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**No-Contact Orders, Victim Safety, and Offender
Recidivism in Cases of Misdemeanor Criminal Domestic
Violence: A Randomized Experiment**

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Abstract Using an experimental design, this research examined the impact of proactive enforcement of court-imposed no-contact orders (NCOs) on offender behavior and victim safety in cases of misdemeanor domestic violence. The major research goals and objectives were to assess whether proactive enforcement: (1) enhanced victim safety by reducing offender recidivism; (2) increased victim knowledge about no-contact orders; and (3) reduced contact between offenders and victims. A prospective design was used to randomly assign 466 cases of misdemeanor criminal domestic violence to either systematic, proactive enforcement or to routine, reactive enforcement of the court-ordered no-contact order conditions. Treatment effectiveness was assessed by analyses of official criminal records data and victim survey data. Study results suggest that the treatment had no impact on victim safety or offender recidivism. Notably, victims in the treatment group were more likely to be aware that the no-contact order was in place, had higher level of contact with law enforcement and victim advocates, and more often viewed the contact with their batterer as stalking or harassment. Overall, findings from

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What does the title
say to you?

Could you envision
a testable hypothesis?

② Read the abstract
question?

if you are
proactive in
enforcement
of NCOs will
there be an
impact on
1) offender
behavior,
2) victim
safety?

all you need
to know is
you need to
keep reading!

Clear map
does
proactive
enforcement
why is
this imp?

this study suggest important directions for future research examining the effectiveness of interventions for intimate partner violence and abuse.

Keywords Domestic violence intervention · Experiment · No contact orders · Offender recidivism · Victim safety

Sets the stage for refinement.

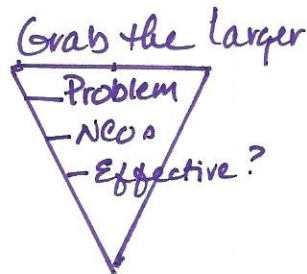
Introduction Literature Review

Domestic violence continues to challenge policy makers, social service providers, and criminal justice officials. Domestic violence advocates, criminal justice personnel, and academic research studies consistently underscore the serial nature of violence between intimate partners. Increasingly, domestic violence researchers are highlighting the importance of social and criminal justice interventions that preemptively reduce the likelihood of offender recidivism and promote victim well-being. One such policy is the use of protection or “no-contact” orders that prohibit offenders from having any contact with victims between a defendant’s arraignment and sentencing. The purpose of a no-contact order (NCO) is to provide an immediate remedy to the continued threat of violence by prohibiting contact by a victim’s abusive partner and serving as a symbolic threat of criminal justice system accountability. Although the use of NCOs between bond hearings and judicial proceedings is widespread, the level of compliance with these orders is not well understood. Similarly, empirical research does not offer insight as to whether proactive enforcement of NCOs reduces harm to victims, is ineffective, or is counterproductive. The goal of the current research was to evaluate the effectiveness of proactive enforcement of NCOs through the implementation of an experimental design.

Some criminal justice experts have suggested that enforcement of protection orders (POs) has the potential to offer a positive step toward increasing both victim safety and offender accountability. While a host of literature has evaluated civil protection and restraining orders in general, it is interesting that the social science literature is void of studies that specifically focus on criminal NCOs. Used to disrupt the cycle of violence between bond hearings and judicial proceedings, a NCO typically prohibits an offender from contacting a victim during the period between arraignment and case disposition. Although some researchers have suggested that POs are rarely treated seriously by the police or the courts (Rigakos 1995), there is some evidence to suggest that the police and the criminal justice system may be more responsive to victims’ calls for help after they have obtained a PO (Chaudhuri and Daly 1992). This responsiveness includes a greater likelihood of arrest in cases where the police are subsequently called to a domestic violence incident and the increased completion of the prosecution process for those cases in which a PO was in place (Weisz, Tolman, and Bennett 1998).

The Effectiveness of Protection Orders

The effect of POs on offender recidivism and subsequent victim safety has been explored in a number of studies, with mixed results reported (Carlson et al. 1999; Holt, Kernic, Wolf, and Rivara 2003; McFarlane, Malecha, Gist, Watson, Batten, Hall, and Smith 2004). Generally speaking, efforts to assess the



what does this refer to in week one reading?

What do these dates suggest to you.

this and is an editor decision
remember - APA = & ampersand

grabber justifies the need for research

Detail information that sets the stage

effectiveness of POs typically rely on observational research designs and gauge efficacy in one of three ways: 1) victims' perceptions of POs and the PO process; 2) enforcement of POs by the police; and 3) the success of POs in preventing future abuse (Burgess-Proctor 2003). Grau, Fagan and Wexler (1984) conducted one of the first evaluations of the effectiveness of civil restraining orders. Their research found no significant differences in subsequent abuse or violence for those with POs compared to those without, although they found lower rates of abuse among women with an order when they had lower initial levels of violence severity and injury. Similarly, Klein's (1996) analysis of restraining order cases found that half of all batterers re-abused their victim within 2 years of the issuance of the order and that recidivism did not differ between those who maintained the order and those who dropped it. Klein suggested that the optimal use of POs might be in conjunction with vigorous prosecution and significant sanctioning of batterers. Based on the earlier research, Davis and Smith (1995) provided a bleak picture of the effectiveness of restraining and POs, especially for those women with lengthy prior histories of abuse at the hands of their intimate partners (Klein 1996), suggesting that these orders may not be effective in reducing revictimization.

Meloy and colleagues (1997) meta analysis of 11 studies on the effectiveness of POs suggests that the severity of violence experienced by the victim (Keilitz, Hannaford and Efkenman 1998) and the laxity of enforcement of the protective order are likely to reduce the deterrent effects of these orders. Yet, Klein and Orloff (1996; p. 215) have suggested "civil protective orders that are properly drafted and consistently enforced can offer effective protection for victims of domestic violence." Similarly, research by Weisz, Tolman, and Bennett (1998) suggests that the level of police intervention prior to the issuance of the order was associated with the level of subsequent intervention.

Some research has identified important deterrent effects of court and criminal justice-based POs (Sherman, Gottfredson, MacKenzie, Eck, Reuter, and Bushway 1998), suggesting that POs may reduce the risk of revictimization (Carlson et al. 1999; Holt et al. 2003; McFarlane et al. 2004) and improve victim well-being (Johnson, Luna, and Stein 2003; Keilitz, Davis, Efkenman, Flango, and Hannaford 1998). Holt and colleagues (2002, 2003) examined the effects of POs on offender recidivism based on data from two groups of women—one group had obtained a temporary or permanent civil protective order and the other group had contacted the police after being abused but had not obtained an order. Findings indicated that POs decreased the risk of contact by the abuser and resulted in fewer injuries and violent threats with weapons. They also found that the greatest effect of POs on reducing the risk of re-victimization was for those cases in which the order was kept in place. Similarly, Carlson et al. (1999) found a 66 % decline in the probability of abuse following the issuance of the protective order compared to women's experiences with violence prior to the issuance of the order. At the same time, however, their findings indicated no differences in recidivism outcomes for those women who had obtained a permanent order versus a temporary order. Consistent with research on the effects of mandatory arrest policies and the "stake in conformity" thesis, POs may be a particularly effective deterrent for some offenders—principally those who have had no prior arrests and have had

Can you compare it to the design used in this study?
What does this mean?

What does this tell you?

What happens or might happen if someone reads this and plans a program?

Create a chart to track the various pieces of information

What is this referring to?

ignore
remember
Numbers
below
49 are
spelled out

limited contact with the criminal justice system (Adhikari, Reinhard, and Johnson 1993).

Holt et al. (2003) argued that POs have become more effective since the shift from being a civil, victim-initiated action to a criminal justice system response that includes enforcement by the police. Carlson et al.'s (1999) study evaluated the effectiveness of POs by estimating the relative risk of re-abuse for women who procured these orders over a 2-years period. They found that 68 % of the women in the sample reported some form of physical violence in the 2-years period preceding the PO. During the 2-years period after the PO, only 23 % of the women reported subsequent re-abuse. Fischer (1992) suggested that it is important to conceptualize the effectiveness of POs in a broad fashion, pointing to the need to examine whether POs empower the victim in her decision-making and in actions intended to end a violent intimate relationship. Fischer and Rose noted that certain women feel empowered after obtaining a PO, saying that: "...it makes you feel as if you ate a can of spinach, like Popeye" and "...it's just like you're spreading your wings all over again" (p. 424). Mills (1998) suggested research needs to develop questionnaire measures that tap empowerment in terms of a woman's perceived ability to assert her own will. This is consistent with research suggesting that the perceived effectiveness of the order may be independent of whether there was a violation or breach of the order or subsequent violence. In other words, an assessment of the effectiveness of POs may reflect to a greater extent the impact of the order on victim well-being more generally, including the woman's self-esteem and efficacy (Johnson et al. 2003; Keilitz, Davis et al. 1998; Keilitz, Davis, Efkenan, Flango, and Hannaford 1998).

recidivism
data

Placebo?

Contributions

So, if we cannot
find specific
benefits we
look at possible
positives

Limitations of the Prior Research on Protection Orders

Fagan (1996) has suggested that the failure to find strong support for the positive effects of criminal justice-oriented domestic violence interventions, including PO effectiveness, may be due to a number of analytic and measurement issues. Most studies have been primarily qualitative or have used non-experimental designs relying on purposive sampling. Selection bias, in the form of sample attrition and the exclusion of some cases, also plagues much of the research. In viewing POs as a promising solution in combating domestic violence, Sherman et al. (1998) suggested that an important area for future research is the use of randomized trials to provide a strong test of the effectiveness of orders of protection. Another important limitation of the research on POs concerns the samples that are used, especially when focusing on which types of women are more or less likely to obtain an order of protection. Usually samples include women who are already in the process or are about to begin the process of obtaining a PO. Therefore, most of the samples used in prior research are contaminated by self-selection bias. Only a few studies actually include a control group, which is a crucial factor; the absence of a control group presents difficulties when generalizing study findings. Low response rates may also limit the credibility of earlier findings (Holt et al. 2003). As with any study, researchers encounter the problem of underreporting and have to determine what type of data are best to use (i.e., official statistics versus self-report data). In the case of POs, and especially the violation of

So, if we
aren't "suc-
cessful" why

Design issues
id them

Lack of
control
group —
Lack of
participation

them, it is beneficial to combine and compare these sources, since many times women are hesitant to report re-abuse to the police after a PO has taken effect. Given the limitations of previous research, Capshew and McNeece (2000) argued that it might be too soon to draw any firm conclusions on the effectiveness of POs as intimate partner violence interventions.

Summary – *Nice that the authors*

In addition to issuing a PO, the system must take action against further domestic violence by initiating stronger prosecution and tougher sentencing guidelines against first time and repeat domestic violence offenders. The effectiveness of POs does depend, in part, on mandated sanctions for violations and on police response to violations (Holt et al. 2003). DeJong and Burgess-Proctor (2006) also stressed that the successful use of POs hinges on enforcement by police officers, and that both petitioners and respondents must take them seriously. Additionally, research shows that the criminal justice system should take into account demographic factors of victims and offenders in its quest for effective domestic violence interventions (Carlson et al. 1999). Finally, to fully examine the effectiveness any type of PO requires a thorough understanding of the level of enforcement that occurs. Rigakos (1997) suggests that research on the effectiveness of POs will depend to a large degree on whether these orders are enforced by the police (especially through arrest) and prosecuted by the courts.

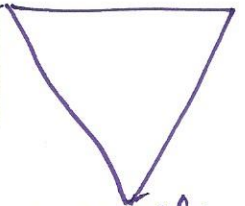
To increase the effectiveness of POs, Keilitz (1994) suggested that the criminal justice system needs to take steps to increase their power to provide safety to victims while enforcing orders. Gondolf, McWilliams, Hart, and Stuehling (1994) have argued that the systems in place for the enforcement of POs are lacking and (Grau et al. 1984) have suggested the need for comprehensive legislation that coordinates civil and criminal remedies. Finn (1991) suggests that formal policies regarding the violation of POs be developed and enforced that encourage respect for the court's order thereby increasing compliance. The issuance and enforcement of POs, therefore, need elaborate safety plans that include systematic investigation and stringent law enforcement of breaches of POs that simultaneously link victims to appropriate health and social services (Finn 1991; Keilitz 1994) and provide police officers with up-to-date electronic information on POs to alleviate confusion (Rigakos 1997).

Methods

Research Design

This research was conducted in Lexington County, South Carolina, in cooperation with the Lexington County Criminal Domestic Violence Court and involved cases of domestic violence with NCOs (see Brame, Kaukinen, Gover, and Lattimore 2009; see also Gover et al. 2003). Using a prospective, experimental design, the goal of the current study was to estimate the effect of proactive law enforcement contact with domestic violence victims on their safety and well-being. The NCO restricted the offender from having any kind of contact with the victim between the offender's release on bond and case

now go back to the positive (possible) and reread it - What do they as a group suggest? How do the "neg" group respond - then think if you were going forward what would you fix?



usually you'll find specific res. question, or hypotheses what did they do

look it up

disposition. The victim-directed intervention consisted of proactive contacts by law enforcement that were designed to accomplish three objectives: (1) to ensure that victims understood the purpose and offender requirements of no-contact orders; (2) to advise victims on how to collect evidence and mobilize law enforcement in the event that a violation occurred; and (3) to monitor no-contact order compliance. These contacts were scheduled to occur before first appearance. Ideally, the contacts would have been in-person but they could also have been by telephone. For offenders whose cases continued after first appearance, additional contacts were scheduled. An important feature of the proactive scheduled contacts is that they are relatively easy and inexpensive to implement provided the victim can be located. Moreover, these contacts were in addition to any contacts that would have occurred with law enforcement, prosecutors, and other court personnel in the absence of the intervention.

*informed
consent*

The unit of analysis in this study is each of the 517 domestic violence cases enrolled in the study. A “case” includes information about the offender, the victim, the incident, which led to its inclusion in the study, and post-enrollment information about contacts and recidivism derived from administrative records and interviews with victims. Cases in the control group received routine, reactive status quo enforcement of the court-ordered NCO conditions. Under the status quo control condition, a variety of different types of enforcement were possible. For example, other officers in the department as well as law enforcement victim advocates and the prosecutor could interact with either the victim or the offender. These contacts depended on the individual circumstances of each case and occurred for both the treatment and control groups. In order to implement the treatment, the Lexington County Sheriff’s Department (LCSD) assigned a deputy sheriff (referred to hereafter as the “Dedicated Officer” or “DO”) to receive paperwork identifying cases where an offender was released from bond court with a no-contact order as a condition of their release. The Court Administrator provided photocopies of the bond restrictions to the DO, who entered the case information into a database.

*inclusivity
or exclusion*

The DO began enrolling cases in November 2005 and enrollment progressed continuously until September 2006 when the DO was reassigned. In late December 2006, a new DO began work on the project, resuming the prior DO’s responsibilities of case enrollment and proactive contacts until July 2007 when the study ended. During the period between the departure of the first DO and the arrival of the second DO, the court administrator provided information about new cases on several of the dockets directly to us. Because these cases did not receive the treatment, we wanted to explore the idea of studying them as de facto control cases. These cases are referred to hereafter as “interim controls.” Letters on LCSD letterhead with a brochure introducing the DO as a LCSD point of contact and an explanation of the NCO over the DO’s signature were mailed to each victim in the treatment group.

The database program randomly assigned each newly enrolled case to a treatment group or control group and printed out a proactive contact schedule for treatment cases. Starting in the fall of 2005, 466 cases were randomly assigned to either the treatment ($N=237$) or control condition ($N=229$) and were enrolled in the study. The analysis also included 51 interim control group cases. Random assignment was used to ensure that treatment and control group cases would be comparable to each other prior to treatment delivery. The DO targeted cases in the treatment group for proactive, victim-directed contacts and maintained a log of those contact efforts using a database. Victims of offenders who were randomly assigned to the treatment group

Why important?

*Random –
what is
value?*

received the proactive victim intervention (contact). The DO also provided a log of newly enrolled cases to the research team on a regular basis throughout the study, thus enabling the research team to contact victims for interviews.

Victim Interviews

The incident that led to each case's inclusion in the study is hereafter referred to as the "gateway" arrest or incident. Interviews were targeted to occur at 6 weeks after the gateway incident (Time 1) and then again at 6 months after the gateway incident (Time 2). Interviews with victims commenced in January 2006. Efforts were made to contact each of the 437 female victims enrolled in the study (victims of the defendants who were randomly assigned to the treatment and control groups). Our standardized interview solicitation process involved an initial effort to contact the victim with a letter introducing the "Women's Health and Well-Being Study." For safety reasons, the letters did not mention domestic violence and only referred to the study as research related to "Women's Health and Well-Being." Victims were told that they would receive \$50 compensation for their time and effort if they agreed to participate in the study.¹ The vast majority of the interviews were face-to-face meetings conducted in public areas at a local hospital (with 11 initial interviews and 10 follow-up interviews were conducted via telephone).

What does mean in research terms?

Official Record Searches

At the conclusion of study enrollment during summer 2007, we began the process of organizing the DO case enrollment database and seeking access to case booking information for the cases enrolled in the study. At this stage, we sought specific information from the booking sheets for each gateway incident. After obtaining this information, we obtained arrest records (both before and after the gateway incident), and court dispositions for the cases enrolled in the study.

What is going on here?

The DO acquired official Lexington County Detention Center booking sheets for each offender in the study. An initial effort was undertaken during the fall of 2007 to acquire all criminal history information for all offenders, and all of this information was entered into the analysis databases. Cases with missing or discrepant information (i.e., information on the booking sheet did not correspond with information in the criminal history) were flagged for discussion with the DO. In March 2008, a final criminal history check was conducted on each randomized case (all on the same day) and in early April 2008 a final criminal history check was conducted on the interim control cases (all on the same day). The criminal history checks involved national searches, which queried the National Criminal Information Center (NCIC) database. All criminal history information was entered into our analysis databases.

2005

2007

2008

¹ Although there were 80 female offenders processed by the court during the study period, only cases involving male offenders and female victims were targeted for interviews. There were several reasons for this. First and foremost, the research was supported by monies provided under the Violence Against Women Act (VAWA). Since the interviews were the most expensive part of the project, we elected to devote our resources to securing interviews with female victims in male-offender/female-victim cases. Second, the vast majority of the cases enrolled in our study (86 %) were male-offender/female-victim cases. Third, the development of a separate set of interviews and protocols for female-offender/male-victim cases would have significantly increased project complexity and logistical difficulty.

Could you design a better study?
What type of research is this?

① How would you describe validity & reliability questions from IRB.

② Ethics - what did you learn from IRB training?

③ How ~~was~~ were the constructs operationalized?

④ ⑤