

Domestic Violence Cases in Rural Pennsylvania Magisterial Courts: Practices, Effectiveness and Consequences

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Executive Summary

Public perception and awareness of domestic violence (DV) have changed over the past several decades. Criminal justice responses to DV incidents have also changed. However, in many jurisdictions, these responses are inadequate and incidents are not recorded (Spohn and Tellis, 2012).

This research examined DV cases brought before Magisterial Courts in rural Pennsylvania and the manner in which these courts commonly handle DV cases. The research used semi-structured interviews with Magisterial Court judges and secondary court data.

For the research, the perpetrator of domestic violence was defined as a person who was currently or recently in an intimate relationship with the victim, who might be a spouse or a boyfriend/girlfriend. The study eliminated the category of domestic violence against children, parents, siblings or other family members related by blood or marriage.

The researchers conducted face-to-face interviews with 27 magisterial judges in 21 rural counties across Pennsylvania.

Overall, the research indicated inconsistent handling of DV cases by Magisterial District Courts. The findings suggest the need for changes in the way DV incidents are processed and highlighted the need for a better data collection system.

In particular, the research found that:

- Efforts to criminalize DV have improved policing of DV, increased victims' reporting of abuse to officials, increased the number of arrests for DV (often of both parties), and increased the number of issued Protection from Abuse orders. However, even when law and policy dictate a response to DV, the effectiveness of such reactions is jeopardized by the absence of consequences for the perpetrators.
- The largest barrier faced by district judges in determining consequences for offenders was the unwillingness of DV victims to testify against the abuser. Even when the victim testifies, cases are often reduced to a summary offense that is less than a misdemeanor. As a result, the offender does not have a criminal record that could possibly influence future evidence-based assessments of the serious risk to victims. Additional barriers faced by the district judges included a lack of available treatment programs for DV offenders and an absence of the Magisterial Courts' legal jurisdiction to mandate treatment programs for those DV offenders who are willing to be enrolled in court-mandated treatment programs.
- Domestic violence in Pennsylvania is not a separate charge. Therefore, any DV incident is charged as an assault, aggravated assault or ha-

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rassment. Since the court data system in Pennsylvania does not record the subsumed category for domestic violence or the nature of the relationship between the offender and the victim, the researchers could report neither the gender of the typical DV victim nor the approximate number of DV offenders who are adjudicated in Magisterial District Courts. However, most district judges reported that the majority of recorded simple or aggravated assault is violence between intimate partners where men are commonly perpetrators and women are the victims. Statewide data indicated there was a marginal decrease in simple and aggravated assaults processed by the Magisterial Courts in rural Pennsylvania counties. Consistent with the findings from other studies, Magisterial Courts processed more female perpetrators of simple assault and aggravated assault than in the past.

This research suggests that the major legal barrier to prosecution of DV offenders revolves around a victims' lack of cooperation, particularly their unwillingness to testify against their batterers throughout the preliminary hearing. This legal barrier is based on the flawed assumption that a cooperative victim is essential to the prosecution and consequently to the conviction of the perpetrator. However, such an approach might jeopardize the victim's safety and send a "wrong message" to the DV offender. Additional research needs to explore the possibility of changes in processing, such as evidence-based prosecution, that would not rely on victim testimony.

The research also revealed that, as a result of a victim's reluctance to testify, the dispositions for offenses, such as aggravated assault and simple assault, in many rural Magisterial Courts are often dismissed, withdrawn or reduced to lesser charges, such as summary harassment. As a practical matter, dismissal of the criminal charges leads to an expungement of the perpetrator's record. Because the charge of summary harassment is less than a misdemeanor offense, this charge does not appear in an offender's criminal record and typically results in fines. The findings suggest the need for a graded range of disposition available to magisterial judges, such as court-mandated domestic violence treatment or possibly substance abuse counseling if the offender was consuming drugs or alcohol at the time of the offense.

Table of Contents

Introduction.....	2
Goals and Objectives	5
Methodology	5
Results	7
Conclusions.....	12
Policy Considerations	13
References.....	15

Introduction

Over the last three decades, domestic violence has been recognized as a serious social problem. Public perception and awareness of domestic violence (DV) have changed along with the criminal justice responses to these incidents. These changes can be credited to the Battered Women's Movement and to empirical studies that portrayed DV as a serious public, social, health, and criminal justice problem (Mallicoat and Estrada Ireland, 2014).

DV is a complex phenomenon that eludes a precise definition and simple explanation. The definition of DV varies across state statutes and agencies' practices. There are two sources of inconsistencies across existing definitions concerning the parties involved and what constitutes "violence." Thus, the U.S. Department of Justice's Office on Violence Against Women states on its website that domestic violence can be "physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person."

In regard to the parties involved, in Pennsylvania, DV is defined as violence taking place between family or household members, sexual partners or those who share biological parenthood (Pennsylvania Domestic Violence Statute, Title 23, Sections 6102 and 6113). Other states, such as Delaware, include within the DV category abuse external to the family, such as dating violence. Thus, DV is a heterogeneous phenomenon, and potentially includes assaults on elderly parents, young children, spouses, siblings, live-in sexual partners or, as in Delaware, persons who are in a romantic but not necessarily sexual relationship. Some agencies and researchers take a more narrow view of DV, defining it as Intimate Partner Violence (IPV), which is violence between intimate partners who are living together or

have previously cohabited. It is widely acknowledged that the bulk of domestic violence incidents that come to the attention of the criminal justice system are cases of IPV (Durose, et al., 2005).

Consequently, this study adopted a more narrow conception of DV. Specifically for the purpose of this research, the perpetrator of domestic violence was defined as a person who was currently or recently in an intimate relationship with the victim who might be a spouse or a boyfriend/girlfriend. The study eliminated the category of domestic violence against children, parents, siblings or other family members related by blood or marriage.

Estimating the scope of the problem of DV is notoriously difficult. Scholars have commented on the staggering discrepancy in DV rates reported by the states, the federal government and various research studies that attempt to estimate the scope of the problem. In part, the lack of consistency in estimates is due to the differences in DV definitions employed by those involved in data collection. Incidents of DV are likely to be underreported, which explains the lack of agreement between estimates derived from official data, estimates from self-reports and those produced by victimization studies. Additionally, in some jurisdictions, DV is recognized as a distinct criminal offense. For example, the criminal statute of the Commonwealth of Virginia contains separate provisions on the assault and battery against a family or household member (Code of VA § 18.2-57.2.). In Pennsylvania, DV is not recognized as a separate offense, so it is more difficult to estimate the prevalence of DV.

IPV is a staggering problem that affects mostly women, regardless of age, social and economic status, or location (CDC, 2003). Data show that 49 percent of all violent crimes committed against family members are committed against spouses, and the majority (84 percent) of spouse abuse victims are female (Durose et al., 2005). One in four women in the U.S. will become a victim of IPV during her lifetime (Thaden and Thoennen, 2000; Breiding, Chen and Black, 2014). Conversely, the majority of DV perpetrators are male. However, some studies, especially those relying on the Conflict Tactics Scale (CTS)¹ as a mechanism to measure the incidence of violence, have found the rates of violence by women to be almost as high as men (Straus, 1999).

While the prevalence of IPV in rural areas is similar to urban areas of the U.S. (Breiding, Ziembroski and Black, 2009), the problem of DV and IPV in rural regions has gained considerable attention from scholars,

policy makers, and the general public in the past two decades. An increasing amount of research has focused on victimization patterns and help-seeking behaviors among rural DV victims. Research revealed that rural IPV victims are more likely to suffer severe physical injuries, not report the crime to police, have a child with the offender, and live in poverty as compared to their urban counterparts (Peek-Asa et. al., 2011; Logan, et al., 2007; Grossman, et al., 2005). Batterers in rural areas are more likely to abuse alcohol and drugs (Logan, Walker, Cole, Ratliff and Leukefeld; 2003). Furthermore, many studies uncovered a scarcity of shelters and an absence of specialized treatment and health services available to DV victims in rural areas. Victims living in rural areas may also lack access to services because of geographic and social isolation (Peek-Asa et al., 2011; Lanier and Maume, 2009).

In response to the striking prevalence of IPV incidents, numerous reforms, pro-arrest policies and state interventions have been developed to increase victims' safety and hold perpetrators accountable. For example, the federal Violence Against Women Act (VAWA) of 1994 increased battered women's access to civil protection orders as a government justice service that could reduce future violence. Many states enacted legal reforms, such as mandatory arrests and "no drop" prosecution policies² to prevent police officers from refusing to respond to DV and to prevent prosecutors from abusing their discretion and dropping charges against offenders and protection from abuse orders. Some states attempted to improve judicial responses to DV by instituting specialized domestic violence courts³, which can decrease the probability of reoffending as a result of increased collaboration between the prosecutor, victim advocate and judge (Gover, Brank and MacDonald, 2007).

Some of these policy innovations, especially the mandatory arrest and no-drop prosecution policies, have been met with mixed reactions from IPV victim advocates and law enforcement agencies. Some argue that these policies have the potential to deter offenders (Dayton, 2003). Others argue that such policies

1. Widely used instrument for identifying domestic violence (Straus, 2007). The instrument measures the extent of physical and psychological attacks, the use of reasoning or negotiation to handle conflicts, scales to measure injuries and sexual coercion.

2. Requires state prosecution of any perpetrators of domestic violence, regardless of the victim's desire to prosecute.

3. In Pennsylvania, the cases of domestic violence are heard by the Family Division, sometimes referred to as Family Court, which is one of the three major divisions of the Court of Common Pleas. The Family Court of Philadelphia consists of two major branches: the Juvenile Court and Domestic Relations.

force victims to assist in criminal prosecution without affording them adequate protection (Epstein, 1999). According to the American Bar Association (2007), 20 states and the District of Columbia mandate arrests in domestic violence cases. However, Pennsylvania statute does not require mandatory arrest for DV incidents. Instead, police officers in Pennsylvania are authorized to make an arrest without a warrant, but based on probable cause; whenever an officer has facts or evidence to believe that the alleged perpetrator has caused physical injury to the victim (see Statute Title 18 Pa. Cons. Stat. 2711). In other words, the officers may use their discretion and detain those alleged perpetrators of DV they deem dangerous. Some studies suggest that the deterrence potential of mandatory arrests as the primary response to violence is limited unless it is accompanied by other informal sanctions, such as loss of a job and stigma and rejection from other family members (Sloan, Pratt, Chepke and Blevins, 2013).

The same statute in Pennsylvania requires police officers who decide to arrest the alleged DV perpetrator to inform the victim about available social and legal services. However, the officers are not obligated to do anything else beyond the dissemination of information about services. They are not obligated to assist victims in obtaining medical help or transportation to shelters (Miller, 2004). As a result, victims might be informed about the existence of social services, but lack access to them, especially in rural areas where the distance to the nearest shelter is three times greater than in urban areas (Peek-Asa et al., 2011).

Ideally, policies and programs designed to reduce domestic violence should focus on several necessary goals simultaneously: keeping perpetrators accountable, preventing them from reoffending, and assisting and empowering the victims. The Lethality Assessment Program (LAP) is an example of an innovative initiative in Pennsylvania meant to improve the response to DV. LAP is used by Pennsylvania police officers to assess and identify victims at a high risk of being killed by their abusers and to provide an immediate connection between the victim and collaborating social service providers⁴. In theory, LAP should decrease the frequency and severity of IPV, improve victim safety planning, and inform law enforcement, prosecution and judicial

responses to domestic violence. In Maryland, LAP has been used for almost a decade with every law enforcement agency and the state police. An evaluation of LAP in Maryland suggested that the program execution has increased willingness of victims to seek counseling, legal and social services help, and has decreased domestic fatalities by 34 percent in 5 years (Messing, Campbell, Wilson, Brown, Patchell and Shall, 2014).

Despite the variety of reform measures undertaken, scholars and practitioners continue to make allegations that in some jurisdictions the criminal justice system response to DV cases is inadequate and suffers from a poor recording of DV incidents (Spohn and Tellis, 2012). Some jurisdictions' legislative, judicial, and executive branches are often unresponsive to the objectives of service providers and victim advocates (Miller, 2004). For example, batterers might be mandated to enroll in anger management treatment, while the notion that battering stems from anger has been disputed by some scholars and service providers (NIJ, 2009). Research emphasizes the importance of prevention strategies such as the identification of high-risk DV perpetrators, the importance of batterer intervention programs specifically targeting high-risk offenders, and men who are treatment-resistant men (Juodis, Starzomski, Porter and Woodworth, 2014).

Research on the criminal justice system's response to the problem of DV has also focused on how these cases are processed by the courts. A number of studies examined prosecutorial decision-making in DV cases (Romaine and Frelburger, 2013; Frederick and Stemen, 2012; Worall, Ross, and McCord, 2006). The overarching consensus was that these cases are notoriously difficult to prosecute. Studies point to low prosecution rates for DV and lenient sentencing of perpetrators who primarily receive fines (Sloan et. al, 2013; Zorza, 1992). One of the most commonly cited reasons for low prosecution rates is the domestic violence victims' unwillingness to testify against their abusers, which is explicitly required by some states (O'Neal, Tellis and Spohn, 2015). Research has shown that the prosecutor's decision to file charges against the domestic violence perpetrator is also positively influenced by the initial arrest – obtaining photos, securing the emergency protection from abuse order, listing more than one charge, and providing additional witnesses (Nelson, 2012). Thus, there is a great deal police can do that is likely to increase the conviction rate without the use of victim testimony: collect evidence using video at the time of the incident call, or solicit video or written statements by the defendants and/or victims (Buzawa, 2012).

4. According to the Pennsylvania Coalition Against Domestic Violence (PCADV), LAP was implemented in 2012 across 12 Pennsylvania counties and involved 19 law enforcement agencies. In 2013, LAP was implemented in an additional six counties and 35 law enforcement agencies (municipal police departments).

Several studies have produced mixed results regarding the deterrent effect of prosecution and sentencing beyond the initial arrest. In addition, little is known about the actual deterrence effect of legal sanctions as many studies failed to distinguish between different parts of criminal justice processing: filing charges, the decision to convict, and the type of sanctions imposed on convicted perpetrators (Maxwell and Garner, 2012).

As discussed above, most of the research and policy-making efforts have focused on service providers, prosecutorial decision-making and law enforcement responses to DV. However, judicial decision-making has received only scant attention. Meanwhile, decisions of magisterial judges in Pennsylvania have significant implications for the well-being of DV victims and for holding perpetrators accountable. Therefore, scholars and evaluators need a greater understanding about the types of domestic violence cases in rural Pennsylvania to develop and conduct appropriate additional research designs that can lead to victims' confidence in the criminal justice system, and promote greater cooperation and systematic responses between practitioners and criminal justice agencies.

Goals and Objectives

Through semi-structured interviews with 27 judges of Magisterial Courts and available court data, this study examined the characteristics of DV cases that reached the Magisterial Courts and the way in which those cases were handled by magisterial judges in 21 Pennsylvania counties. Particularly, this study determined 1) the scope of DV cases and the way in which they were handled during preliminary arraignments, 2) problems and obstacles that magisterial judges experienced while handling DV cases, 3) any new approach that is used by magisterial judges or any approaches that can be proposed for use; 4) and finally, policy recommendations for policy makers and criminal justice agencies.

Methodology

This study used the Center for Rural Pennsylvania's definition of rural and urban counties, which is based on population density: a county is considered rural when the number of persons per square mile is less than 284. Of Pennsylvania's 67 counties, 48 are rural.

Secondary Data

This study used two distinct data sources to assess how cases of domestic violence are processed by

Magisterial Courts in rural Pennsylvania: the Uniform Crime Report (UCR) of 2012 for Pennsylvania and official court data provided by the Administrative Office of Pennsylvania Courts (AOPC).

The UCR included crime data for each Pennsylvania county with the categories of property and violent crimes. The AOPC data were for fiscal years 2012, 2013, and 2014 in three separate files: Magisterial Court data set (MDJS), Common Pleas data set (PCMS), and data on sentencing. The Magisterial Court data provided information on the offender (gender and race), offense categories, the offense grade (for example felony 3rd degree, summary), the offense and the case disposition (outcome). The Common Pleas Court data provided information on disposition for cases that were transferred or held for Common Pleas Court from the Magisterial Courts. The sentencing data contained information for sentencing of those cases that were prosecuted by the Common Pleas Court. All three AOPC data files contained information for every county in Pennsylvania including urban ones. The data were extracted for rural counties and allowed the researchers to address descriptive statistics of the 1) dispositions for offenses, such as aggravated assault, simple assault, and harassment and the 2) outcome (sentencing) for offenses, such as aggravated assault, simple assault, and harassment, that were waived or held for the Court of Common Pleas.

While useful for descriptive statistics, the AOPC court data do not include crucial information about the victims of crime. Without such information, the researchers could not examine the relationship between the offender and the victim and therefore, did not know whether a case of simple assault was a domestic violence incident or an incident that involved strangers. In addition, the AOPC data only include general categories of offenses, such as assault and harassment, and do not include a category of domestic violence because such a category does not exist. Consequently, the AOPC data could not be used as anticipated to draw a picture about the extent of domestic violence cases in the Magisterial District Courts and the way such cases are processed.

Interviews with Magisterial Judges

The primary data for this study came from in-depth interviews, conducted in 2015, with judges in Magisterial District Courts in rural Pennsylvania counties. Initially, 43 magisterial judges serving rural counties were contacted directly by phone and through the Pennsylvania Judicial Web Portal and asked to participate in an

audiotaped, in-depth interview. The magisterial judges contacted served 40 different rural Pennsylvania counties. Overall, the researchers interviewed 27 judges, as the saturation point was reached⁵.

Specifically, semi-structured interviews with open-ended questions that allowed for considerable probing were conducted with the 27 magisterial judges in 21 different counties across Pennsylvania, representing a cross-section of rural counties. The sample consisted of 20 male and seven female magisterial judges, with an average experience of 17 years and a range of 2 years to 30 years.

Magisterial judges have discretionary power and responsibility to decide which cases of domestic violence will be dismissed or referred to the Court of Common Pleas. The main goal of conducting semi-structured interviews was to understand more about the Magisterial Court judges' experiences with domestic violence cases and the factors that influence their determination on whether cases will be prosecuted, dismissed or proceed to the Court of Common Pleas.

Since little previous attention has been paid to the challenges of domestic violence cases at the Magisterial Court level, this study included specific questions to understand the potential challenges that magisterial judges face in their work and, consequently, their perception of the impact of their decisions on victims and offenders. In addition, the face-to-face interviews allowed the researchers to explore the judges' perceptions of domestic violence, pinpoint differences and similarities in judges' practices, and identify areas in need of reform. In addition, the qualitative interviews were conducted to provide insights into missing information from existing court quantitative data.

The Magisterial Courts in rural Pennsylvania counties were selected for a number of reasons: magisterial judges, as the "gatekeepers of the criminal justice system," decide which domestic violence cases will be dismissed, withdrawn, or proceed to the Court of Common Pleas; very little is known about the types of domestic violence cases that reach the Magisterial Courts and how those cases are commonly handled; and magisterial judges, as elected public officials, have the power and authority to implement laws and play a leadership role in enlightening and educating the community, in general, about the severity of domestic violence and the legal and social remedies available to victims.

The court system in Pennsylvania is of a hierarchical

nature, and consists of four levels: the minor courts, Courts of Common Pleas, appellate Superior and Commonwealth Courts, and the Supreme Court. The minor courts, also known as the Magisterial District Courts, are overseen by local magistrates. The Magisterial District Courts exist in all Pennsylvania counties except Philadelphia (municipal court), and magisterial judges handle less serious and non-jury criminal cases, such as simple assault and civil cases. The Magisterial District Court is often a person's only interaction with the Pennsylvania Judicial Branch, as most minor legal claims and disputes are settled, resolved, or dismissed at this first level court. Magisterial judges also review matters pertaining to bail, issue emergency Protection from Abuse (PFA) orders, and, through preliminary arraignments and preliminary hearings, decide whether serious criminal cases involving misdemeanors (simple assault) and felonies (aggravated assault) should be referred to the second level courts: the Court of Common Pleas.

Most rural counties are encompassed within several judicial districts. Therefore, most rural counties have more than one Magisterial District Court. For example, Clarion, Armstrong, Indiana, Bradford, Clearfield and Bedford counties each have four Magisterial Courts, while Franklin, Centre and Blair counties each have six. There are a total of 526 judges in Pennsylvania's Magisterial Courts, and approximately 210 judges are located in rural counties.

For the research, the victim of domestic violence was defined as a person who is currently or recently in an intimate relationship with the batterer who might be a spouse, or a boyfriend/girlfriend. This study eliminated the category of domestic violence against children, as the abuse and neglect of children is considered to be a separate category for this research.

Because of the scarcity of literature available on the Magisterial Courts processing of domestic violence cases, a flexible format for collecting data and data analysis was essential. In the analysis, the concepts developed typified the most common patterns in the magisterial judges' accounts. The interview transcripts were analyzed based on deductive coding - identifying parts of the transcripts from interviews that lead to an understanding of categories and their meanings. Though not generalizable, the study raised issues that may guide further inquiries into domestic violence and its processing in the courts. Following grounded theory techniques (Strauss and Corbin, 1998), several themes emerged from the data. Themes that emerged from the data were counted as major themes if at least one-half

5. Saturation is the point in data collection when no new or relevant information emerges with respect to the newly constructed theory. Hence, a researcher looks at this as the point at which no more data need to be collected because no more gaps or unexplained phenomena are present.

of the sample raised the issue.

Consequently, five themes emerged from the data: the inter-generational nature of domestic violence; an increased domestic violence case load as a result of public awareness and law enforcement reforms; the absence of victim’s testimony as a major source of dismissal; the sources for questions about victims’ credibility; and different approaches in court dealings with reluctant victims.

Review of Court Files

To address consistency and validity issues and overcome the limitations of the AOPC official court data, this research incorporated a review of the actual court/case files from Magisterial Court records. Court/case files were reviewed and analyzed from a total of 10 Magisterial Courts by using docket sheets of dismissed simple assaults and harassment for fiscal years 2013 and 2014. With cooperation from the magisterial judges and their staff in each of these districts, the researchers extracted data for each dismissed simple and aggravated assault from court files and case-related documents, including the initial police criminal complaint. Given the study’s interest in domestic violence cases, the researchers recorded a relationship between the offender and the victim. The review of actual court/case records for each dismissed simple and aggravated assault was distinctive in that many of the variables, such as the relationship between the offender and his/her victim and reason for the dismissal, were not included. Public AOPC data files do not record variables of relationship between the offender and his/her victims and the reason for a dismissal.

Results

Intergenerational Nature of Domestic Violence

One of the most consistent findings from the domestic violence (DV) inquiry was that violence tends to run “in the family.” Social learning theories have received a good amount of support in criminological research on possible explanations for violent offending and victimization. When asked to identify the possible causes of DV, almost all participants reported seeing different generations from the same family with the common problems of violence, especially violence against intimate partners. They believed that violence is learned

Table 1: Female Perpetrators by Selected Offenses in PA’s 48 Rural Counties, 2012-2104

		Female Offenders	Total Number of Cases Processed by the Magisterial Court in Account Year	Proportion of Female Offenders from Total Number of Cases
Simple Assault	2012	1,688	9,544	17.7%
	2013	2,039	9,227	22%
	2014	2,038	7,855	26%
Aggravated Assault	2012	486	2,887	16.8%
	2013	441	2,917	15%
	2014	491	2,410	20%

Source: AOPC.

behavior. However, at the same time, their responses also suggest a correlation of domestic violence with drug and alcohol abuse, poverty, unemployment, and low educational achievement.

Participants were also likely to express the traditional belief that abstinence from alcohol and other drugs would lead to a decrease or elimination of violence. As research suggests, violence occurs both when substance abuse is present and absent. Even though the barriers to perpetrator change include substance abuse, mental health challenges, family origins and the perpetrator’s belief system, they are not the only factors leading to violent behavior (McGinn, Taylor, McColgan, and Lagdon, 2015).

In addition, the participants expressed the belief that more women are becoming perpetrators of domestic violence. Table 1 shows the number of female perpetrators that were processed by the Magisterial Courts for simple and aggravated assault in 2012, 2013 and 2014. As there were no data on victims, the researchers were unable to conclude whether these recorded offenders were intimate partner abusers, or to provide evidence about their recidivism rate. Nevertheless, the proportion of female offenders processed by the Magisterial Courts, especially for simple assault, is increasing.

Research on domestic violence, specifically on IPV, focuses predominantly on male perpetrators. Men are three times more likely than women to become an abuser. In addition, male IPV offenders are also more likely to recidivate than female offenders.

As the court data lacked information about circumstances surrounding the crime, the researchers could not uncover any patterns of crime committed by female perpetrators. Existing literature about patterns of IPV with female offenders suggests gender differences in the extent and severity of IPV: women perpetrators are likely to abuse alcohol or be drunk during the incident; they are likely to be arrested with their partner; they

usually do not initiate the violence; and they are likely to act in self-defense (Miller and Melloy, 2006; Downs, Rindels and Atkinson, 2007). Even though the participants' narratives about female offenders and the review of court case files tentatively support these evidence-based findings, the researchers were unable to provide any other confirmation as available data were lacking.

Increased Domestic Violence Case Loads

The interviews emphasized that the efforts to criminalize DV have increased public awareness, improved policing of DV, and increased victims' reporting of abuse to officials⁶. The majority of magisterial judges specifically discussed the existence of domestic violence protocol and policy guidelines that were implemented in their county as a principal instruction for police officers. Even though the wording of the protocols varies across different counties, overall instructions consist of guidelines for arrest, scene investigation, police response when a child is present at the scene, and on-scene assistance to victims and dependents. Some counties' guidelines also include police lethality assessment instructions for documentation of the victims' injuries that potentially can be used as evidence, or specific instructions for district attorneys. According to the participants, the main goals of DV protocols were to promote a uniform police approach across Pennsylvania, protect and empower victims, promote prosecution of the perpetrators and hold perpetrators accountable to reduce recidivism of DV abusers. This study's findings suggest that protocols were created and reviewed by the Domestic Violence Task Force⁷ in a particular county. However, the frequency of updating and reviewing the protocol and the number of actors involved in that process seems to be a result of past and current funding, such as the STOP Formula Grant Program⁸, the existence of evidence-based funded programs in the county, and the proactive approach of existing social service providers in the county. For example, in some counties, the district attorney was involved in creating the guidelines, and in others, it was women's advocate organizations. In some counties, protocols have not been updated since 2004. Consequently, this study highlights the need to know more about the implemented protocols of DV and their impact on the work of police officers, victims and DV perpetrators.

Even though the major reform in law enforcement response to domestic violence is viewed as very good and beneficial, the magisterial judges also expressed concerns that the existing reforms increased the court case loads, dual arrests⁹, and the number of requested

PFA's. Table 2 shows the number of offenses that were processed by the Magisterial Courts in rural Pennsylvania counties for 2012, 2013, and 2014. The four types of offenses of simple assault, aggravated assault, harassment, and simple assault-mutual consent were selected for the table based on research findings that these are more likely to be offenses of DV, especially violence against an intimate partner.

The harassment category includes two major categories of harassment: 1. strikes, shoves, kicks or otherwise that subject the other person to physical contact, or attempts or threats to do the same; 2. communication to or about such other person any lewd, lascivious, threatening or obscene words, language, drawings or caricatures.

The largest category of harassment and its consequences for the perpetrator was discussed during interviews. The number of harassment offenses processed by the Magisterial Courts suggested that many potential DV incidents are processed and decided as summary offenses, Pennsylvania's least serious offense level.

As previously discussed, there have been many debates whether mandatory arrests or arrests based on probable cause are effective in empowering DV victims and reducing the perpetrators' recidivism rates. Since the court data do not provide any information on prior criminal history of the offender, it is impossible to reach any conclusions regarding recidivism. In addition, the category of "simple assault-mutual consent fight" suggests that in some incidents both parties were arrested and charged with the offense: the number of offenses for mutual consent fight, however, does not reflect the number of women who might have been arrested for the violence together with their intimate partner, but then were accused of and charged with a different offense than with mutual fight. However, once again, as a result of unavailable data it was impossible to suggest the number of female perpetrators, patterns of offenses, and circumstances of the arrest. This research uncovered the need for future evaluation of

6. Campaigns, educational efforts, protection from abuse orders.

7. The Pennsylvania Domestic Violence Task Force was established in September 2008 by the Pennsylvania Department of Human Services (formerly Department of Public Welfare). The purpose of the task force was to bring together experts from the various sectors that assist victims of domestic violence to produce recommendations related to DV in Pennsylvania.

8. STOP grant is awarded to Pennsylvania through the STOP program within the federal Violence Against Women Act. The Pennsylvania Commission on Crime and Delinquency (PCCD) is a Pennsylvania STOP state administrator and as such it funds the law enforcement, prosecutors, victims' services etc. through a competitive process.

9. Arrest of both individuals (victim and perpetrator) for closer examination.

the effectiveness of arrest policies and suggests an evidence-based approach for different typologies of the perpetrators.

Nevertheless, Magisterial Court judges reported that even though the judiciary plays a crucial role in eradicating DV, perpetrators are evading justice, and the major problem with prosecution and processing of IPV cases is securing victims' testimony.

Absence of Victim's Testimony is Major Source of Dismissal

Pennsylvania law mandates victims to assist in the prosecution of their batterers, especially during a preliminary hearing before a magisterial judge. The victim's testimony during the preliminary hearing in the Magisterial Courts provides the magisterial judge with information necessary to decide whether there is enough evidence for further prosecution by the Court of Common Pleas. Consequently, the victim's testimony plays a crucial role in the judge's decision to dismiss the case for insufficient evidence/testimony or bind the case over to the Court of Common Pleas for further prosecution.

Table 3 shows the disposition for selected offenses of aggravated assault and simple assault in fiscal years 2012, 2013 and 2014.

The descriptive statistics in Table 3 indirectly support the narratives of magisterial judges that many cases of simple assault are dismissed or withdrawn. However, there are no data about the reason for dismissal and, therefore, only the magisterial judges' narratives suggest that the majority of assault cases are dismissed because the victims are often reluctant to testify against their batterers. In other words, many perpetrators of simple assault are not prosecuted and cases are not sustained because of a lack of testimony from the victim. Specifically, Magisterial District Courts in rural Pennsylvania counties in 2012 dismissed and withdrew approximately 25

Table 2: Assaults and Harassment Offenses Adjudicated in Magisterial Courts in PA's 48 Rural Counties, 2012-2014

	Aggravated Assault	Harassment	Simple Assault	Simple Assault-Mutual Consent Fight	Total
2012	2,887 (9.2%)	18,982 (60.4%)	9,544 (30.4%)	22 (0.1%)	31,436
2013	2,917 (9.6%)	18,098 (59.8%)	9,227 (30.5%)	36 (0.1%)	30,278
2014	2,770 (10.4%)	14,977 (56.0%)	8,973 (33.5%)	31 (0.1%)	26,751

Source: AOPC.

percent of simple assault cases (total of 2,381 cases). This trend was similar for 2013, when 25.8 percent (total of 2,359 cases) were dismissed or withdrawn and in 2014, when 26.4 percent of simple assault cases (total of 2,371 cases) were dismissed or withdrawn. The interviews indicated that the majority of dismissed and withdrawn simple assault charges are the result of the victim's hesitancy to testify against an abuser. Therefore, victims who are tentative to testify are also more likely to be victims of intimate violence. In addition, magisterial judges suggested that the reason behind lacking testimony is that the victim often does not want to jeopardize the relationship for a variety of reasons (having children in common, the abuser is a major source of income, common residency etc.).

Table 3: Case Disposition for Aggravated Assault and Simple Assault in the Magisterial Courts of PA's 48 Rural Counties, 2012-2014

		Case Disposition					Total
		Dismissed	Withdrawn	Waived for Court	Held for Court	Other Disposition	
2012	Simple Assault	981	1,400	3,951	1,559	1,565	9,456
	Aggravated Assault	118	177	1,718	796	100	2,909
2013	Simple Assault	1,000	1,359	3,829	1,448	1,521	9,157
	Aggravated Assault	141	173	1,646	846	135	2,941
2014	Simple Assault	985	1,386	3,831	1,383	1,388	8,973
	Aggravated Assault	155	220	1,460	854	81	2,770

Source: AOPC. Explanation of the disposition categories:

Dismissed: Case is dismissed during the preliminary hearing either because of insufficient evidence or often because victim refuses to testify. Often it is not possible for the prosecutor to refile charges.

Withdrawn: Case is dropped by the prosecutor or arresting officers, generally due to insufficient evidence without any preliminary hearing. The prosecutor may refile charges.

Waived for court: Case waived before preliminary hearing for further prosecution in the Common Pleas Court.

Held for court: Case is moved to Common Pleas Court for prosecution after preliminary hearing held by the magisterial judge.

Other Disposition: Cases where defendants entered into plea agreements with the district attorney's office. For simple assault, the lesser charges are usually "summary harassment," the offense charged as a lesser offense in many simple assault charges.

When asked why a police report from the incident is not taken into account during the preliminary hearing, more than half of the magistrates expressed concerns with using testimony of police officers as evidence of abuse. Even though every rural county has improved the recording and the accuracy of evidence collected by police departments and implemented guidelines for policing domestic violence, only very few magisterial judges revealed that they actually used such police-collected evidence or police officers' testimony during the preliminary hearing. The majority of the respondents believe that police reports are statements that must be proved by a victims' testimony at the court hearing.

As opposed to the simple assault offenses, the cases of aggravated assault were less likely to be dismissed or withdrawn. In 2012, approximately 10 percent of aggravated assault cases were dismissed or withdrawn as opposed to 2013 and 2014 when 10.7 percent and 13.5 percent of aggravated assault cases, respectively, were dismissed or withdrawn.

Examining and identifying the factors that lead to the dismissal of criminal charges are important for understanding intimate partner violence victims' reactions to the criminal justice system and, subsequently, the creation of a criminal justice approach that better responds to victims' needs. In addition, it is necessary to further evaluate the recidivism rate for those perpetrators whose charges were dismissed and not held accountable.

Even though the available data did not allow the researchers to evaluate the number of perpetrators whose charges were reduced, the study participants revealed that the number of dismissed cases are followed by the number of cases with reduced initial criminal charges to so-called "summary harassment." As compared to being convicted of a misdemeanor crime, such as a simple assault, a lesser charge of summary harassment will not appear on the offender's criminal record. In addition, the summary harassment conviction typically results in fines rather than other, more restrictive sanctions. This similarly raises questions regarding dismissal and the impact of such a conviction not only for the future re-offense, but also regarding the victim's well-being.

Descriptive statistics also suggested that, over the 3 years, more than half of the simple assault cases heard by the district judge during the preliminary hearings were consistently waived or held for court. Specifically, in 2012, 58.0 percent of simple assault offenders were waived or held for court. In 2013 and 2014, 57.6 percent and 58.0 percent, respectively, of simple assault cases were waived or held for court. The terms "held

for court" and "waived for court" have distinct meaning. Being "held for court" implies that a person is placed in custody to await a hearing or trial in Common Pleas Court. A person who is "waived to court," is not placed in custody but ordered to appear in court. The rates of being waived to or held for court were higher for aggravated assault than simple assault offenses. In 2012, 86.0 percent of aggravated assaults were waived or held for court. Similar trends were observed in 2013 and 2014, when 84.7 percent and 83.5 percent of aggravated assaults, respectively, were waived to or held for court.

Projecting from these findings, the researchers suggested that future research evaluate the disposition for cases that were waived to or held for the Court of Common Pleas, as the court dispositions for felony and misdemeanor convictions are more serious, including the incarceration period and/or probation supervision. For example, if the offender is sentenced to probation, the probation conditions might include attendance in a program tailored for batterers, domestic violence counseling or possibly substance abuse counseling if the offender was consuming drugs or alcohol at the time of the offense. Magisterial judges said that victims of intimate violence commonly express a desire for alternatives to incarceration. However, diversionary court dispositions, such as mandated counseling and substance abuse treatment, need to be adequately enforced and monitored, and involve law enforcement agencies, such as police. These dispositions must also be appropriately evaluated.

Although court intervention is not the only answer to domestic violence, it is important, as it has the potential to contribute to or decrease the violence by holding perpetrators responsible and promoting victims' recovery by providing a validation for the victims' story (Bell, Perez, Goodman and Dutton, 2011). In criminal court, the victim is a valuable and important source of information; however, considering the number of reluctant victims, the option of using evidence-based prosecutions should be considered.

Different Approach in Dealing with Victims Reluctant to Testify

Although many initial cases of assaults are dismissed or withdrawn during the preliminary hearing at the Magisterial Courts, this study also indicated a different judiciary approach with reluctant DV victims. The number of dismissed or withdrawn cases of assault charges was not evenly distributed across the Magisterial Courts. Some participants said that in "their" courts

very few cases are dismissed. Compared to dismissal, charges were either reduced or cases were not decided up to 90 days, especially when victims seek and agree to other options for holding the offender responsible. For example, victims may request behavioral change treatment for perpetrators. Consequently, some magisterial judges leave cases open while offenders enter and finish treatment programs.

It is necessary to point out that the Magisterial Court has limited jurisdiction regarding sentencing, and magisterial judges cannot mandate treatment programs. Therefore, the agreement is reached between the victim, offender and district attorney prior to the preliminary hearing. In addition, because of the limited jurisdiction of the Magisterial Courts, this option relies entirely on the discretion of the magisterial judge to leave the case open, oversee it, and proceed accordingly when the perpetrator complies with or violates the agreement. The study participants also said that the perpetrators who complete the treatment program, especially those tailored for the DV abusers, are less likely to reoffend. Respondents, however, also discussed several common problems with such an approach. For example, batterer programs are not available in every county, so perpetrators must often travel to participate in these programs. These programs, unlike treatment programs, are not free of charge and the expenses must be covered by the perpetrators. It raises the question of how such options influence the family budget. Nevertheless, the lack of statistics on existing court-mandated programs in Pennsylvania rural counties, the number of domestic violence offenders who are adjudicated each year, and their rates of recidivism make it difficult to suggest any areas of improvement, point out limitations, or advocate for much needed services. Consequently, before any new interventions or court reforms are contemplated, a domestic violence impact study should be conducted as well as an assessment of data that should be included in a data collection system.

Some magisterial judges expressed concern regarding poor resources, which undermine Magisterial Court priority within the larger court system. The Magisterial Courts vary in terms of resources, and access and availability of programs and services by county. Therefore, to consider an option for improvement, the resources, training and expertise of court personnel must be enhanced, and support for long-term oversight capacity needs to be delivered.

Another option for disposition that was discussed during the interviews was the reduction of initial charges as a way to secure conviction. Some magisterial judges view the reduction of initial charges as a means

to address the perpetrator's accountability, rather than to dismiss the case because of a lack of testimony from the victim. The reduction of charges is agreed between victim, offender and the district attorney prior to the preliminary hearing. Nevertheless, often to sustain the case, the court admits evidence of IPV allegations other than the victim's testimony. For example, the victim's narratives and pictures of injuries taken by police at the time of the incident might provide essential information for a district attorney and the magisterial judge. Some of the participants broadly discussed existing police reforms and training of police officers regarding precise evidence recording at the scene, such as using body diagrams for notes of the victim's injuries.

The magisterial judges identified the necessity to view domestic violence as incidents that require close and continued cooperation among criminal justice agencies and subsequent service providers. In addition, their interrelated encounters and cooperation must be systematically documented to facilitate the perpetrators' taking responsibility. In other words, the reforms implemented in one agency should be reflected in the approach and reforms of another criminal justice agency. Improved policing of domestic violence should be reflected in a court approach that is assessed for conviction and recidivism rates.

Sources for Questions about Victims' Credibility

As noted above, magisterial judges often have victims who are reluctant to be in the courtroom, victims that do not appear for the preliminary hearing, or victims who often change their stories. Thus, participants predominantly discussed the necessary procedure to subpoena victims to testify. The findings suggest there is no consensus as to what extent the court should go to compel DV victims to help prosecute the perpetrators, and victims are unlikely to be sanctioned for failing to appear in court or for refusing to testify. The majority of participants said they would not force the victim's testimony and would rather dismiss the case, taking into account limited resources. Nevertheless, many agreed that if the victim was provided with support services, especially before the preliminary hearing, and had the opportunity to work closely with the court staff, the victim would be likely to continue her participation with the prosecution.

Similarly, the magisterial judges stressed the importance of family and friends' support for victims as a motivation to perhaps leave the abusive relationship. When asked how a victim who goes through the entire

process from prosecution to final disposition differs from one who refuses to testify, magisterial judges emphasized the support of family as a key factor. The majority of participants believed that victims who have family support are more likely to leave the abusive relationship. Consequently, the findings suggest that support, whether it is from social services, court staff or family, increases the likelihood that victims will take an active role in the decision about the prosecution.

The lack of victim cooperation has also been discussed by the participants as something that damages the victim’s credibility. Specifically, manipulation of the PFA system was widely discussed among participants. They expressed concern that some victims abuse PFAs to get “back at the spouse,” or to gain an upper hand in custody proceedings.

Table 4: Processed PFAs Statewide and in Rural Pennsylvania Counties, 2014

	PFAs Processed 2014	PFAs Withdrawn by the Petitioner	Petitioner Did Not Appear	Final Order Granted	Other
Statewide	37,085	7,426	10,599	5,916	13,144
Rural Counties	8,401	1,821	1,183	1,798	3,599

Source: AOPC

Table 4 shows the number of PFAs across the entire state and for individual Magisterial Courts in rural Pennsylvania counties that were processed by the Common Pleas Courts. The number of emergency PFAs¹⁰ issued by the Magisterial Courts was not available. However, available statistics from the Common Pleas Courts numbers provided a base for illustrating the magisterial judges’ experience with reluctant victims – the number of PFAs withdrawn by the petitioner or dismissed because the petitioner did not appear for the hearing was significant in comparison with the final number of PFAs granted. For example, from a total of 37,085 statewide processed PFAs in 2014, 16.0 percent (5,916) were granted, 20.0 percent (7,426) were withdrawn by the victim, and 28.5 percent (10,599) of victims did not appear for the hearing. For all 48 rural counties, the statistics were similar. From a total of 8,401 PFAs processed in 2014, 21.0 percent (1,798) were granted, 21.6 percent (1,821) were withdrawn by the victim, and 14.0 percent (1,183) of victims did not appear for the hearing.

The number of PFAs processed also consists of so-called “temporary PFAs,” which are issued for victims until a full court hearing for the final PFA in which the alleged abuser has the opportunity to testify and present evidence. A hearing is usually scheduled within 10 business days. The variable of Final Order Granted represents the final PFA, which is effective for up to

3 years, with the possibility of a future extension. The Other category includes dismissed PFAs and Final Order by Stipulation or Agreement between Parties¹¹.

Conclusions

Domestic violence has wide-ranging negative consequences not only for those who are directly victimized but also for family members and the community at large. Domestic violence can lead to victim’s health problems, and to behavioral and other problems in children who witness the violence. Although abused victims cannot change the perpetrator’s behavior, they can take actions to reduce their and their family’s exposure to the partner’s abuse either by reaching out for help from criminal justice and/or social and health

services. The major obstacle for magisterial judges to hold DV offenders responsible for their behavior is the victims’ hesitancy to cooperate. The reluctance of abuse victims is also visible in the statistics about dismissed court cases

and withdrawn applications for PFAs. The victims’ lack of assistance undermines their credibility, and also presents major legal challenges for magisterial judges.

Alternative solutions are few. As some of the participants said, DV is usually not a single, isolated event, and the abused victims’ experiences shift their beliefs, perceptions and tolerances of the abusive situations. Therefore, the connection between victims and service providers or victim advocate organizations prior to the preliminary hearing is very important. It can be a stepping stone not only for victims’ empowerment, but also for increasing the willingness to collaborate with the criminal justice system. Nevertheless, some studies suggest that victims of IPV are more likely to call police than to reach for help through social service agencies (Sharps, Campbell, Campbell, Gary and Webster, 2001). Therefore, it is necessary for service providers and victim advocacy agencies to reach out to victims involved in the criminal justice system.

This study revealed that major reforms were imple-

10. An emergency PFA is a court order signed by a magisterial judge and issued for incidents of violence/threats that happen when the Court of Common Pleas is closed. The emergency PFA is only good for a limited amount of time (until the end of the next court business day).

11. The final PFA can be entered by agreement between the victim and the perpetrator. Prior to the hearing, the parties’ attorneys can discuss an agreement and present to the judge before or at the time of their final order hearing.

mented in law enforcement agencies specifically in police departments. However, these reforms are not always transformed or reflected in the work of the Magisterial Courts. The lack of any statistics and evaluation concerning the police reforms in Pennsylvania prevented the researchers from reaching any conclusions about the impact of police reforms on DV prevalence, convictions, and recidivism rates for IPV perpetrators.

Nevertheless, the police investigations and reports collected on the scene could be an important part of the evidence to describe accurately the extent of violent incidents for the courts, especially when the victim does not cooperate. However, this study revealed that even though every rural county has improved the recording and accuracy of evidence collected by police departments and implemented guidelines for policing domestic violence, very few Magisterial Courts actually used such police-collected evidence or police officers' testimony during the preliminary hearing. The majority of interviewed magisterial judges primarily base their decisions on victims' testimony rather than on any other available evidence, especially for less serious offenses. Yet, the less serious offenses also comprise the majority of DV cases. In other words, the police reforms regarding arrests, guidelines and modification of police response to domestic violence that were implemented across Pennsylvania to improve police work and increase victims' protection do not influence the perpetrators' conviction and court processes because the evidence admitted by the court is evidence from the victims' court testimony.

The lack of evaluation of police reforms prevented the researchers from determining whether courts are not using police collected evidence because such evidence still lacks an accurate, detailed and comprehensive victim's narrative, type of injuries, testimony of perpetrators and other witnesses or if these reforms are simply not reflected in the Magisterial Courts and thus are essentially an unnecessary burden on police departments' resources. Nevertheless, the initial arrest focuses on the immediate problem and has only a limited impact on the reduction of domestic violence. There is no knowledge about the prevalence of DV, typology of perpetrators, history of violence and significant input of other criminal justice agencies. For example, the magisterial judges experienced an increasing number of female perpetrators and arrests of both parties for mutual violence. As the interviews suggested, the female perpetrators were also more likely to abuse alcohol and drugs. However, the absence of systematic documentation and police investigation on the scene opens

questions regarding the circumstances surrounding the incidents and prior victimization of the female perpetrators and hides the different approach that might be used for female perpetrators with an evidence of prior victimization.

As already discussed, it is not unusual for victims to ask for alternatives to incarceration for holding the abuser responsible, such as treatment for substance abuse or behavioral programs. The limited resources and jurisdiction of the magisterial judges provide another obstacle to holding the perpetrators accountable. In addition, the court mandated treatment programs are not available in every rural county and no data collection exists regarding the number of DV offenders' referred each year to these programs. Similarly, no systematic evaluation of such programs has been done even though they might vary in their elements, practices and success.

Policy Considerations

Despite the prevalence of domestic violence and decades long efforts to reduce intimate partner violence, data collection on DV incidents remains insufficient and limited. This study and existing evidence suggest that domestic violence is far more complicated than it appears at first glance, and every variable needs to be taken into the account to tailor an adequate response. From existing statistics, the researchers were unable to glean the complexities of domestic violence known to criminal justice, the extent of the problem, and the typology of perpetrators processed by the Magisterial Courts in Pennsylvania. Key variables, such as the victim-offender relationship, the reasons for the dismissal and withdrawal of cases, and the history of violence, are needed to overcome the misinterpretation and unanswered questions about the prevalence of domestic violence and its pattern.

Pennsylvania law does not include a separate charge for DV. Instead, DV incidents are subsumed under assault or aggravated assault charges. Consequently, court data are collected on simple assault and aggravated assault without evidence as to whether such offenses were within the category of intimate partner violence. In addition, since domestic violence is not a distinct criminal offense, no enhanced penalties or other responses exist in Pennsylvania for recurring DV incidents or infliction of psychological harm on victims including children who witnessed the violence. This is a problem because the law mandates victims of abuse to testify against their batterers, and, in many

cases, the charges are dismissed during the preliminary hearing because the victim does not appear or testify. Therefore, perpetrators are very often not held accountable even if they might be repeatedly accused of violence. To improve the court process and hold perpetrators accountable, recording the perpetrator's history of violence is necessary. In addition, domestic violence research supports the idea of harsher penalties including incarceration for repeat abusers and for those with a prior history (NIJ, 2009). Some states have created separate laws that specifically apply to acts of domestic violence (Alabama), while other states treat domestic violence as an aggravating factor that triggers enhanced penalties for the perpetrator (Florida). At least eight states (Alaska, Arizona, California, Hawaii, Mississippi, Montana, Ohio and Washington) consider the presence of a child as "aggravated circumstances" for those perpetrators convicted of domestic violence (Child Welfare Information Gateway, 2012). To change Pennsylvania's law, the attention should be increased towards children who may be affected by violence, and to better understand the factors that play a role in the victims' reluctance to testify against their batterers.

The number of dismissed cases of assaults suggests a great need for court reform and in the county offices of district attorneys. Determining which cases are worthy of prosecution should perhaps involve assessing the lethality of the perpetrators. Therefore, any dismissal of domestic violence cases should be recorded with the reason for the dismissal, so it can be used for the assessment of future violence. Domestic violence is not an isolated event, and such assessment is probably the most efficient way to use scarce court resources by focusing on perpetrators that are repeatedly accused of violence, but are not always prosecuted.

However, before court reforms are proposed, the existing reforms in policing should be evaluated. It is unknown whether the guidelines and protocols for policing domestic violence brought any changes in the prevalence of domestic violence or what impact such policing has had on a victim's well-being. Perhaps, the policing of domestic violence should be improved but also connected by subsequent and closely related reforms in courts. The initial arrest of abusers focuses on the immediate problem. Yet, it does not address the issues that surround domestic violence. Therefore, the connection between mandating the police to report DV incidents with a well-documented victim's narrative and type of injuries can provide additional and necessary information for the court's further assessment of

the perpetrator. This collaborative approach between the police and the courts should be accompanied with the immediate connection of the victims to social services and victim advocates. This research also suggests that victims are more likely to cooperate with the criminal justice system when additional social and legal services are available.

According to this study, violence was primarily perceived as a learned behavior among the participants. Therefore, this study strongly suggests that a preventive approach to domestic violence with systematic support for the children who are at risk of being exposed to violence in their homes is needed, especially since the severity and duration of IPV is longer for couples with children (Nouer, Mackey, Tipton, Miller, and Connor, 2014). In addition, children's exposure to intimate partner violence and its related trauma are strongly related to subsequent substance abuse, delinquency during adolescence, and future victimization. Therefore, the researchers suggest the development of preventive programs to increase the understanding of how children are impacted when witnessing domestic violence and how to protect youth from the negative consequences associated with being exposed to violence. Without such programs and their subsequent evaluation, it would be difficult to reduce the prevalence of domestic violence or initiate effective crime prevention or control programs that focus on juvenile delinquency reduction.

Finally, this study suggests that a variety of efforts, programs, protocols and guidelines need to be implemented in rural counties to reduce domestic violence, assist victims, and hold perpetrators accountable. It is significant that these efforts are currently not systematically reported and evaluated. In addition, many programs or service providers established in the past were short-lived due to a dependency on grant cycles. It is not uncommon for programs and services to disappear as grants are not renewed. Funding and limited access to resources were cited as the most pressing barriers to providing an adequate response to the problem of domestic violence in rural Pennsylvania. Consequently, it is imperative that an effective evaluation, screening and data collection system be initiated to ensure that the limited resources of rural communities can be used most effectively.

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