

# **Engage to Protect: Foundations for Supervised Visitation and Exchange**

## **Recognizing and Understanding Battering**

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Praxis International, Inc.

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## Acknowledgments

This paper draws on eight years of wide-ranging discussions involving the Office on Violence Against Women, Praxis and other technical assistance providers, and visitation programs of all sizes and at all stages of development. We benefited from the contributions of many people who have a long history of working, researching, and training on issues related to domestic violence and supervised visitation and the ways in which they intersect. In particular, the early work and experiences of the Safe Havens Demonstration Initiative sites—the South Bay Area, California; the City of Chicago, Illinois; the City of Kent, Washington; and the State of Michigan—helped focus our attention on the importance of recognizing and understanding battering.

We cannot begin to adequately thank the women who participated in focus group discussions and helped us explore the many facets and needs related to safety after leaving an abusive partner. We dedicate this work to them, and to the children, mothers, and fathers who everyday enter the doors of a visitation center. May our contribution help expand the possibilities of nonviolence and harmony for each family.

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NOTE: We recommend reading the following related papers in the *Engage to Protect* series: “Engaging with Battered Women” and “Engaging with Men Who Batter,” by Maren Hansen-Kramer, Julie Tilley, Beth McNamara, and Jane Sadusky, 2009.

## Types of Domestic Violence

“Domestic violence” has become a familiar phrase over the past thirty years. Communities have founded domestic violence agencies; police and prosecutors have written domestic violence policies; state and federal governments have made grants for domestic violence programs.

Domestic violence is a broad category that has come to include many kinds of violence and behaviors within relationships between intimate partners and, in most states, relationships between family and other household members. It jumbles together actions as different as scratching someone’s face and strangulation; throwing a box of cereal against a wall and head-butting. The term domestic violence tends to focus attention on acts of physical violence and obscure attention to ongoing coercion, intimidation, and emotional harm. More recent attention to stalking, for example, has been in part a reaction to the limitations of equating domestic violence with physical violence.

What has been largely submerged under the category of domestic violence is **battering**, as recognized, defined, and brought to public attention from the 1960s onward by those responding to the realities of sustained abuse in women’s lives by their intimate partners. The battered women’s movement made visible the patterns of coercive control, intimidation, and oppression that women often experienced at the hands of their husbands or male partners. As laws were enacted to protect women and hold batterers accountable, however, the term “domestic violence” was used to group all acts of intimate partner violence under a single category. Every act of violence by one partner against another that occurred in the setting of the home came to have the same meaning; that is, all violence involving intimate partners became acts of domestic violence.

We have since learned that applying a single treatment to such a broad range of human interactions and behaviors inhibits meaningful intervention for victims and perpetrators. For example, grouping all acts of violence together, rather than tailoring interventions specifically to battering, has led to the kind of blanket response that treats a battered woman who resists or reacts to abuse with violence no differently than her partner who has pursued a systematic pattern of control, intimidation, and domination. The lack of distinction about the type and intent of violence has led to treating someone who has engaged in relentless pursuit of a former partner and multiple acts of violence, coercion, and intimidation in much the same way as someone who has slapped a partner during a



heated argument. This generic response – lumping all acts of violence in relationships into a single category of ‘domestic violence’ – fails to make critical distinctions in its deliberations and actions on behalf of the state. In this generic response, the safety of those being battered is watered down and diminished.

To respond without inadvertently causing further harm to victims of battering requires distinguishing who is doing to what to whom, and with what impact. We must understand the **context** of any given act: the **intent** of the perpetrator, the **meaning** to the victim, and the **effect** on the victim. Drawing on the recent work of researchers and practitioners who are examining violence and power in intimate relationships, and particularly how women and men’s use of violence differs, we can distinguish battering from other forms of domestic violence.<sup>1</sup> A visitation center cannot create safe, appropriate, and responsive services for adult victims and their children without understanding these distinctions. There are three primary forms of domestic violence that a visitation center is most likely to encounter.

- **Battering** is an ongoing use of intimidation, coercion, violence, and other tactics **intended to control and dominate** an intimate partner. It involves patterns of physical, sexual, and emotional abuse. In severity it ranges from intimidation by pushing, shoving, and restraining to stalking over a period of many years; to making a victim live in constant fear of harm to herself, her children, or her family; to the extreme domination and physical violence of “**intimate terrorism**” (Johnson); and to killing her or her children or other family members or friends. Battering is distinctive for the variety of coercive tactics, the level of fear it produces for adult victims and their children, and its potential lethality. It is not the same as hitting someone in a marriage. While men and women both engage in domestic violence and, according to some studies in almost equal numbers, battering has been and remains most characteristic of men’s use of violence in relationships. Few heterosexual women have the combination of physical strength, social support, and historical privilege to dominate a male partner with violence, coercion, and intimidation.<sup>2</sup> For example, it is rare to find women following their husbands or male partners around in cars; intimidating them by brandishing or cleaning weapons in front of them; restraining them by “bear hugs” or sitting

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<sup>1</sup> This discussion draws primarily on Ellen Pence and Shamita Das Dasgupta, “Re-examining ‘Battering’: Are All Acts of Violence Against Intimate Partners the Same?”, Praxis International, Inc., 2006 (available at [www.praxisinternational.org](http://www.praxisinternational.org)). It also draws on Ellen Pence and Michael Paymar’s experience conducting education groups with men who batter (*Education Groups for Men Who Batter: The Duluth Model*, Springer, 1993); Evan Stark’s articulation of “coercive control” (*Coercive Control: How Men Entrap Women in Personal Life*, Oxford University Press, 2007); and Michael Johnson’s attention to the sharp and crucial distinction between what he terms “intimate terrorism” and “situational couple violence” (as set forth in the following and subsequent publications: “Patriarchal Terrorism and Common Couple Violence: Two Forms of Violence Against Women in U.S. Families,” *Journal of Marriage and the Family*, 57 (May 1995): 283-294.

<sup>2</sup> Battering can occur in same-sex relationships, although there has been little specific research on intimate partner violence in lesbian, gay, bisexual, or transgender relationships (LGBT). Since 1999 the National Coalition of Anti-Violence Programs (NCAVP) has collected data to help draw attention to the reality of intimate partner violence in LGBT communities. It cautions against denying or exaggerating the existence of such violence: “Both the exaggeration and denial of LGBT IPV, as well as the attempts to use it as evidence that oppression against women doesn’t exist, only serves to exacerbate the isolation of survivors and assists in maintaining an environment in which intimate partner violence is able to flourish within all communities” (2007 report). NCAVP domestic violence reports are available at [www.ncavp.org](http://www.ncavp.org).



on them; using strangulation to scare or hurt them; locking them in closets basements or other contained spaces; or stalking or killing a partner as or after the relationship has ended.

- **Resistive or reactive intimate partner violence** is a response intended to stop ongoing battering. It **does not create a system of dominance or control** in the relationship. For example, a woman who is being battered is not using force or intimidation to keep someone in a state of fear, but to escape or stop the violence directed toward her. She is attempting, whether effectively or not and whether legally or not, to establish a kind of parity in the relationship – to “stand up” for herself – and to protect herself and perhaps her children from escalating control, intimidation, and violence. Resistive or reactive violence is rarely the first or only tactic used by a victim of ongoing battering, but follows or accompanies other efforts to stop or reduce abuse, such as negotiating, appeasing, seeking outside help from family members or the state, threatening to expose the perpetrator to others, and threatening to hurt him emotionally or economically. Women’s use of resistive violence causes far fewer injuries and severe forms of harm in comparison to battering, although it can be lethal. Much of resistive violence is actually legal. A person may use reasonable force to avoid imminent harm. At the same time, much of it does not meet the legal requirements of self defense and is illegal.
- **Non-battering intimate partner violence** is a response to a particular event, conflict, or stress; or, to patterns of repeated circumstances such as drinking, sexual affairs, or gambling losses. For example, it might be an uncharacteristic expression of anger or disapproval by a man whose partner was fired from her job after she came to work drunk. Or, it might reflect a repeated expression of anger or disapproval by a woman whose partner has once again gambled away the rent money. Sometimes it reflects an aspect of a couple’s ongoing approach to marital problems. Non-battering violence can also include violence rooted in physical or organic conditions related to a mental illness or altered mental states due to neurological damage and/or drug or alcohol abuse. Such violence is typically not focused on any one person or gender, but an intimate partner may be a more frequent target because of proximity.

Non-battering violence is **not part of a larger pattern of controlling tactics, dominance, and fear**. The victim tends not to express any substantial fear of the perpetrator, while the perpetrator freely admits the behavior. Researcher Michael Johnson calls this “situational couple violence.” In contrast to battering, this type of violence is typically lower in frequency, severity, and escalation. In contrast to battering, victims are less likely to be injured, experience trauma, miss work, or seek formal help, although in extreme cases it can also end in killing. We must be cautious, however, in considering whether any specific violent act is an instance of situational violence or part of an ongoing pattern of battering. Situational, non-battering violence will not be a common form of violence being used by someone coming to a visitation center, but it will be a **common justification** heard by a visitation center. It is often the first description offered by a batterer to explain his actions: “It was a one-time thing...we’re going to get back together...it’s frustrating when she drinks...you know how it is when couples disagree...every couple has a little trouble.” Assumptions about “high conflict divorce” can also lead courts to miss battering and see the abuse and violence as situational.



These distinctions among different kinds of domestic violence are important in crafting safety, but they also carry a big **CAUTION**, particularly in correctly distinguishing battering and resistive violence from the other forms, since visitation centers deal primarily with battering and resistive violence. The classifications outlined here are not always mutually exclusive. An individual can be a batterer and be generally violent in other settings because of alcohol or drug abuse. A visitation center may find itself working with parents whose experience crosses more than one kind of domestic violence.

The key point for a visitation center? Peoples' lives are complex, as is the mix of factors that contributes to risk and safety for each victim of battering and her children. **To misjudge battering, miss it altogether, or confuse it with other forms of domestic violence only reinforces its corrosive impact on peoples' lives.**

Context is everything

**Context is everything** when it comes to understanding and distinguishing battering from other forms of domestic violence. When researchers or commentators maintain that violence between intimate couples is largely mutual, it is because they group all domestic violence acts together and theorize about them as a single phenomenon. That approach does not distinguish the pattern and intention of the violent actions and shows very dissimilar acts of violence to be the same. Yet battering is all about pattern and intention.

We might think, "Oh, everyone knows this. We all know what battering is. It's when someone uses tactics of power and control against a partner." Or, "It's when someone uses violence against a partner more than once." Well, sort of; and then again, sort of not. How do we tell? Context is everything. Here are three questions that will help.

1. Is this action part of an **ongoing pattern** of behavior?

A batterer may use violence to make something very concrete happen at a defined time and specific place. For example: *"I want you to shut up right now, get in the car, and start apologizing for disrespecting me."* The shove, push, or grab to force her into the car is more than an outburst in an emotional moment. It is part of an ongoing pattern of coercion and control that characterizes every aspect of the relationship. Later we will look more closely at the Power and Control Wheel, which illustrates the most common coercive and controlling tactics used in this ongoing pattern of behavior.

2. Is this pattern of behavior **intended to instill fear**?

Fear is a potent form of control. The researcher Michael Johnson uses the words "intimate terrorism" to describe what we are defining here as battering. A batterer uses ongoing, threatened, and actual violence—accompanied by isolation, economic or other kinds of dependency—and frequent if not daily emotional assault to instill fear and intensify control.

3. Is this pattern of behavior linked to **domination and control**?



One partner in a relationship can be mean, unkind, and hurtful to the other person, but such behavior on its own is not battering. Battering is characterized by intention and, above all, the intention to force the other into some form of compliance. It results in the user's domination and control of the victim. Battering is outcome-focused. It is used deliberately and it results in domination and control.

## The problem with getting it wrong

We started by noting that the term *domestic violence* has become a catchall term for any act of violence by one intimate partner against another. Distinctions between the types of domestic violence have become increasingly blurred. *Domestic violence* has come to be used interchangeably with *battering*, an equation that is both inaccurate and problematic for the safety of adult victims of battering and their children. Grouping or lumping very dissimilar acts of violence and abuse together and treating them as the same thing distorts our understanding of who is doing what to whom, and who needs protection from whom. For victims of battering, such misunderstandings are not benign and they can have fatal effects, as analysis of intimate partner homicide confirms.<sup>3</sup>

Nowhere is the tendency to merge all acts of violence and abuse into a single category divorced of context more dangerous than in the handling of post-separation custody and visitation issues. As research has increasingly established, men who are violent and abusive towards their wives or partners often use the legal system as a tactic of abuse after separation and divorce. They pursue custody of the children, equalized physical placement, and unsupervised access as a means to continue to exert control over or to harass their estranged partners.<sup>4</sup>

For those of us working in supervised visitation centers or elsewhere in the community with mothers, fathers, and children who use these centers, recognizing and understanding battering helps orient us to safety. If we are to protect those who are being harmed, we must be able to make the correct distinction between battering and other forms of domestic violence.

## The Power & Control Wheel

The Power & Control Wheel<sup>5</sup> was developed over twenty years ago by advocates in Duluth, MN after meeting with battered women over an extended period of time. The advocates posed the question: "What is it like living with a batterer?" One woman answered, "It's not a cycle; it's constant, everyday. Even when he's saying good things about you, there's a sense that he could take that all away in a second and tell you you're stupid, ugly, fat, worthless." She opened a floodgate. Women talked about the intimidation, threats, isolation, and constant undermining of their

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<sup>3</sup> For example, see reports from the Washington State Coalition Against Domestic Violence ([www.wscadv.org](http://www.wscadv.org)) and the Wisconsin Coalition Against Domestic Violence ([www.wcadv.org](http://www.wcadv.org)). Additional information and links to domestic violence homicide studies in other states are available from the National Domestic Violence Fatality Review Commission at [www.ndvfri.org](http://www.ndvfri.org).

<sup>4</sup> For a detailed review, see Daniel G. Saunders, *Child Custody and Visitation Decisions in Domestic Violence Cases: Legal Trends, Risk Factors, and Safety Concerns*, October 2007, VAWNet Applied Research Forum at [www.vawnet.org](http://www.vawnet.org). Also, Lundy Bancroft and Jay Silverman, *The Batterer as Parent: Addressing the Impact of Domestic Violence on Family Dynamics*, Sage, 2002.

<sup>5</sup> The Power and Control Wheel is used with permission of the Domestic Abuse Intervention Programs, Duluth, MN.



relationships with their children. Advocates left those first meetings convinced there was a way to capture this discussion in a graphic. Six months and many odd versions later they produced the graphic that said it all.

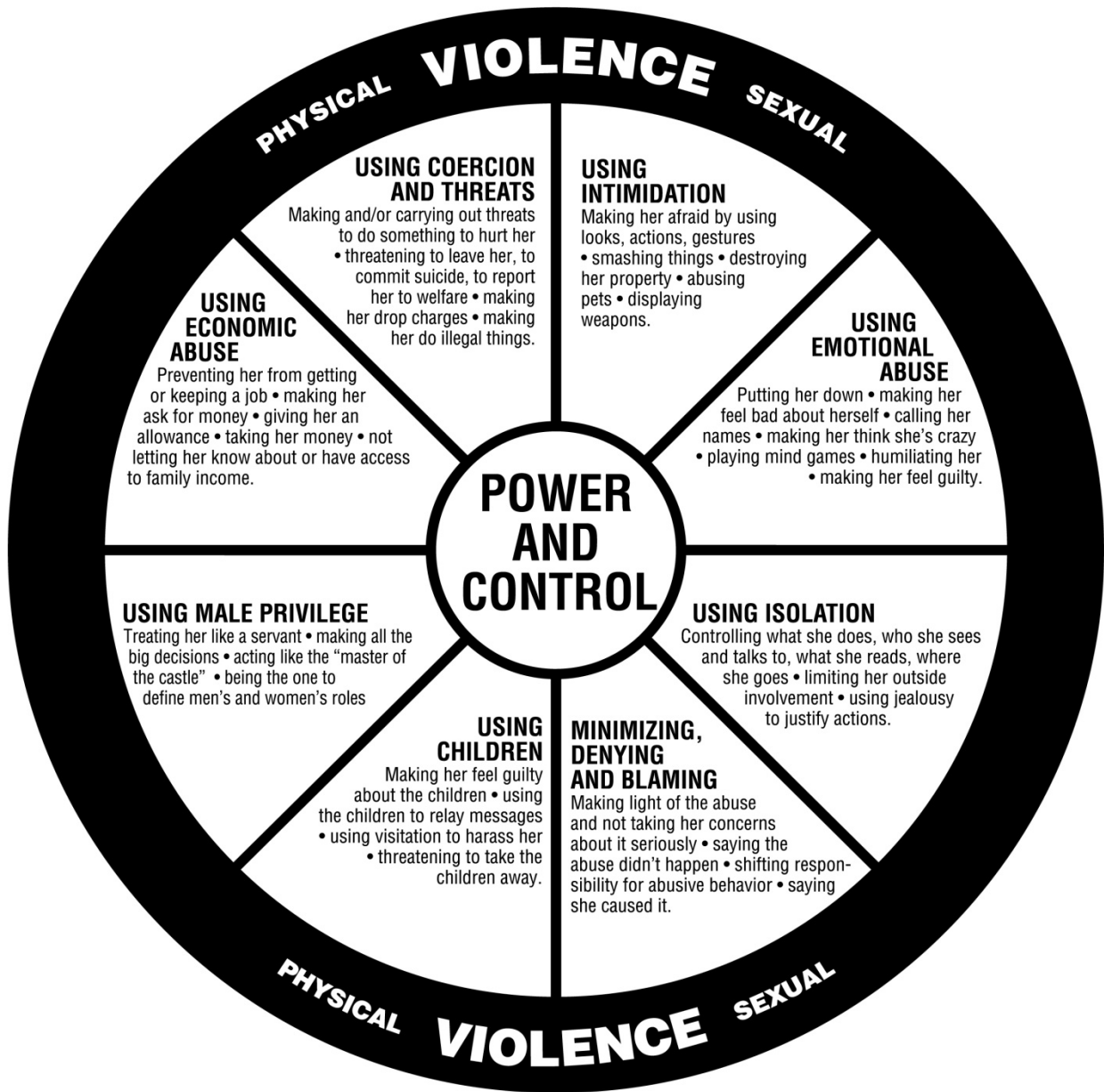
The wheel displays the interrelationship between **domination** (the hub of power and control), the **everyday tactics** used to reinforce that domination (the spokes), and the **ever-present threat of violence** that maintains it (the rim). These are not the only tactics that batterers use and each battered woman's experience is different. These tactics are among the most common, however. Beyond the initial groups of women in Duluth who generated the idea, countless women have described these same tactics and added others as they have shared their experiences in settings as different as support groups, interviews, police reports, protection order petitions, and training seminars. The use of religion or spiritual beliefs, the use of immigration status, the use of extended family to control are other tactics women have added to those on this wheel.

The graphic used the concept of the wheel to convey the constant nature of the violence and abuse. The wheel illustrates the relationship between abusive behaviors and violence, and depicts women's experiences of being subjected to a systematic, patterned use of tactics leading to the batterers' domination. It is this element of battering – namely, the domination and subsequent loss of equal standing and authority in the relationship – that is most frequently misunderstood or missed. To go back to our earlier discussion, interveners are frequently unaware of the pattern, intention, and fear that are central to battering and its purpose of domination and control. Well-meaning practitioners in custody actions, criminal proceedings, divorce settlements, visitation issues, and basic safety measures frequently fail to account for the resulting power imbalance; and, by doing so they inadvertently add to rather than reduce the harm caused by battering.

What the graphic does not convey to the reader, especially to one who has not been battered, is the difference between battering and someone being abusive, mean, unkind, or hurtful in a relationship. Too often we hear someone say, "Well, they both use mean words, they both use the children and finances to get at each other, they both try to hurt the other." That kind of thinking masks the reality of living with someone who batters: namely, the reality of living with someone who can reach out and without notice clench his fists around her throat until her breathing stops, and only he has the power to allow her to breath again. That kind of power by one person over another is glued on to every other act in the relationship; coercion and domination are the prevailing qualities.

At the same time, the graphic is a static depiction of battering in a relationship. Not all batterers control with the same degree of cruelty or hostility, or violence. While there are common characteristics across batterers, such as tending to see themselves as the victims of those they batter, we cannot group all batterers into a single universal category or type. The challenge for visitation center workers is to recognize and understand what is and is not battering. Keeping the dynamic represented by the Power & Control Wheel in sight helps ask those crucial questions about intent, purpose, and impact.





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Between 2002 and 2010, Praxis International worked in partnership with the Office on Violence Against Women to provide technical assistance and training to grantees in the Supervised Visitation Program. The following resources were developed during that partnership and are available at [www.praxisinternational.org](http://www.praxisinternational.org).

*Safe Passage: Supervised Safe Exchange for Battered Women and Their Children*, Jane Sadusky, March 2010

*Engage to Protect: Foundations for Supervised Visitation and Exchange*, 2009

“Recognizing and Understanding Battering,” Ellen Pence and Jane Sadusky

“Engaging with Battered Women,” Maren Hansen-Kramer, Julie Tilley, Beth McNamara, and Jane Sadusky

“Engaging with Men Who Batter,” Maren Hansen-Kramer, Julie Tilley, Beth McNamara, and Jane Sadusky

“Informing the Practice of Supervised Visitation,” Melanie Shepard, Jane Sadusky, and Beth McNamara

“Crafting Policies that Account for Battering – Beyond Cut-and-Paste: 9 Tips to Successful Program and Service Policies,” Ellen Pence and Jane Sadusky

*On Safety’s Side: Protecting Those Vulnerable to Violence – Challenges to Notions of Neutrality in Supervised Visitation Centers*, Martha McMahon and Ellen Pence, 2008

*New Perspectives on Supervised Visitation and Safe Exchange: Orientation*, Jane Sadusky, 2008

*Building Safety, Repairing Harm: Lessons and Discoveries from the Safe Havens Demonstration Initiative*, Jane Sadusky, 2008

*Building the Practice of Orientation in Supervised Visitation and Safe Exchange: A Trainer’s Guide*, Ellen Pence, Val Kalei Kanuha, Maren Hansen-Kramer, Jennifer Rose, Beth McNamara, Julie Tilley, and Jane Sadusky, 2008

The reports of the Safety and Accountability Audits conducted by the Safe Havens Demonstration Initiative sites, which addressed the following questions:

City of Kent, WA: How does a victim of battering who might benefit from supervised visitation services identify and access them? January 2007

South Bay Area, CA: How does the work of a visitation center produce or not produce safety for everyone involved? July 2004; Rev. February 2006

City of Chicago, IL: How does a visitation center account for peoples’ unique cultures and identities? December 2005

State of Michigan: What is the role of a supervised visitation center? July 2004



