), Collaborative Investigator Training Initiative (CITI), specifically reports that studies that address domestic violence may consider waiving documentation of consent to protect the individuals involved. A letter explaining the informed consent process, along with all of the information included in an informed consent was provided to all participants.

This was a self-administered survey, completed by the women, barring a request for help by the participant. A total of four women requested assistance to complete the survey. Two English speaking women asked the researcher to read the survey questions. One woman of Hispanic descent, who understood spoken English but not written words, asked the researcher to read the questions. One woman of Hispanic

descent completed the survey through a translator she brought to the Courthouse to request the Order.

The participants completed the majority of the questionnaire prior to meeting with the judge, and some questions were answered after the hearing (i.e. explaining what you wanted to the judge, understanding what the judge said about your request, did the judge grant you the Protective Order?). All participants were encouraged to complete and return the survey after meeting with the judge. The researcher waited outside of the courtroom in order to collect the finished survey. Each participant was given a \$10.00 gift certificate to Wal-Mart for the completion of each survey. The researcher obtained Virginia Commonwealth University IRB approval prior to the implementation of the study. According to Trisha Muller, the Chief Operating Officer at the Juvenile and Domestic Relations District Court, Emergency Protective Orders (EPO) are granted only on an emergency basis, usually given on evenings and weekends. Therefore, only women requesting Preliminary Protective Orders (PPO) were surveyed. Women granted a PPO are given a date to return to the courthouse to request a Permanent Protective Order (OOP).

Measurement

Although empowerment theory is extensively incorporated in the social work literature, there has been significantly less written about how one can measure this construct (Walsh & Lord, 2004). A review of empowerment measures/scales indicates that several disciplines have adopted this construct as a theoretical base and goal. Some

of these disciplines have attempted to measure empowerment through the creation of an instrument, all largely based on the study's context and clientele.

Community psychology has been the most prolific and influential discipline in the area of empowerment. Rappaport (1984, 1987, 1995) and Zimmerman (1990, 1995) introduced the term empowerment, as a preferred conceptual framework for practice and research for the community psychology field. Subsequently, there was a large and varied amount of research focused on the application and measurement of empowerment in community outreach and involvement (Peterson, Lowe, Aquilino, & Schneider, 2005).

In 1988, Zimmerman and Rappaport attempted to construct an empowerment scale by combining 11 scales already established in the literature, in an effort to measure citizen participation and psychological empowerment. Zimmerman and Zahniser (1991) initiated the creation of the original empowerment scale with the Sociopolitical Control Scale (SCS). The SCS measures intrapersonal empowerment in the community, with subscales that assess political efficacy, and perceived leadership competence. This scale has been replicated in several studies, including research on the relationship between gender and social cohesion (Peterson, et al., 2005). Speer and Peterson (2000) added to the community organizing literature with the creation of a 27-item empowerment scale, which measures cognitive, emotional, and behavioral empowerment and community organizing and participation.

Several researchers have created scales that address specific populations, such as Gutierrez and Ortega (1991), who developed three measures to assess empowerment in

the Latino population, and Johnson, Worell, and Chandler (2005), who introduced the Personal Progress Scale-Revised (PPS-R) to measure the effectiveness of empowerment-based programs specifically for women. Organizational researchers have focused their efforts on creating scales that assess employee empowerment (Menon, 1999; Spreitzer, 1995).

Rehabilitation studies have addressed empowerment and individuals with disabilities by creating the Making Decisions Scale and the Personal Opinions Questionnaire (Bolton & Brookings, 1998) and a consumer constructed scale for users of mental health services (Rogers, Chamberlin, Ellison, & Crean, 1997). The Family Empowerment Scale (FES) (Koren, DeChillo, & Friesen, 1992) was the first scale created to measure parents' and caretakers' perceived sense of empowerment after receiving services for children with emotional disabilities. The FES consists of 34 items divided into two dimensions, levels of empowerment and the expression of empowerment. The first dimension includes three subscales that measure three levels of empowerment, family empowerment, service system empowerment, and community-political empowerment; and the second dimension addresses how the empowerment is conveyed, including attitude, knowledge, and behavior. Items are rated on a five-point Likert scale, ranging from 1 (not at all true) to 5 (very true). Scoring is done through the summation of responses in each empowerment level with a possible range of scores from 34 to 170, with a larger score indicating a higher level of empowerment. The scale has demonstrated reliability and validity with a kappa coefficient of .77 and alpha coefficients ranging from .87 to .88 for each of the subscales (Koren et al.).

The FES has been adapted and used in several studies. Walsh and Lord (2004) used the FES as a pre and post-test to rate the perceived empowerment of parents after receiving social work services for their children at a pediatric hospital. Florian and Elad (1998) utilized the scale to identify mothers' sense of empowerment related to the metabolic control of their child's diabetes. The scale obtained a Cronbach alpha of .91 for total score of the scale as the authors did not separate the scale into subscales. Itzhaky and Ben Porat (2005) adapted this scale to study the empowerment of women residing in a battered women's shelter. The authors changed the scale by rearranging the items to create three new subscales: personal empowerment, dealing with professionals, and interactions with services. After completing a factor analysis, personal empowerment revealed a Cronbach alpha of .92 and the other two subscales were also found to be reliable with a Cronbach alpha of .82 each. The authors also changed the language of the items to reflect the context of the study (e.g., "I feel confident in my ability to help my child grow and develop" was changed to "I feel confident in my ability to help myself grow"). Finally, Akey, Marquis, and Ross (2000) constructed the Psychological Empowerment Scale (PES), a 32-item scale also used to measure psychological empowerment of parents with children who have special needs.

Instrument Construction

Currently there is neither a universal empowerment scale, nor a scale specifically for use with individuals seeking a Protective Order. Zimmerman (1995) suggests that it may not be possible to create a global scale or universal measurement of empowerment because:

“(a) empowerment manifests itself in different perceptions, skills, and behaviors across people; (b) different beliefs, competencies, and actions may be required to master various settings; and (c) empowerment may fluctuate over time. Therefore, this researcher created a new instrument for use in this study based on the FES (Zimmerman, ¶ 5).”

The survey for this study consisted of three empowerment subscales, demographic questions, items pertaining to the process of seeking a Preliminary Protective Order, and single item questions. This researcher used the FES instrument as a foundation for the scale items. This scale has been used in several studies and produced both reliable and valid scores on all three subscales. The researcher used all 34 items from the FES scales and adjusted the language to adapt to the context of the study (requesting a Protective Order), and the target population (adult women seeking a Protective Order). This scale measured all three levels of empowerment tested in the original FES subscales.

Empowerment Scale

At the intrapersonal level, the researcher is measuring one’s self-perception of efficacy, competence, and mastery (Peterson, et al., 2005). “Intrapersonal questions will focus on efficacy beliefs to get out of the abusive situation” (Personal communication via email, Marc Zimmerman, June, 22, 2005). Examples are: I feel confident in my ability to help myself grow; I feel my life is under control; I believe I can solve problems when they happen to me; I feel I am a good person.

At the interpersonal/interactional level, questions address, “learning about their options, understanding what resources are available for help and what strategies can be taken for secondary prevention and recovery” (Personal communication, Marc Zimmerman, June, 22, 2005). Examples of items are: I feel I have the right to decide if I need a Protective Order; My opinion is just as important as professionals’ opinions in deciding if I need a Protective Order; Professionals should ask me if I want a Protective Order.

The behavioral/environmental level items address issues around “Taking protective action and helping other victims” (Personal communication, Marc Zimmerman, June, 22, 2005). Examples of items are: I feel I can have a part in improving the process of getting a Protective Order for other women; I believe that other women and I can have an influence on changing the process of getting a Protective Order; I feel that my knowledge and experience as a woman getting a Protective Order can be used to improve services for other woman who may need one.

Demographics

The demographic items included in the survey have been shown to be significant variables in studies about empowerment and/or domestic violence. The following demographic information was asked: education level, race, and marital status. These demographic questions allowed the researcher to obtain an understanding of the participant characteristics as well as enable her to control for certain variables.

Participants were asked their education level, because a higher level of education has been found to be positively associated with empowerment (Walsh &

Lord, 2004). Respondents were asked to identify their race because current research has provided mixed and conflicting results in regards to women of color and the criminal justice system. Some research suggests that women of color may avoid contacting the police or the court system due to feelings of conflict between wanting the abuse to end and the desire to keep African-American men out of the judicial system (Sen, 1999); they may in turn utilize less formal help in the form of friends, family, and church (Weisz, 2002). Yet, other studies found that African-American victims of all types of assault were more likely to contact the police than victims of another race (Felson, Messner, Hoskin, & Deane, 2002), and African-American battered women preferred prosecution of their abuser (Weiz, 2002). Marital status was also asked of the participants, because the perception of personal power has been found to be negatively associated with being married (Miller).

Process Variables

With the assistance of Trish Muller, the Chief Operating Officer at the Richmond Juvenile and Domestic Relations District Court, eleven individual steps were listed in the sequence through which a woman may go when seeking a Preliminary Protective Order. Women were asked to rate how easy or hard each step was for them personally. Some of these process variables or steps included: Learning about how to seek a Protective Order; getting transportation to the courthouse to seek the Protective Order; finding the court services intake window to request a Protective Order. Based on the researcher's hypothesis, that the process not the result of the seeing the judge, is an empowering act, it was necessary to ask the women about their experience while

seeking a Protective Order. These eleven steps were combined to create an index variable, representing one independent variable. This index was used in order predict whether the process of seeking a Preliminary Protective Order is empowering.

Participants were also asked: Who suggested that you get a Protective Order? What is the relationship between you and the person you are getting a Protective Order against? Did the judge grant the Protective Order? Have you ever requested a Protective Order before today? If so, were you granted a Protective Order? How many times in the past have you tried to get a Protective Order? Victims have been found to prefer a voice in how the criminal course of action will proceed (Buzawa, et al., 1992) and, express satisfaction with the criminal justice system when their preference was taken into account (Buzawa, et al.; Miller,2003). Therefore, it was essential to learn if there was any impact on the participants' perceived empowerment based on whether they decided to seek a Protective Order on their own, and if they actually obtained that Order. Satisfaction is also related to victims' decisions to contact the police during future abusive incidents. Negative experiences with the criminal justice system may prevent or discourage women from calling the police, which occurs out of frustration related to lack of protection in the past (Fleury, et al., 1998). Therefore, a history of criminal justice contact, through a previous request for a Protective Order would inform the researcher of any impact on future feelings of satisfaction and empowerment.

Finally, participants were asked one open-ended question: What would you suggest, if anything, can be done by the police, and/or court system to make the process of getting a Protective Order easier and less stressful? The intent was to provide the

women an unfettered opportunity to provide their thoughts about the process, and to offer suggestions around the criminal justice system. This open-ended question sought a deeper, and richer description of participants' thoughts and experiences. Participants' suggestions may hopefully offer the criminal justice system ideas on how the process of seeking a Preliminary Protective Order can be improved based on their very own experiences and feelings.

Data Analysis

An item analysis was used to identify the reliability of the three subscales and overall empowerment scale. Internal consistency of instrument subscores and the entire scale's summated score are revealed through a review of the alpha coefficients (Cronbach *alpha*). Internal consistency was used to inform the researcher if the items measure the same construct and intercorrelate with each other (Spector, 1992). Those items with the highest coefficients (.70 or higher) remained in the instrument.

In order to identify if the scale adequately measures the construct empowerment, a test of validity was employed. This researcher used factor analysis to assess the construct validity of the instrument. In multidimensional scales, such as the one used in this study, confirmatory factor analysis "can be used to verify that the items empirically form the intended subscales" (Spector, 1992, p. 53).

Univariate analysis, including measures of central tendency and dispersions were calculated for the demographic characteristics, process variables, and subscale scores. Descriptive statistics enabled the researcher to identify any variations in demographic characteristics. High scores on each summative scale reflected high levels

of empowerment. The FES, or an altered version has been used in four different studies. None of these studies have specifically identified what a high score may be on the three sub-scales. Only Itzahaky and Ben Porat suggest that scores above the median (3) and higher represent a high score. Therefore, a score of 45 and higher on the intrapersonal scale, 27 on the interpersonal scale, and 30 on the community/political scale were considered high for this study.

Ordinary least squares regression was conducted to identify if any or all of the independent variables predicted the dependent variable (the empowerment subscales). Initially there were a total of ten independent variables including three demographic questions, a process index (which identified the steps taken to seek a Preliminary Protective Order), and six individual items. The dependent variable was operationalized through the creation of a summated empowerment scale, separated into three separate subscales. The researcher conducted a total of three regressions, one for each of the empowerment subscales. The coefficient of determination was calculated in order to predict the quality of the estimated model, and identify which of the independent variables predicted empowerment. The majority of independent variables were nominal; therefore, a conversion was made to these questions through the use of dummy variables.

The results of the open-ended question were analyzed through a content analysis. Comparisons were made among the various answers in order to obtain emerging themes and patterns voiced by the participants. The researcher interpreted the information and provided a summary of findings in the results chapter.

The current study utilized the foundations of the functionalist paradigm in order to examine the perceived empowerment of women who sought Preliminary Protective Orders in Richmond, Virginia. In order to maintain both confidentiality and anonymity the surveys did not ask any identifying information nor request a signed consent form. The women involved in abusive situations are often in crisis situations, and further harm and discomfort must be avoided. In order to increase the response rate, the researcher personally distributed the questionnaires. Additionally, an incentive was offered in the form of a \$10.00 gift card from Wal-Mart. In order to answer the research question (“does the process of seeking a Preliminary Protective Order predict a sense of perceived empowerment?”), ordinary least squares regression was calculated. The independent variables included the demographic questions, the process items, and the single-item questions pertaining to requesting a Protective Order. The dependent variable was empowerment. Since the empowerment scale was separated into three different subscales (intrapersonal, interpersonal, and behavioral/community), three regressions were run to identify the amount of variation each of the independent variables predicted in the dependent variable. The hypothesis guiding this researcher was that the process index will predict a high level of empowerment on each subscale. Furthermore, the expectation was that regardless of whether or not the individual was granted the Protective Order, she would express high levels of empowerment on all three empowerment subscales.

Chapter IV

FINDINGS

This chapter reports findings from the statistical analysis of the data. The areas that will be presented are: univariate statistics on the demographics, the process variable index, and the instrument; psychometric data on the three sub-scales; results of the multivariate analyses; and a summary of the answers to the open-ended question.

Description of the Sample

Response Rate

As previously mentioned the number of women who sought Preliminary Protective Orders during the data collection time frame was significantly less than the previous year. The victim-witness advocate offered two thoughts on possible reasons for the decrease in requests for Protective Orders during the data collection period. First, she suggested that the war in Iraq may be impacting the number of requests for Orders. She believes that while the U.S. is at war, there are fewer men in the military residing in the states. This deficit of men may then translate into fewer Preliminary Protective Orders as they are not home to inflict abusive acts. This is not to imply that all military men are abusive but there is a history of abuse in marriages in which the male is in the Armed Forces. The second suggestion related to the natural disaster the U.S. suffered prior to data collection. In 2005, several states in the U.S were hit by a hurricane named Katrina. Many individuals were killed, injured, and left homeless by this hurricane, and their plight was broadcast on the news daily. The victim-witness

advocate reports, based on her experience, when a catastrophe occurs in the U.S. or abroad, such as in hurricane Katrina, requests for Protective Orders decline. She suggests that “maybe people have mellowed, and made them more sensitive to other people’s feelings. They may feel, at least I have a home and food to eat” (Tammy Jones, personal communication, March 15, 2006). Ms. Jones reports that rather than leave an abusive spouse, victims remain in the situation.

The researcher collected data a total of 86 days, from December 2, 2005 to May 30, 2006. During those 86 days, 107 women sought a Preliminary Protective Order, for an average of 1.2 requests a day. Ninety women agreed to complete the survey, and 17 refused. One of the surveys was discarded because the victim completed the entire instrument scale after seeing the judge. Including this survey might have impacted the researcher’s hypothesis that the process of seeking an Order, not the end result, would predict empowerment. The judge’s decision to grant or deny the Order may have influenced the woman’s feelings about the process. For example, the participant may have expressed a high rate of empowerment if granted the Preliminary Protective Order, or a low rate if denied the Order. In total the number of participants equaled 89, for a response rate of 83%.

Sample Characteristics

Overall, the sample consisted of women who identified themselves as African-American, single, with either a high school/GED degree, and/or some college education. More specifically, 77% ($n = 67$) of the participants were African-American; 16.1% ($n = 14$) of the women reported being White/Caucasian/Euro-American; 2.3% (n

= 2) identified as Latina/Chicano/Hispanic; and 4.6% ($n = 4$) chose Mixed Race. In regards to the variable marital status, almost half of the women reported being single (46.5%, $n = 40$); approximately one quarter of the participants, 24.4% ($n = 21$), were married; 16.3% ($n = 14$) were divorced; and 12.8% ($n = 11$) were separated. The category “single” was used to capture women who were not married, divorced, separated, or partnered. Although many of the women chose single for the question about marital status, several participants reported being in a romantic or intimate relationship with a significant other. In response to the question, “what is the relationship between you and the person you are getting the Protective Order against?” eight of the women reported their boyfriend was the perpetrator of the abuse, seven participants reported the accused was the father of a mutual child, and eight women identified the perpetrator as an ex-boyfriend. The vast majority of women reported either being a high school graduate, 38% ($n = 30$), or having some college, 32.9% ($n = 26$). Only 15.2% ($n = 12$) of participants had less than a high school education, and almost an equal amount (13.9 %, $n = 11$) had a college degree. Table 2 outlines the characteristics of the three demographic variables for the sample.

Table 2.

Sample Characteristics

Variable	Test Statistic	
Race/Ethnicity	%	n

African-American	77.0	67
White/Caucasian/Euro-American	16.1	14
Latina/Chicano/Hispanic	2.3	2
Asian American/Pacific Islander	0	0
Mixed Race	4.6	4
Native American	0	0
Other	0	0
<u>Marital Status</u>		
Married	24.4	21
Separated	12.8	11
Divorced	16.3	14
Single	45.3	40
Partnered	0	0
<u>Education</u>		
Less than High School	15.2	12
High School Graduate	38.0	30
Some College	32.9	26
College Graduate	13.9	11

Process Variables

The process variable index included a list of eleven steps a woman might take when seeking a Preliminary Protective Order. The participants were asked to rate their experience during these steps, using a scale with the options: very easy, easy, hard, very hard, or did not happen. Table 3 outlines the univariate statistics for the process index steps. Overall participants rated the steps in the process of seeking a Preliminary Protective Order as either very easy or easy. There were exceptions to the overall positive ratings. The eleven steps included: learning about how to seek a Protective Order, also termed step one; getting transportation to the courthouse to seek the Protective Order, also termed step two; finding the court services intake window to request a Protective Order, also termed step three; filling out the paperwork to ask for a Protective Order, also termed step four; explaining to the intake worker the reasons why you want a Protective Order, also termed step five; getting help preparing a safety plan, also termed step six; discussing the reasons why you want a Protective Order with the victim-witness advocate, also termed step seven; finding the courtroom to see the judge, also termed step eight; explaining what you wanted to the judge, also termed step nine; understanding what the judge said about your request for a Protective Order, also termed step ten; understanding the conditions of the Protective Order, also termed step eleven.

The majority of the participants reported that learning about getting an Order was either very easy (36.8%, $n = 32$) or easy (47.1%, $n = 41$). Nearly 15% found the process hard ($n = 13$) or very hard ($n = 5$). One person, 1.1%, reported it did not happen.

More than three-quarters of the participants found getting transportation to the courthouse very easy (60.7%, $n = 54$) or easy (28.1%, $n = 25$). Only 6.7% ($n = 6$) found it hard and 2.2% ($n = 2$) believed it was very hard. Two women (2.2%) reported it did not happen. In a written explanation to this answer, one participant reported she did not have to “get transportation” because she had her own. Almost all of the participants reported finding the court services intake window very easy (62.9%, $n = 56$) or easy (34.8%, $n = 31$). One person (1.1%) reported it was hard to find the intake window and one participant (1.1%) reported it did not happen. The majority of participants reported filling out the paperwork to request a PPO was very easy (46%, $n = 40$) or easy (48.3%, $n = 42$). Two participants (2.3%) found it hard, while one woman (1.1%) believed it was very hard filling out the paperwork. Two women (2.3%) reported it did not happen.

More than three-quarters of the women reported that explaining to the intake worker the reasons for their desire to obtain a PPO was very easy (44.7%, $n = 38$) or easy (41.2%, $n = 35$). Seven women (8.2%) found this part of the process hard and three (3.5%) reported it was very hard. Two participants (2.4%) said it did not happen. Over one-third of the women (37.2%, $n = 32$) said they did not prepare a safety plan. Of those who did complete a safety plan, seventeen (19.8%) reported it was very easy and twenty-two (25.6%) said it was easy to prepare. Fifteen women found it was either hard (15.1%, $n = 13$) or very hard (2.3%, $n = 2$) preparing a safety plan. Almost three-quarters of the participants rated, “discussing the reasons why you want a Protective Order to the victim-witness,” as very easy (36.5%, $n = 31$) or easy (37.6%, $n = 32$). Eight participants reported it was either hard (8.2%, $n = 7$) or very hard (1.2%, $n = 1$).

Several participants 16.4% ($n = 14$), reported it did not happen. The vast majority of the women reported that finding the courtroom was either very easy (63.4%, $n = 52$) or easy (32.9%, $n = 27$). Only three participants rated finding the courtroom as hard (2.4%, $n = 2$) or very hard (1.2%, $n = 1$).

The participants were equally positive in their experiences with the judge. Almost three-quarters of the women found explaining what they wanted to the judge very easy (34.9%, $n = 29$) or easy (38.6%, $n = 32$). Only thirteen participants found talking to the judge about their Order hard (9.6%, $n = 8$) or very hard (6%, $n = 5$). Interestingly, nine women (10.8%) reported it did not happen although they did in fact meet with the judge. Once the participants met with the judge, most reported it was either very easy (44.6%, $n = 37$) or easy (38.6%, $n = 32$) understanding what was said about their request for a PPO. Eighty percent reported that understanding the conditions of the PPO was very easy (44.4%, $n = 36$) or easy (35.8%, $n = 29$). Only six participants reported that this step in the process was hard (4.9%, $n = 4$) or very hard (2.5%, $n = 2$). Ten women (12.3%) said this step did not happen.

Table 3.

Process Variables

Variable	Response Options				
Process	Very	Easy	Hard	Very	Did Not

Index	Easy			Hard		Happen
	%/n	%/n	%/n	%/n	%/n	%/n
Step One	36.8/32	47.1/41	9.2/8	5.7/5		1/1
Step Two	60.7/54	28.1/25	6.7/6	2.2/2		2.2/2
Step Three	62.9/56	34.8/31	1.1/1	0/0		1.1/1
Step Four	46.0/40	48.3/42	2.3/2	1.1/1		2.3/2
Step Five	44.7/38	41.2/35	8.2/7	3.5/3		2.4/2
Step Six	19.8/17	25.6/22	15.1/13	2.3/2		37.2/32
Step Seven	36.5/31	37.6/32	8.2/7	1.2/1		16.4/14
Step Eight	63.4/52	32.9/27	2.4/2	1.2/1		0.0/0
Step Nine	34.9/29	38.6/32	9.6/8	6.0/5		10.8/9
Step Ten	44.6/37	38.6/32	3.6/3	3.6/3		9.6/8
Step Eleven	44.4/36	35.8/29	4.9/4	2.5/2		12.3/10

Single Item Questions

Participants were asked six single item questions pertaining to seeking Protective Orders. The women were asked, “What is the relationship between you and the person you are getting the Protective Order against?” This question was answered using open-ended responses. This item was introduced after the first 28 surveys were collected; therefore, only 60 responses were obtained. One person did not report their relationship with the person against whom they were requesting a Protective Order.

The question was added after it became clear to the researcher that some of the requests for Preliminary Protective Orders were against family members and not just significant others. The researcher believed it was important to compare the experiences and sense of empowerment of those women who were seeking a Protective Order against their spouse/boyfriend/partner as opposed to a family member. Over half of women reported the person against whom they were requesting a Protective Order was either their husband (36.7%, $n = 22$) or boyfriend (23.3%, $n = 14$). An equal amount of participants said the Protective Order was to be against their child's father (11.6%, $n = 7$) or ex-boyfriend (11.6%, $n = 7$). Two individuals (3.3%) reported the Order would be against their brother. The other relationships listed were reported one time (1.7%), including: child's grandmother, ex-boyfriend/child's father, ex-friend, ex-husband, ex-fiancé, mother's boyfriend, parent, and sister. Table 4 summarizes this information.

Table. 4

Single Item Questions

Variable	Test Statistic
<u>What is the relationship between you and the person ...?</u>	<u>%/n</u>
Boyfriend	23.3/14
Brother	3.3/2
Child's father	11.6/7

Child's grandmother	1.7/1
Ex-boyfriend/child's father	1.7/1
Ex-boyfriend	1.6/7
Ex-friend	1.7/1
Ex-husband	1.7/1
Ex-fiancé	1.7/1
Husband	36.6/22
Mother's boyfriend	1.7/1
Parent	1.7/1
Sister	1.7/1

Participants were asked to identify who had suggested that they get a Protective Order. The participants were instructed to choose only one category when responding to this question, but almost half (47.1%) of the women chose more than one person. Of those women who chose only one category over half of the women reported that they had decided on their own to request a Protective Order, choosing “myself” 51.1% ($n = 24$) of the time. This was followed by a recommendation to get an Order by a “police officer” (17%, $n = 8$). Participants were suggested to get an Order equally by “a family member” (8.5%, $n = 4$) and “a lawyer” (8.5%, $n = 4$). Only three (6.4%) participants said “a magistrate” suggested getting an Order and an equal amount reported “a friend” did the same (6.4%, $n = 3$). One person chose “other.”

Participants were then asked to indicate whether they had been granted the requested Preliminary Protective Order after meeting with the judge. Seventy-three women reported the judge had granted them the Preliminary Protective Order and eleven did not obtain the Order. One person reported she did not know if she had been granted the Protective Order. Four women did not go before the judge to obtain the Protective Order after completing the paperwork. Two participants reported they changed their mind about filing a request for an Order right before they were to go see the judge. Two other women completed the majority of the survey, and then left the courthouse stating they would return later when the next set of hearings would begin. Neither of the women returned to see the judge that day.

Participants were also asked, “Have you ever tried to get a Protective Order before today?” Thirty-nine women (44.3%) had tried in the past to obtain a Protective Order and over half of the participants (55.7%, $n = 49$) had not sought a Protective Order prior to that day. Then the women were asked a follow-up question, “If you answered yes, were you granted the Protective Order?” Thirty-one women (81.6%) had been granted the previously requested Protective Order, and four participants (10.5%) did not obtain the Order. Three women (7.9%) reported they did not know if they had been granted the Protective Order. Finally, the participants were asked, “How many times in the past have you tried to get a Protective Order?” Of those women who had attempted to obtain a Protective Order in the past, over half had tried one time (57.9%, $n = 22$), and 31.6% of the women made two attempts. The following attempts for a Protective Order were listed only once: three, six, eleven, and twenty.

Table. 5

Single Item Questions cont.

Variable	Test Statistic
<u>Who suggested that you get a Protective Order?</u>	
	<u>%/n</u>
Myself	51.1/24
A magistrate	6.4/3
A lawyer	8.5/4
A friend	6.4/3
A second responder	0/0
A police officer	17/8
A social worker	0/0
A family member	8.5/4
Other	1.1/1
I don't know	0/0
Multiple responses	47.1/40
<u>Did the judge grant you the Protective Order?</u>	
Yes	85.9/73
No	12.9/11
I don't know	1.2/1
<u>Have you ever tried to get a Protective Order before today?</u>	

Yes	44.3/39
No	55.7/49
I don't know	0/0
<u>If yes, were you granted a Protective Order?</u>	
Yes	81.6/31
No	10.5/4
I don't know	7.9/3
<u>How many times have you tried to get a Protective Order?</u>	
One	57.9/22
Two	31.6/12
Three	2.6/1
Six	2.6/1
Eleven	2.6/1
Twenty	2.6/1

Psychometric Data on Scales

Instrumentation: Reliability

Estimates for the internal consistency were obtained for the three sub-scales using Chronbach's *alpha*. As previously stated, the instrument used was based on a standardized scale created to measure empowerment on three levels. Utilizing confirmatory factor analysis, the researcher chose a maximum of three factors, while using a varimax rotation, and a principal axis factoring extraction. Overall the scales

exhibited a simple structure, with items loading primarily on one factor. In this study, some of the items failed to load on the predicted factor. A minimum of .4 factor loading was used as a guide to assign a factor. A list of each individual loading for the thirty-four items can be seen in table 6. The reliability for the three sub-scales ranged from .82 to .89 falling within the acceptable range for reliability. Table 7 provides a list of the measures of central tendency and dispersion for each sub-scale.

Because some of the items did not load on the factors originally predicted, a review of the items was necessary in order to identify commonalities and rename the models. For model one (based on a dependent variable measured by sub-scale one, intrapersonal), it became clear that the items referred most often to situations in which the person was commenting on her own sense of accomplishment, abilities, and efficacy. This is similar to the original expectation in which the first sub-scale measured intrapersonal and/or personal empowerment. In order to incorporate the change in items this model has been renamed self-efficacy. In model two (based on a dependent variable measured by sub-scale two, interpersonal), the items relate to one's ability to interact and influence others as well as one's awareness of available services. This is similar to the original factor that describes the goal as measuring interpersonal empowerment. This model has been renamed self-advocacy to reflect the change in items. Finally, in model three, the items relate to reaching out to others in order to change laws, and help others. This is similar to the environmental/political level/behavioral level, which measures one's involvement and understanding of the surrounding community and political environment. The items reflect one's ability to

change political and legislative processes, as well as create a collective or group approach to change. This subscale has been renamed collective advocacy.

Table. 6

Factor Analysis Loadings

Factors	Loadings	Communalities	Alpha
Factor One			
3 I believe I can solve problems. . .	.635	.496	
4 I feel I am a good person. . .	.466	.325	
5 I know what to do when. . .	.627	.467	
6 I am able to get information. . .	.703	.518	
7 When I need help with problems. . .	.606	.407	
8 I have a good understanding. . .	.520	.435	
9 When problems rise. . .	.550	.379	
10 I make efforts to learn. . .	.434	.383	
12 When faced with a problem. . .	.482	.466	
13 I feel I have the right to decide. . .	.519	.337	
14 My opinion is just as important. . .	.488	.301	
18 I am able to work with. . .	.538	.539	
19 I know what services I need	.524	.350	
22 I make sure I stay. . .	.435	.504	
24 When necessary I take. . .	.533	.389	.88

Factor Two

1 I feel confident in my ability. . .	.487	.311	
16 I know what steps to take. . .	.631	.568	
17 I am able to make good decisions. . .	.472	.527	
20 I have a good understanding. . .	.834	.724	
21 I make sure the professionals. . .	.607	.602	
28 I understand how the criminal. . .	.896	.837	
29 I have ideas about the ideal. . .	.582	.423	
30 I know how to get professionals. . .	.579	.604	
31 I know what the rights of women. . .	.594	.482	.89

Factor Three

2 I feel my life is under control. . .	.422	.424	
11 I focus on the good things. . .	.458	.253	
15 Professionals should ask me. . .	.339	.136	
23 I tell professionals what I think. . .	.464	.435	
25 I feel I can have a part. . .	.493	.429	
26 I believe that other women. . .	.600	.445	
27 I feel that my knowledge. . .	.635	.530	
32 I get in touch with my legislators. . .	.606	.394	
33 I help other women. . .	.639	.415	
34 I tell professionals how. . .	.666	.456	.82

Percent of variance explained 49.6

Table.7

Measure of Central Tendency and Dispersion of Instrumentation

Instrument	Range	Mean	SD
Factor One	15 – 75	62.2	8.9
Factor Two	9 – 45	32.3	7.6
Factor Three	10 – 50	35.2	7.8

Results of Multivariate

Ordinary Least Squares Regression was utilized in order to identify which variables were statistically significant predictors of the dependent variable. Prior to completing the regressions, the nominal predictor variables were converted into dummy variables. A correlation matrix was run to identify if there were any significant correlations among the predictors. An initial regression utilized all 37 variables. A review of the responses suggested that there was not enough variance among response categories. A decision was made to collapse the variables so that each question only had two dummy variable categories. Below is a detailed explanation of how these variables were transformed in order to run the regressions as well as the corresponding hypotheses. Hypotheses one through three will be addressed in chapter five. The first 4

questions listed were exploratory in nature. There was no current literature available to direct a particular hypothesis at this time.

What is the relationship between you and the person you are getting the PO against?

Since the majority of women reported some type of intimate dating relationship with the accused (dating/boyfriend, mutual child's father, etc.), two dummy variables were created comparing "not married" (used as the reference variable) to "other." The "other" category consisted of those responses that listed the accused as a spouse or relative. This variable was removed from the regression as it was highly correlated with marital status.

Have you tried to get an Order before today?

The majority of the participants reported that they had not sought an Order before; therefore, two dummy variables were created. "No" (had not sought an Order prior) was compared to a combined "other" category that included, yes and I don't know. This variable was eliminated from the regression while running SPSS.

Were you granted an Order if you had tried to get one before?

The majority of those participants who reported that they had sought an Order before, had indeed been granted that Order; therefore, two dummy variables were created. "Yes" (granted the Order) was compared to a combined "other" category that included no and I don't know. This variable was eliminated from the regression while running SPSS.

How many times have you tried to get an Order?

The majority of the participants who obtained an Order previously, reported that they had been granted an Order once; therefore, two dummy variables were created where “One” was compared to multiple times. This variable was eliminated from the regression while running SPSS.

Were you granted the Order?

The majority of the participants reported that they were indeed granted the Preliminary Protective Order; therefore, two dummy variables were created. “Granted an Order” was compared to a combined “other” category that included no and I don’t know. This variable corresponds to hypothesis number four which states, there will be no difference in perceived empowerment on each of the three subscales between women who are granted a Preliminary Protective Order and those who are not granted an Order. The results suggest that there was no difference in perceived empowerment on each of the three subscales between women who were granted a Preliminary Protective Order and those who were not granted an Order.

Education

Two dummy variables were created in which less than high school and high school graduate was compared to some college and college graduate. This variable corresponded to hypothesis number five which states that participants with a higher level of education will score higher on all three empowerment subscales than those who have lower levels of education. In this study, there was no difference in perceived empowerment due to level of education.

Who suggested you get an Order?

The highest percentage of the participants reported that they had decided to seek an Order on their own; therefore, two dummy variables were created. “Myself” was compared to a combined “other” category that included all of the other categories in the response set. The category “myself” was compared to others who may have suggested the woman seek an Order, including but not limited to, a magistrate, a lawyer, a friend, etc. An additional category was also created to include those surveys that had multiple responses to this question. This was done to capture all of the individuals who had other people suggest they seek an Order. This question corresponds to hypothesis number six which states that participants who suggested to themselves to seek a Preliminary Protective Order will score higher on all three empowerment subscales as compared to those who were encouraged by others to seek an Order. In this study, there was no difference in perceived empowerment based on who suggested to the participant to seek a Preliminary Protective Order.

Race

Since an overwhelming number of participants were African-American women, (77%), a decision was made to create two dummy variables. African-American was compared to a combined “other” category that included White/Caucasian/Euro-American, Latina/Chicano/Hispanic, and Mixed Race. This variable corresponds with hypothesis seven which states, there will be no difference in perceived empowerment on each of the three subscales due to race. There was in fact no difference in perceived empowerment on each of the three subscales due to race.

Marital status

Since the majority of the participants identified as single, two dummy variables were created in which “single” was compared to a combined “other” category that included married, partnered, and divorced. This variable corresponds to hypothesis eight which states that participants who are not married will score higher on all three empowerment subscales as compared to those who are married. Participants who identified as single scored higher on the second subscale (self advocacy/interpersonal empowerment) compared to those who were married, separated, divorced, or partnered. The results of this study suggest there is a difference in perceived empowerment on the interpersonal empowerment/self advocacy sub-scale based on marital status. There was no difference in perceived empowerment on the other two subscales due to marital status.

A correlation matrix was computed in order to confirm that the independent variables were not highly correlated with each other. The question which asked “What is the relationship between you and the person you are getting an Order against?” and marital status were highly correlated therefore, “What is your relationship..?” was removed from the regression. After the three regressions were computed, the variables, a. “Have you ever tried to get a Protective Order before today?” b. “If you answered yes, were you granted a Protective Order?” and c. “How many times have you tried to get a Protective Order?” were eliminated from all of the regressions by SPSS. Finally, a decision was made to remove the variable race from the regression, due to the lack of

variance among responses. Table 8, 9, and 10 provide a summary of each of the three models.

Table. 8

Summary of Model 1 Self Efficacy

R	R Square	Adjusted R Square
.684	.467	.327

Table. 9

Model 1 Coefficients

Model 1	Standardized Coefficients Beta	Significance Level
Process Index	.481	.025
Single - Other	-.053	.790
HS – College	.073	.677
Myself- Other	-.184	.322
Yes granted – Other	-.201	.359

Table. 10

Summary of Model 2 Self Advocacy

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R	R Square	Adjusted R Square
.614	.377	.213

Table. 11

Model 2 Coefficients

Model 2	Standardized Coefficients Beta	Significance Level
Process Index	-.213	.332
Single - Other	.688	.004
HS – College	.018	.925
Myself - Other	-.172	.391
Yes granted – Other	-.176	.455

Table. 12

Summary of Model 3 Collective Advocacy

R	R Square	Adjusted R Square
.594	.352	.182

Table. 13

Model 3 Coefficients

Model 3	Standardized Coefficients Beta	Significance Level
Process Index	.541	.023
Single - Other	-.154	.485
HS – College	-.208	.287
Myself - Other	-.098	.630
Yes granted – Other	.142	.553

Model 1 Self Efficacy

The first model consists of five variables: the process index; marital status; education; “Who suggested you seek the Order?”; and the dependent variable, self efficacy. This model accounted for almost 50% of the variance in self efficacy ($R^2 = .467$, Adjusted $R^2 = .327$). The process index was the only variable that was statistically significant, exhibiting the strongest association (beta = .481, significance level = .025). This indicates that the process index is positively associated with self efficacy or personal empowerment.

Model 2 Self Advocacy

The second model consists of five variables: the process index; marital status; education; “Who suggested you seek the Order?”; and the dependent variable, self advocacy. This model accounted for almost 38% of the variance in self advocacy ($R^2 = .377$, Adjusted $R^2 = .213$). The only variable that was statistically significant was marital status, which exhibited the strongest association (beta = .688, significance level = .004). This indicates that marital status (single versus divorced, separated, partnered and married) is positively associated with self advocacy or interpersonal empowerment.

Model 3 Collective Advocacy

The third model consists of five variables: the process index; marital status; education; “Who suggested you seek the Order?”; and the dependent variable, collective advocacy. This model accounted for almost 35% of the variance in collective advocacy ($R^2 = .352$, Adjusted $R^2 = .182$). The only variable that was statistically significant was the process index, which exhibited the strongest association (beta = .541, significance level = .023). This indicates that the process index is positively associated with collective advocacy or community/environmental/behavioral empowerment.

Open ended comments

A total of 56 participants offered a response to the open ended question which asked, “What would you suggest, if anything can be done by the police, and/or court system to make the process of getting a Protective Order easier and less stressful?”

Several themes emerged from the responses to this question. A summary of those themes is listed below.

Expand the types of actions and relationships addressed by a Protective Order

Three women suggested that the process of seeking a Protective Order would be less stressful if the types of actions and/or behaviors an Order addresses was expanded beyond physical assaults. The respondents reported a number of behaviors that should be covered by a Protective Order, including verbal threats, harassment, stalking, etc. Additionally women suggested that the type of relationships covered by the Order should be expanded beyond living with the individual, being married, or having a child together. Some of the quotes are listed below.

“I think that when a woman wants to be granted a protective order the judge needs to really take in consideration that an order should not be granted for just physical abuse. Being harassed and showing up at a persons residence counts for alot. To me that may lead up to physical abuse because that person cause a threat [sic], it makes you feel uneasy and youre always watching your back everywhere you go. And its stressful when you go for an order for this and it is not granted and you go outside and live in fear not having the security.”

“Not asking if the accused [sic] has every lived w/ the victim, in most cases, in the black community, the male hasn’t lived in the victims home but can still abuse and hurt her. It’s not fair to only offer protective orders for those in the

household. A lot of men become stalkers and aggressive abusers and taking out warrants only makes things worst. They get out on bond and have chances to come back and to do more harm and even kill.”

“Give the victims an opportunity to hear thier [sic] case and take it very seriously. My experience to get a Protective order – they said I have to be living and sharing bill [sic] with the person. And have to be physically hurt before the authorities can do something to help you. I also experienced a lot of running around just to get to the right place.”

Lessen the amount of time women are expected to go to court

Nine women suggested that the process of seeking an Order would be easier if the amount of time required to attend court was decreased. For example, before one is able to request a Permanent Order (one year), a victim must obtain a Preliminary Order (two weeks). This creates a situation in which the woman must attend court twice. This can be viewed as time consuming and overwhelming, particularly when a woman has children and is employed. Additionally, women suggested that police officers should have the capability to grant the initial or emergency order (EPO) or Preliminary Protective Order (PPO). This would eliminate the need to go to court or the magistrate for an initial Order.

“Women should not have to go court first alot [sic] could happen during this time when the police are called to a domestic violence case they should enforce it right away pending court.”

“When you first try to get the order you have to wait at the police station for at least 2 hours for an officer to come off the street to take the report. After that you have to wait even longer to see the magistrate. When I was down at the precinct waiting another young lady came in crying very upset she wanted to file a report. The person behind the glass suggested she take a phone # to call and leave. His reason behind that was he said it would take several hours, before anyone could assist her. When someone has been abused so much and they finally reach out for help they do not want to be told to go home and call. They are looking for help right then.”

“When domestic violence happen [sic] in public, I feel an protective order should be issued for 5 days; before appearing in court in front of a judge. In my opinion the suspect can keep approaching a victim with bodily harm. The law states; you have to bear a witness [sic] or have been physical abuse [sic]. Based on facts with other victims, who let they [sic] opponent talk them out of protective order to ensure they get away with they mischeivous behavior. Life is stressful, when you don't know whether or not the judge will grant you and [sic]

protective order. The process of the protective order is not stressful; I don't have no inputs [sic] or how it can be done better.”

“I believe the court system could make easy or simplify the process for obtaining a restraining order. Policemen could keep available the necessary paperwork, which would probably be only one sheet, in the cars or police wagons. The first domestic 911 emergency phone call should result in someone being served a restraining order form. Too many women are murdered by their spouses or boyfriends. I feel domestic emergency calls should be handled more seriously. When someone threatens you they will eventually carry out that threat.”

Expand and diversify the ways women can request an Order

Five women believed that the process would be less stressful if there were alternative ways a person can request an Order beyond attending court or meeting with the magistrate. This includes streamlining the process by eliminating steps in order to reduce the time in the courthouse.

“That there should be a way to do them over the phone or on computer.”

“Fill one out online - mail to a person, be more aware of time to come in to be heard. I came in by 3 and they told me it was too late. Explain before hand what time to come in. Give information to help with your case. You need to know what questions to ask.”

“Court or magistrate getting complaint/report immediately after initial intake.”

“Fill out paper work and let them mail the results or call you.”

Increase sensitivity by law enforcement and court personnel

Seven women suggested that the process would be less stressful if the individuals who work in the law enforcement field and court system exhibited increased sensitivity and understanding. Women feel that the process should be taken seriously, with the personnel offering one’s undivided attention and empathy. Below is a list of some of these comments.

“When being seen by an intake officer they need to give you their total attention while you’re in the office and be a little bit more supportive and questions asked [sic] they should be able to give you names and numbers of people to help answer questions that they cannot answer because that would be helpful.”

“Basically just listen to the person making the complaint and listen good. Try to understand the importance of wanting to be protected by the law. I have watched so many women die from abusive relationships. Some people take actions and some women it just might be to late. Because I do want to live and be there for my child I need and want to be protected for the rest of my life. I have to admit I was so afraid to come forward before I had my daughter so I

took the abuse because I knew if I told I would get beat for that too. Until I had my daughter that made me think more on an adult level and I felt that it wasn't all about me anymore it was my child. I decided then that I didn't want her to grow up seeing me get hurt. So I came forward and seeked [sic] for help. So listening to someone can make a difference and also save a life and with that in mind that makes the protective order process a little more easier which in the end it's a scent [sic] of relief.”

“I feel that most people, to include, men are somewhat afraid of the people they are asking the protective order against. And the judge or the lawyer should try to get to the incident or events to lead up to the victim asking for the protective order. I think asking for a protective order is extremely serious and should not be taken lightly. I also feel that pass [sic] events should come into play at the time the judge is considering granting the order. I feel that if there has been physical injury or verbal threats an order of protection should be granted without question.”

“Understanding and listen to what the person filing for the order have to say. Put yourself in my shoes.”

Provide more information

Five of the respondents suggested that women should be provided as much information as possible by the police and court system. Women would feel less stressed

and more at ease if they had all of the information needed to complete the steps to seek the PO.

“Whenever a woman call [sic] the police in regards to domestic issues one of the first thing [sic] they should tell her is about protective orders. If she feels threatened and how to get one.”

“Better times to see the judge, more information given by the police.”

“Have intake staff to explain the process for obtaining a protective order. System needs to be changed if minors can be discharged like adults then you should be able to get a protective order against a minor. Screen application first so that you don’t have to go through process- intake worker should be certified if you [sic] can get a protective order.”

“Let people know how and were [sic] you can get a protective order.”

“Have more information about the rules of getting a protective order.”

This chapter provided a summary of the results of the data collection, including univariate statistics, psychometric data, multivariate analyses, and a summary of the answers to the open-ended question. The next chapter will offer implications based on these results.

Chapter V

DISCUSSION

The purpose of this study was to address the dearth in literature pertaining to victims' experience while seeking a Preliminary Protective Order. The intent was to advance the current knowledge base about a criminal justice approach to domestic violence by providing victims a platform by which they could voice their thoughts and beliefs. The researcher measured the level of empowerment women experienced while going through the process of seeking a Preliminary Protective Order. The information obtained through this research project contributed to a clearer understanding of survivors' experiences with the criminal justice system. Through the responses of the participants, on a very broad scale, the researcher gained insight into the connection between victim empowerment and the criminalization of domestic violence. By focusing on a specific intervention, this researcher obtained invaluable information for those working in both social work and criminal justice, regarding the perceived empowerment of survivors during the process of seeking a Preliminary Protective Order. This chapter will provide an analysis of the findings from this study, present the study's limitations, discuss how the results could impact how social work practitioners, those in the criminal justice field, and law enforcement personnel interact and address individuals who are seeking a Protective Order, and inform future social work education. Lastly, suggestions for policy change will be offered in response to the results of this study.

Interpretation of the Findings

The results of this study have added to our knowledge about how survivors of domestic violence feel going through the process of seeking a Preliminary Protective Order. Those who have debated the pros and cons of recent criminal justice endeavors to deter abuse had not previously asked victims their views on this topic. This study examined victims' views on the process of seeking a Preliminary Order using a "process index" created by integrating eleven steps women might take while seeking an Order. Participants were asked to rate the relative ease and/or difficulty they experienced while navigating through these steps. Overall, the findings revealed that the women found the steps during the process of seeking an Order either easy or very easy. The participants generally responded positively to all of the eleven steps outlined in the process index, indicating they had little to no difficulty going through this process. The three steps that indicated the highest degree of difficulty were step six, getting help preparing a safety plan; step nine, explaining what you wanted to the judge; and step one, learning about how to seek a Protective Order. The two steps that participants indicated did not happen most often were step six, getting help preparing a safety plan; and step seven, discussing the reasons why you want a Protective Order to the victim-advocate.

The results do indicate that there are a few exceptions to the overall positive responses by the participants. In step six, "getting help completing a safety plan," over one-third of the women (37.2%) reported this did not happen. Of those women who did

complete a plan, 17.4% found this step either hard or very hard. As the responses to this step became apparent during the course of the data collection period, the researcher inquired about the court's protocol on completing safety plans. One of the two victim-witness advocates employed at the courthouse vaguely indicated that a safety plan was completed with all of the women. During the six months of data collection at the courthouse, a copy of a safety plan form or outline was not shared with the researcher, nor was one observed in the hands of the women after meeting with the victim-witness advocate. A safety plan is often a pre-established form a victim will complete in order to list the steps she can take to remain safe during possible future incidents of abuse. Victims will list important contacts, and create an escape plan so that they are prepared for future assaults (National Coalition Against Domestic Violence, 2007). Due to the possibility of retaliatory acts by abusers, and the very nature of domestic violence, it is routine for counselors, case managers, and therapists to complete a pre-established form safety plan with their clients. Since a form was not observed, and many women reported it did not happen, this indicates to the researcher that in fact a form-based safety plan was not used at the courthouse. It is certainly possible that the advocates were and continue to have, informal discussions with the victims in regards to thinking about their safety.

As women go through the process of seeking and obtaining a Preliminary Protective Order, they are in danger of vengeful acts on the part of the abuser and his or her family. Therefore, the researcher suggests that the victim-witness advocates should routinely distribute and complete a pre-established form safety plan with each and every

victim going through this process. This will ensure that this topic is not overlooked by the advocate, and a clear plan of safety is addressed with all victims who enter into this process.

In step seven, “discussing the reasons why you want a Protective Order with the victim-advocate,” more than 16% of the respondents reported this did not happen.

During the process of seeking a Preliminary Protective Order, after a woman completes the necessary paperwork, the intake worker first walks the victim to the clerks’ office to register the paperwork, and then escorts her to the victim-witness advocates’ office.

The two victim-witness advocates employed at the Juvenile and Domestic Relations District Court maintain their offices in the Prosecutors’ office at the courthouse.

Depending on the particular intake worker, the victims are either taken inside the Prosecutors’ office and told to wait, or they are asked to remain in the lobby of the courthouse, while the secretary in the Prosecutors’ office is informed of the victim’s presence.

Since several women reported they did not meet with the advocate, it appears that this procedure does not routinely work. For example, the victim may not be clear about who to meet if they are left out in the lobby of the courthouse. The women may get confused or anxious, and wander away from the front door of the Prosecutors’ office, making it difficult if not impossible for the advocate to locate and meet with them. If the victim is brought into the Prosecutors’ office, this may increase the chance that the woman will meet with the advocate, but it does not guarantee that the advocate is informed of the victim’s presence in a timely manner. During the data collection

period, the researcher noticed that some of the women seeking Preliminary Protective Orders were called to the courtroom before they were able to meet with an advocate.

All victims who enter into this process should have the opportunity to meet with the advocate. The advocate provides invaluable information about the process of getting a Protective Order, including how to address the judge while in the courtroom, how to best utilize the Order if obtained, where to go for counseling, shelter, etc. The advocates also provide much needed emotional support, necessary in such a time of crisis. The researcher suggests that a different protocol be developed in order to introduce the victim to the advocate. One suggestion may be that the intake registrar could be responsible to call the victim-witness advocate as soon as the individual approaches the intake window for a PPO. Another suggestion could be that the intake worker would be asked to contact the advocate's office as the individual's paperwork is being completed. Finally, the advocate could be asked to go to the intake office, and accompany the victim while she is completing the paperwork so that the individual is provided emotional support from the beginning of the process. The advocate, rather than the intake worker, could then take the responsibility of escorting the victim to the clerks' office, and then to his or her own office. This would ensure that all of the victims meet with the victim-witness advocate each and every time, and are given the support, help and attention they often need in a time of crisis.

In step nine of the process, "explaining what you wanted to the judge," 15.6% of the participants reported that this was either hard, or very hard. During the data collection period, many of the women expressed feelings of anxiety and uncertainty

about meeting with the judge. The participants routinely told the researcher they found this step emotionally difficult. While victims are going through this process, they are preceding through a number of steps, while also in a time of crisis. One must remember that a woman seeking a Protective Order is doing so against a partner or family member because she fears for her life. The survivor may have just been physically and emotionally attacked, or been a victim of stalking and harassment. These women are often scared, angry, and confused. As the women proceed through the steps to get an Order, they are expected to go in front of a judge alone, and explain why they need the Order to the very person who will decide if the Order is granted. During the data collection period, the researcher witnessed almost all of the victims entering the courtroom alone. One woman brought a lawyer, and once the victim-witness advocate accompanied a victim. Therefore, the researcher suggests that all victims should be accompanied by the victim-witness advocate when they meet with the judge. The victim-witness advocate can help advocate on behalf of the woman, help to clarify any information the victim does not understand, and continue to provide emotional support as needed.

Finally, 14.9% of the participants reported it was either hard or very hard, “learning about how to seek a Protective Order.” Over the last 10 years there has been an increase in public service announcements about the existence of domestic violence. Our society has become more aware of this issue, and has framed it as both a social and criminal justice issue. This researcher suggests that the Richmond court system take a more active role in sharing information about the process of seeking a Protective Order

across the city. Although women found most of the steps in the process easy, others may not attempt to seek an Order if they don't know how to go about getting one. There has been a campaign within the past two years to encourage individuals to fill out the paperwork for an Order online through the I-CAN! project. I-CAN!™ is a computer program that asks questions and aids in the completion of court forms used to initiate the request for a Protective Order (Virginia's Judicial System, 2007). This is a positive step toward informing victims how to seek an Order, but it does not address those individuals who do not have access to the internet. There are pamphlets that are displayed in the courthouse itself explaining the process in general terms. A more helpful plan may be to print out pamphlets with the exact steps (such as in the process index listed on the researcher's survey) a victim may likely take during this process. These steps may include information on what to expect, possible outcomes, and suggestions for how to navigate the process so that individuals experience the least amount of anxiety and distress. These pamphlets could be distributed throughout various public and private agencies in Richmond.

In reviewing the empowerment sub-scales' results, it appears that overall the women in this study felt empowered. As stated in chapter three, of those researchers who have utilized this empowerment scale or an adjusted version of it, only Itzahaky and Ben Porat (2005) offered a numerical range to represent a high empowerment score on the scale. The authors recommended that a score above the median (3) and higher would represent a high score. Based on how the items loaded onto each factor in this study, a score of 45 and higher on the intrapersonal scale, 27 on the interpersonal scale,

and 30 on the community/political scale, would be considered a high empowerment score. The final results indicated that the mean for each sub-scale was higher than the minimum score necessary to be considered a high empowerment score. The first scale had a mean of 62.2, well above the 45 necessary to represent a high score on the intrapersonal, or renamed self-efficacy scale. The results of the second sub-scale, the interpersonal or newly labeled self-advocacy sub-scale was 32.3, again higher than the original 27 used as a guideline. Finally, on factor three, the environmental/political level/behavioral level, or newly named collective advocacy sub-scale, the mean was 35.2, resulting in a higher expected result of 30.

The results of the multivariate analysis offer insight into whether the process of seeking a Preliminary Protection Order was an empowering act. Two of the three sub-scales were found to have a positive, and statistically significant relationship with the process index, indicating that the process of seeking an Order does predict perceived empowerment on both the individual (intrapersonal), and collective (community/behavioral/political) level. In model one, utilizing the first sub-scale as the dependent variable, only the process index was found to be statistically significant. The process index was positively associated with the intra-personal empowerment sub-scale, now titled self-efficacy. Therefore, one can say that the process of seeking an Order predicts self-efficacy or intrapersonal empowerment. In model three, the environmental/behavioral/political sub-scale now renamed collective advocacy, was used as the dependent variable. The results indicate that the only variable that was statistically significant was again the process index. Therefore, one can state that the

process index is positively associated with collective advocacy. Alternatively, in model two, utilizing the interpersonal or self-advocacy sub-scale as the dependent variable, only marital status (single versus divorced, separated and married) was found to be statistically significant. Therefore, one can say that marital status predicts self-advocacy. This confirms Miller's (2003) research which found personal power to be negatively associated with being married.

The results of the study clearly indicate why the process index was not found to be statistically significant and not positively associated with the second sub-scale originally named the interpersonal level. Two of the eleven steps that had the highest incidences of being reported by the participants as hard or very hard were, "explaining to the intake worker the reasons for the PO request," at 11.7% and "explaining what you wanted to the judge," at 15.6%. During those steps the victim is attempting to explain and even justify why she needs a Protective Order. This explanation is first given to the intake worker who decides if the woman's story is viable enough to go before the judge. Then the women are asked to share very private information about the abusive acts a second time, with the expectation that they will provide a valid reason why they need the Order.

On the interpersonal level, the sub-scale addresses the relational aspect of empowerment, including the degree to which an individual has the ability to influence others. As Rappaport (1987) suggests, this level of empowerment is not solely based on what occurs within the individual, but also by his or her interactions and relationships. Gutierrez et al. (1998) report that on this level, individuals would exhibit behaviors such

as assertiveness, setting limits on giving, asking for help, and problem solving.

Zimmerman (1995) identifies this level as the relational aspect of power, including the ability to influence others. In a situation in which the victim must argue for her right to get an Order, knowing that the decision is in another person's hands will surely dampen an individual's belief in her ability to influence others. It is clear from the start of the process that the victim is in a position in which she must justify and explain her desire for a Preliminary Protective Order. These women may feel powerless during these specific steps in the process because they recognize that ultimately the decision to grant the Order is up to another person. Therefore, the empowering feeling victims may feel while going through the process may be overshadowed by the knowledge that their ability to influence the outcome is limited, if not completely absent during these steps in the process.

Studies have shown that victims want support, a sense of control, and a voice in how the criminal course of action will progress (Buzawa, et al., 1992; Fleury, 2002). Victims desire that their preference be taken into account by the criminal justice system (Buzawa, et al.; Miller, 2003). Additionally, victims express their satisfaction with the criminal justice system when they believe they are receiving support, sympathy, and encouragement from those who work in the system. Chaudhuri and Daly (1992) suggest that satisfaction with the criminal justice system is based on a perceived sense of sympathy, encouragement, and the amount of time a criminal justice employee offers to listen to her story. Victims want others to hear their stories (Nabi & Horner, 2001) and

also desire full participation in the sentencing of the accused (Erez & Bienkowska, 1993).

This desire to be heard and to feel that others are listening to their needs, as well as providing sympathy, was voiced by the participants. As mentioned earlier in the chapter, several of the women interpreted the process index from their own perspective, reporting a step did not happen, even though they had met with the individual in question. Reporting a step did not occur when in fact the victim met with the person occurred in three of the steps: “explaining to the intake worker the reasons why you want a Protective Order,” “explaining to the judge what you wanted,” and “explaining to the intake worker the reasons why you want a Protective order.” The participants reported to the researcher that they answered the item in this manner because they did not feel that they had been given the opportunity to explain their situation. Some respondents reported they were completely ignored as the intake worker or judge read the paperwork. The participants were not given the time to discuss the reasons why they need the Order. In summary, it appears that when the participants in this study had to complete a step on their own, with no or little contact with other individuals, they felt highly empowered. Alternatively, when the respondents had to rely on others to complete the step, they expressed a lower perceived sense of empowerment.

The results to the open-ended questions provided several themes. In particular, the researcher wishes to address the themes that seem to express a limitation on the victim’s ability to get an Order. One theme that emerged was the suggestion that the criminal justice system should expand the types of actions and relationships that

Protective Orders currently address. In order to be considered for a Protective Order the victim must meet one of the following three criteria, be married to the accused, have a child in common with the accused, or they must have lived together within the last 12 months. In Virginia, the definition of domestic violence includes, "...any act involving violence, force, or threat ...which results in bodily injury or places one in reasonable apprehension of bodily injury..." (Virginia Sexual & Domestic Violence Action Alliance, 2005,¶2).

These criteria severely limit who may seek a Protective Order, and places restrictions on what may be deemed an abusive act in the eyes of the court. Based on the current relationship criteria many individuals would be excluded from seeking an Order of Protection. For example, any victim of abuse who is in a same sex relationship, a casual dating relationship, or who has a disability and is being neglected by an attendant, would not be able to request an Order. Those individuals who do not meet the criteria for a Protective Order may contact the police or magistrate and press charges against the accused for harassment, trespassing, or stalking. In order for these charges to be made, the victim must show proof that the accused has made ongoing attempts to harass and bother the victim (Chief Magistrate Meade Jackson, personal contact, February 14, 2007). Furthermore, the law does not appear to protect individuals who have been victimized primarily by verbal or psychological abuse. The likelihood that an individual seeking a Protective Order would actually obtain one would increase with the expansion of the current definitions of both an abusive act as well as an intimate relationship in Virginia. This will in turn provide an increased sense of power, control,

and influence when coming into contact with others in the criminal justice system. Current laws should provide expanded and less ambiguous definitions of family abuse in Virginia.

The second theme generated from the responses to the open-ended question relates to the amount of time women spend in court when seeking an Order. The participants expressed dismay over how time consuming the process was to seek an Order of Protection. The law currently states that a woman must obtain a PPO prior to getting a PO. This means she will be expected to attend court twice in two weeks. Those women who either work or have difficulty with obtaining child care find the need to attend court twice in such a short period of time difficult, overwhelming, and even a financial burden. This is particularly true of victims with children, who must either find a friend, or relative to come with them to the courthouse, or pay a babysitter. This is because there is no childcare offered at the courthouse, nor are children allowed in the courtroom.

The process is particularly time consuming when participants are seeking a Preliminary Protective Order the process is particularly time consuming. The participants in this study often waited hours to be seen by a judge, as PPO hearings are only placed on the daily docket twice a day, at 11:30 am and 3:15 pm. Depending on such factors as the intake workers' workload, the time of day the individual comes into the courthouse to seek the Order, and how many juvenile cases are heard that day, a victim can wait four to five hours to be seen by the judge. The addition of daily docket

times for victims to be seen by the judge would greatly increase victims' opportunities to see the judge and allow them to seek an Order in a timelier manner.

Lastly, the participants suggested that there should be alternative ways to obtain a Preliminary Protective Order. As described above, the participants waited hours at times to get an Order. Offering creative and different ways to seek an Order could reduce the amount of time and burden it takes to visit the courthouse twice in two weeks. The inception of I-CAN!TM has offered women an alternative for requesting an Order by making the paperwork available online. This does not preclude the victim from having to go to court more than once in a short period of time, nor does it excuse her from seeing the judge. The criminal justice system should expand the ways that both Emergency Protective Orders and Preliminary Protective Orders are granted to victims. Suggestions such as allowing the police officers or intake workers to have the capability to give an EPO and/or PPO would limit the amount of time necessary to seek an Order. A mandatory meeting with the judge would then be limited to the decision about the Permanent Order. This researcher suggests that states may want to review their steps and increase flexibility in who can grant an order.

Study Limitations

This section provides a summary of the study's limitations due to the design, sampling, and measurement choices of the researcher.

Study Design

This study utilized a cross sectional survey design in order to gather exploratory and descriptive information pertaining to women seeking Protective Orders. The limitation to a cross sectional design is that it only allows the researcher to gather data from the participants one time. Cross sectional designs limit the researcher's ability to state a causal relationship due to a lack of internal validity (Rubin & Babbie, 2001). Therefore, it cannot be stated that the variable "process" caused an increased sense of empowerment. Rubin and Babbie (2001) suggest that due to the nature of time order, one cannot rule out alternative or extraneous variables that may have played a role in the participants' reports of empowerment, nor can we truly say whether the relationship was not actually reversed; in other words, that the women who went through the process of seeking an Order did so because they were already feeling empowered in their personal life. The authors suggest that the use of multivariate statistics aid in allowing the researcher to make statements in regards to the correlation and predictive nature of the independent and dependent variables.

Second, the design of the study required that the participants complete part of the survey early on in the process of seeking an Order (i.e. prior to meeting with the judge), and part of the survey after the process was finished (after seeing the judge). The participants often completed a portion of the survey even before meeting with the intake worker. The researcher became aware that some of the participants were completing some of the items before they went through that particular step in the process (i.e. reporting on the survey that finding the courtroom was very easy even

though they had not had to find that room yet). This type of response could have been due to anxiety, a lack of understanding about the process steps, or simply a desire to complete the survey. The researcher took extra precaution after this was noticed to point out to the women that some of the questions could not be answered until later on in the process. While the researcher attempted to rectify this situation, it would not have been possible to make sure that each and every process step was answered as it was completed, and that some of the answers were reported earlier than they should have been.

Sampling Limitations

In an attempt to obtain a representative sample the researcher utilized random sampling. In a review of the demographic results from this study, the majority of women seeking Protective Orders in Richmond City are African-American women who identify themselves as single, with either a high school education and/or some college, a particularly homogenous group. There is currently no information gathered by the courts on the race, marital status, or educational level of women who seek Preliminary Protective Orders in Richmond City. In a review of the demographic information obtained in the latest census taken in 2000 (U.S. Census Bureau, 2007), 57.2% of Richmond City residents were African-American, 38.3% were White, and 2.6% were Latino/ Hispanic. Richmond City is a diverse city where there is higher percentage of individuals who are African-American compared to those who are White or Latino/Hispanic. The results of this particular study had a higher representation of African-American individuals (77%) as compared to the current city's census. Only

16.1% identified as White/Caucasian/Euro-American, and 2.3% were Latina/Chicano/Hispanic. The most comparable percentage in this sample was the Latino/Hispanic population. In regards to education, the Census Bureau reports that 75.2% of those who reside in Richmond City are high school graduates, while 29.5% report having their Bachelors degree. In this study, 38% of the participants reported being high school graduates, 32.9% reported having some college education and 13.9% reported being college graduates. These percentages identify some discrepancies in the educational levels of those in Richmond and those who sought a Preliminary Protective Order.

Another sampling limitation is the ability to generalize beyond the sample to a larger population of women who seek Preliminary Protective Orders. A specific threat to validity that may have impacted this study is selection biases. Although the study utilized a random sample, the researcher cannot say whether the type of woman who agreed to complete the survey was not different from the women who refused. In fact it became apparent during the course of the data collection period that those women who did not want to participate were particularly distressed. Two of the women told me they didn't have time to complete the survey, one woman said she was too tired, and another said she wasn't in "the mindset" to complete a questionnaire. Other women who refused appeared angry and upset when I approached them. They were either tearful, or visibly distraught, speaking loudly or expressing their frustrations about the situation to friends or family who had accompanied them. The women who completed this survey may not represent all women who seek a Preliminary Protective Order.

Measurement Limitations

As with any study, the participants answered the survey questions based on their own personal interpretation of questions and response categories, creating response biases. This impacts participant responses and in turn the end results of the study. Several of the questions were answered in a way that had not been anticipated by the researcher. In one such instance, several of the women checked the box “did not happen” in the process index even though that step had been completed as witnessed by the researcher. The participants’ responses may not have truly reflected the way they felt about the process of seeking an Order. For example, some participants may have answered the process index questions by checking very easy or very hard for each step based on their preconceived notions about the criminal justice system. Others may have responded to the survey and in particular the empowerment scale, in a manner that they deemed socially desirable. The women may have wanted to avoid appearing powerless, and in turn reported a higher sense of perceived empowerment than they actually felt.

In section I of the survey, participants were asked to answer five questions, directing the women to choose only one category that best describes them. Some of the women provided multiple responses to these questions. In particular, the question “Who suggested that you get a Protective Order?” received multiple answers 40 times. This may indicate that the question was improperly written, or the directions provided were not clear. In an attempt by the researcher to provide an exhaustive list in the response category, the answers may not have been mutually exclusive.

In question two, “What is your marital status?”, participants were asked to identify whether they were single, married, divorced, separated, or partnered/lesbian/gay. This item was added because prior research found that the perception of personal power was negatively associated with being married (Miller, 2003). Since the response set did not include a category that asked about intimate or dating relationships, those participants in romantic relationships may have been underrepresented or undercounted. The women may have felt compelled to identify themselves as single even if they were in a committed relationship.

Additionally, the results of the study should be considered within the limitations of the validity and reliability of the instrument used to study empowerment and its three levels. Although the scales were an adaptation of a previously tested scale, this version was specifically created for this study and therefore the validity and reliability is just beginning to be established. The interpretation of the results must take in to account the limitations of this study. In spite of these limitations, the researcher believes that the results can provide insight and knowledge about women seeking Preliminary Protective Orders and their feelings of perceived empowerment.

Implications of Findings

The results of this study have increased our knowledge about women who seek Preliminary Protective Orders. The study results offer a glimpse into survivors’ thoughts on this criminal justice process, and their belief that the act of seeking a Preliminary Protective Order is empowering. The researcher hopes social workers, advocates, and those who work in the criminal justice system will use the results of this

study when working with a woman when she reports she is interested in seeking a Preliminary Protective Order. The results provide information on the accessibility of Preliminary Protective Orders, and shed light on the relative ease as well as difficulties victims have when entering the criminal justice system to secure Protective Orders. Furthermore, social workers who interact with victims are now better informed about the issues these victims might face when seeking an Order.

The findings of this study can help advocates and social workers to better educate their clients prior to going to the courthouse by explaining the potential barriers and positive outcomes that could occur during the process of seeking a Protective Order. In particular, social workers may help to inform their clients about how to seek a Preliminary Protective Order, as many participants found this hard or very hard. Social workers themselves may not know the overall process or specific steps that one must take to seek an Order. This may provide the impetus for those in the social work field to learn about Protective Orders, for example by spending a day at the courthouse watching the process and those involved. Women will be better prepared if their workers are able to provide them step-by-step directions on how to begin this process.

Workers may share the difficulties other women have experienced when interacting with those in the criminal justice system and suggest ways to advocate for themselves. Solomon (1976) addresses the importance of interpersonal influence in order to achieve empowerment. According to Solomon, power can be gained through social and familial support, and education around the concepts of self-worth, physical well-being, and ample interpersonal skills. Gutierrez, et al. (1998) offer four key

components that are essential to the empowerment process. Along with Solomon, they suggest that developing strategies to exert personal influence is a vital part of achieving empowerment. Finally, Zimmerman (1995) reports that the *interactional* level of empowerment is based on the knowledge of and access to resources, and the methods to achieve those resources. Social workers may be more mindful of the importance to provide an empowering environment in which they address the client's feelings of power or powerlessness by discussing ways to interact and influence others. Social workers may choose to incorporate educational interventions that specifically address skills to successfully influence people during interactions with others. Learning that the process of seeking a Preliminary Protective Order predicts feelings of empowerment on an individual and collective level may also change the focus of client-worker discussions. The goal between client and worker may change from getting a Protective Order, to discussing the power a woman gains by taking steps towards a life without violence.

The importance of emphasizing empowerment theory has long been established both in social work practice and social work education, with such influences as Jane Addams (Robbins, et al., 2006), Barbara Solomon (1976), and the amended principles of the *NASW Code of Ethics* (Gutierrez et al., 1998). There have been current curriculum attempts to incorporate the use of empowerment principles through both practice and theory classes. This researcher suggests that empowerment theory may need to be incorporated more aggressively into all levels of practice. The levels of empowerment, intrapersonal, interpersonal, and environmental/behavioral, provide a

solid foundation that coincides perfectly with the three levels of practice, micro, mezzo, and macro, taught in BSW and MSW programs. Additionally, empowerment as a concept and experience can be used effectively as a focal point for use in research and evaluation classes. A continuous and fluid use of empowerment theory and principles throughout the social work curriculum, as is done currently with issues pertaining to diversity, would provide a strong base for future social workers.

As social workers continue to be employed in secondary host sites, in which social work values are not the primary values, more interdisciplinary classes and units on interdisciplinary teams need to be introduced. As students begin placements such as in the court systems or medical centers, they are often faced with ethical issues and behaviors that may compete with social work principles and values. Classes that provide an interdisciplinary approach in which both social work and criminal justice approaches are presented would help to bridge this gap. Discussions across disciplinary schools offer opportunities to not only learn about other programs, but to create an alliance that provides a positive and effective plan when working with individuals seeking Protective Orders. In social work courses, it would be useful for students to learn about how interdisciplinary teams function and how social workers can provide leadership for such teams.

Finally, it would be an advantage for students if all schools of social work incorporated more information and education about intimate partner violence. Domestic violence is a social issue that impacts a large percentage of our population. Regardless of the population with which one decides to work, a social worker will be

faced with clients who have experienced abuse. Understanding the cycle of abuse, the behavioral and emotional impact abuse may have on an individual, and the current laws that address this issue, are pertinent to best helping this population.

Rappaport (1984) suggests that empowerment is found when a program is designed not only by professionals, but in collaboration with those who receive the services. Empowerment can only be obtained when it is defined by the very people using the services. The researcher of this project hopes the results will offer guidance for future policy and funding decisions related to criminal justice approaches to domestic violence, for example, through increased access and promotion of Orders of Protection. Respondents overall believed that learning about getting an Order was particularly hard. Increased information about this process through a campaign or the distribution of pamphlets may help to increase women's knowledge of this process. The participants' suggestions for how to decrease the amount of time and steps it takes to seek Preliminary and Permanent Orders were thoughtful and innovative. The criminal justice system should utilize the information and feedback the respondents provided, and begin a review of the current system. As it stands, women feel the process is time consuming and desire alternative ways to seek an Order. Expanding the definition of who can grant an Order may decrease the number of steps a woman must take to seek an Order. It may also alleviate the burden they may feel due to the amount of time it takes to complete this process. Additionally, those in power who decide the criteria for who may seek an Order might take a cue from those who are actually requesting protection. Expanding the types of relationships covered by an Order would

increase the number of individuals who can find help for this issue. Individuals who are in same-sex relationships, or those who are not romantically involved with the abuser, such as in the case of individuals with disabilities who have personal assistants, also desire protection from perpetrators of violent and neglectful acts.

Additionally, this study may hopefully provide criminal justice and social work professionals an alternative window with which to view survivors. Quite often survivors are chastised for refusing to charge their abuser with a crime, withdrawing petitions for Protective Orders, or returning to their shared home. By focusing on the change effort made by these individuals, the focus may turn to the positive effects of the process rather than continued focus on blame and disappointment about perceived lack of completion and commitment on the part of the victim. The focus may turn towards the process rather than the outcome. Finally, it should be noted by those in the criminal justice field that these women exhibit both persistence and tenacity in seeking a Protective Order. Often times these women are expected to wait for hours to meet with the intake worker, victim-witness advocate, and the judge. During these long waits, the women are aware that their request may not be granted.

The study also assists those in the criminal justice system to take notice of concerns and difficulties that victims may be having when requesting an Order. Study results indicate that the participants find the process of interacting with those in the system difficult. The women are concerned that they are not being heard by the very people that are expected to help them. Victims want an opportunity to share their story and provide input on the ultimate outcome. Therefore, increased involvement by the

victim-witness advocate may provide the support desired by the participants.

Additionally, those who are responsible for aiding victims may be offered training on how to interact with these women, learning how to be sensitive to their needs and desires.

The researcher's suggestion to increase the involvement of the victim-witness advocates in the process of seeking a Preliminary Protective Order correlates with the victims' right movement. Prior to the establishment of the Office for Victims of Crime (OVC) in 1983, little attention was given to victims' rights (Walker, 2006). Following the creation of this office, several recommendations were made by the Attorney General's Task Force on Violent Crime to address and increase victims' rights. One of the suggestions implemented was the introduction of Victim-Witness Assistance Programs (Walker).

The role of the victim-witness advocate varies from state to state, with responsibilities including counseling, referrals, and assistance with obtaining financial retribution. This variation creates a situation in which there are no clear or consistent guidelines for these programs. This lack of uniformity in services makes it difficult to identify how well these programs are working. What has been found is that overall victims' right laws and policies are often not fully implemented, including the services provided by victim-witness programs (Walker). An expansion of victim-witness involvement in the process of seeking a Protective Order would increase not only the support of those women going through this process, but will also increase their victims' rights. Beyond an expansion, clear and concise guidelines on the expected

responsibilities of victim-witness advocates will offer consistency across programs and enable further evaluation of these services.

Lastly, this study offers implications for policy reform and change in Virginia. The women who participated in this study suggested that decreasing the time in the court system would increase the level of ease while going through this process. Secondly, the respondents reported a desire for law enforcement and court personnel to exhibit increased sensitivity to the issue of domestic violence. To meet these requests, the researcher suggests the implementation of specialized or dedicated court systems that would handle domestic violence cases only. Dedicated courts would offer an expertise and empathy to the issue of domestic violence that other courts may not provide (Stop Violence Against Women, 2007, ¶3). The creation of these specialized courts may decrease the amount of waiting time for victims by expediting the process. Women would not have to wait until other family and juvenile cases are seen by the judges. Finally, specialized courts would offer the support, encouragement and understanding these women desire.

Suggestions for Future Research

This researcher was not able to do a longitudinal study in which the women were followed through the process, including whether they obtained a Permanent Protective Order. It would have been helpful to find out if the women felt empowered after getting both the Preliminary and Permanent Order, especially if the Order had to be used due to disruptive or abusive behavior exhibited by the accused. This would

enable the researcher to learn if the feeling of perceived empowerment was maintained after initially seeking an Order. Additionally, future research may include the perspectives of those criminal justice employees who come in contact with these women. One wonders how empowered they believe these women to be especially compared to the women's responses.

Individuals requesting an Order of Protection have been informed by the very judges that issue them "This is just a piece of paper, it cannot stop bullets or knives" (Personal Communication Judge Buis, June 6, 2005). By listening to the voices of victims this study learned that a Protective Order is more than "just a piece of paper." Through this study, this researcher learned that the process of seeking an Order of Protection represents an act of empowerment.

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Appendices

Appendix A

Criminal Justice Empowerment Survey

Please answer all of the following questions by placing an X or circling the response that best fits you, there are no right or wrong answers to these questions. Remember that you cannot be identified in any way from your responses to these questions. All of the information you provide will be held in strict confidence.

Section I. Please place an 'X' next to the appropriate responses. Please check the one category that most closely describes you.

1. What is your race or ethnic background?

- African-American/Black
 White/Caucasian/Euro-American
 Latina/Chicana/Hispanic
 Asian/American/Pacific Islander
 Mixed race
 Native American
 Other _____

2. What is your marital status?

- Married Divorced
 Separated Single
 Partnered/Lesbian/Gay

3. What is the relationship between you and the person you are getting the Protective Order against? (such as parent, boyfriend, husband)

4. What is your highest level of education?

- Less than high school
 High school graduate/GED
 Some college
 College graduate

5. Who suggested that you get a Protective Order?

- Myself A Second Responder
 A Magistrate A Police officer
 A Lawyer A Social worker
 A Friend A Family Member
 I don't know Other --

Who? _____

SECTION II: The following are questions about the process of seeking a Protective Order. Please choose one answer by placing an X in the most appropriate box.

It was...	Very Easy	Easy	Hard	Very Hard	Did not Happen
Learning about how to seek a Protective Order					
Getting transportation to the court house to seek the Protective Order					
Finding the court services intake window to request a Protective Order					
Filling out the paperwork to ask for a Protective Order					
Explaining to the intake worker the reasons why you want a Protective Order					
Getting help preparing a safety plan					
Discussing the reasons why you want a Protective Order to the victim-witness advocate					
Finding the courtroom to see the Judge					
Explaining what you wanted to the Judge					
Understanding what the judge said about your					

request for a Protective Order					
Understanding the conditions of the Protective Order					

SECTION III: The following questions concern women's perceived sense of empowerment during the process of seeking a Protective Order. Using the scale below please choose a number from 1 to 5 that best states your agreement or disagreement with the statement.

1= Not true at all

5= Very true

1 _____ 2 _____ 3 _____ 4 _____ 5

- ___ 1. I feel confident in my ability to help myself grow and develop
- ___ 2. I feel my life is under control
- ___ 3. I believe I can solve problems when they happen to me
- ___ 4. I feel I am a good person
- ___ 5. I know what to do when problems arise
- ___ 6. I am able to get information to help myself
- ___ 7. When I need help with problems, I am able to ask for help from others
- ___ 8. I have a good understanding of the process of seeking a Protective Orders
- ___ 9. When problems rise, I handle with them pretty well
- ___ 10. I make efforts to learn new ways to help myself grow
- ___ 11. I focus on the good things as well as the problems
- ___ 12. When faced with a problem I decide what to do and then do it
- For the questions below: ***Professionals include- police officers, social workers, victim-witness advocates, magistrates, judges, etc. *****
- ___ 13. I feel I have the right to decide if I need a Protective Order
- ___ 14. My opinion is just as important as professionals' opinions in deciding if I need a Protective Order
- ___ 15. Professionals should ask me if I want a Protective Order
- ___ 16. I know what steps to take when I am concerned I am not receiving the services I need
- ___ 17. I am able to make good decisions about what services I need
- ___ 18. I am able to work with the criminal justice system professionals to decide what services I need
- ___ 19. I know what services I need
- ___ 20. I have a good understanding of the criminal justice system
- ___ 21. I make sure the professionals understand my opinions about needing a Protective Order
- ___ 22. I make sure I stay in regular contact with professionals who are helping me
- ___ 23. I tell professionals what I think about the services being provided for women getting a Protective Order
- ___ 24. When necessary I take the initiative in looking for help getting a Protective Order
- ___ 25. I feel I can have a part in improving the process of seeking a Protective Order for other women
- ___ 26. I believe that other women and I can have an influence on changing the process of seeking a Protective Order
- ___ 27. I feel that my knowledge and experience as a woman seeking a Protective Order can be used to improve services for other woman who may go through this process
- ___ 28. I understand how the criminal justice system is organized
- ___ 29. I have ideas about the ideal system for women seeking a Protective Order
- ___ 30. I know how to get professionals to listen to me
- ___ 31. I know what the rights of women seeking a Protective Order are under the law
- ___ 32. I get in touch with my legislators when important bills or issues concerning Protective

Orders are pending
 33. I help other women who are seeking a Protective Order to get the help they need
 34. I tell professionals how the criminal justice system can improve the process of seeking a Protective Order

SECTION IV: Please mark an X next the most appropriate answer.

Did the judge grant you the Protective Order?
 Yes No I don't know

What type of protective order were you granted?
 2 week (PPO) Preliminary protective order that lasts up to 15 days.
 1 year (PO) Permanent protective order that lasts up to 2 years.
 I don't know

Have you ever tried to get a Protective Order before today?
 Yes No I don't know

If you answered yes, were you granted a Protective Order?
 Yes No I don't know

How many times in the past have you tried to get a Protective Order? _____

What would you suggest, if anything, can be done by the police, and/or court system to make the process of getting a Protective Order easier and less stressful?

****Please return this survey to Sara-Beth Plummer before you leave the courthouse. At that time you will receive a \$10.00 gift certificate for your completion of the survey.****

Thank you very much for the time you have taken to answer these questions.

If at any time you feel in danger or would like to talk to someone about your relationship with your partner please contact the Victim-Witness advocate at the courthouse or call the Domestic Violence hotline at 1-800-838-8238 or the Richmond YWCA 804-643-0888.

Appendix B
ARE YOU SEEKING A PROTECTIVE ORDER?

My name is Sara-Beth Plummer and I am inviting you to participate in a research study about women's feelings about seeking a Protective Order. In order to be eligible, you must be 18 or older and are currently seeking a Protective Order. This study is being conducted by me, a student of social work at Virginia Commonwealth University along with Dr. Elizabeth Cramer, an Associate Professor at the School of Social work.

The study consists of a survey that asks you information about yourself, and your thoughts and feelings about going through the process of seeking a Protective Order. The purpose of this study is to explore women's perceived sense of empowerment during the process of seeking a Protective Order.

This survey should take about 10 minutes to complete and you will be given a \$10.00 gift certificate to Wal-Mart for your participation.

If you are interested in participating in the study, or would like more information, please speak with Sara Plummer. I am at the shelter today. I have a nametag on.

ALL INFORMATION WILL BE KEPT CONFIDENTIAL AND ANONYMOUS

This means you will not have to put your name on the survey.

Appendix C

Dear Participant,

My name is Sara-Beth Plummer and I am a graduate student in the School of Social Work at Virginia Commonwealth University. I am working with Dr. Elizabeth Cramer also of the School of Social Work.

This study focuses on women's feelings about the process of seeking a Protective Order. You are being asked to participate in this study because you are seeking a Protective Order. This information is being collected so that we might get a clearer understanding of survivors' experiences with the criminal justice system when seeking a Protective Order. Your input is important and may help change future policies in this state.

I am asking you to participate in this study by filling out a survey that asks about your feelings and experiences while going through the process of seeking a Protective Order. It should take approximately 10 minutes to complete the survey. Most of the questions can be answered before you see the judge. After you have learned whether you are granted a Protective Order, complete the last few questions. Once you have finished, please return the survey to me, and you will be given a \$10.00 gift card to Wal-Mart. By completing this survey, you are indicating informed consent to participate in this study. You do not have to participate in this study. If you choose to participate, you may stop at any time without any penalty. You may refuse to answer any or all of the questions as your involvement in this study is voluntary. All of your information and answers will be kept confidential and anonymous.

There is very little anticipated risk to you as a result of your participation in this study. However, if you experience troubling feelings due to answering these questions, please stop taking the survey. You can speak with a victim-witness advocate located at the courthouse or you can call the domestic violence hotline at 1-800-838-8238 or the YMCA at 804-643-0888.

If you have any questions, please feel free to contact Dr. Elizabeth Cramer or myself at the numbers below. I would like to thank you for your participation.

Sincerely,
Elizabeth Cramer, Ph. D.
MSW
Associate Professor

Sara-Beth Plummer,
Graduate Student

If you have any questions about your rights as a participant in this study, you may contact:

Office for Research Subjects Protection

Virginia Commonwealth University

800 East Leigh Street, Suite 111

P.O. Box 980568

Richmond, VA 23298

Telephone: 804-828-0868

VITA

Sara-Beth Plummer was born on December 18, 1969, in New Haven Connecticut, and is an American citizen. She received her Bachelor of Arts Degree with a major in Psychology from Albany State University in 1992. She received her Masters of Social Work from Adelphi University in 1997. She has six years of social work experience in the fields of domestic violence, individuals with disabilities and families. She has worked as an adjunct professor at Virginia Commonwealth University and is currently teaching at Kutztown University in Pennsylvania.