

ASSESSING PHYSICAL ABUSERS: BREAKING THE ABUSER'S SECRECY

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ABSTRACT

Physical abusers who are court ordered to complete a domestic abuse or anger management assessment often are assessed without interviewing the victim or the abuser's current partner. Most of the time the current victim is the current partner, at times it is not the same person. Abusers maintain their cycle of violence and control by maintaining secrecy about their violent history and by limiting access of their victims and partners to professionals involved in assessing treatment and risk needs. After assessing 45 subjects it was found that not only were the victim and partners willing (although not always happy at first!) to be interviewed but they provided important information about the abuser's violent and controlling behavior. The information obtained for the abuser's victim or partners was significant and important.

KEY WORDS: Abusers, interviewing victims of abuse, forensic assessment.

Problem

When physical abusers are assessed victims and even the children within the home tend to be excluded from the assessment process. Yet without interviewing the victim and/or current romantic partner of the abuser, valuable information concerning the abuse is likely to be missed. Official records are often poor sources of information related to the violent history of the abuser or any offender for that matter (see chapters 37 and 39 in Johnson, S.A. (2007). *Physical Abusers and Sexual Offenders: Forensic and Clinical Strategies*. CRC/Taylor &

Francis). This lack of accuracy is due to the fact that many criminal histories include plea agreements, and plea agreements are grossly misleading. For example, an abuser may plead guilty to a disorderly conduct charge and that is what will appear on a criminal history check. However the true nature of the plead-to offense may have included assault, sexual assault, robbery, etc. So gathering complete records becomes even more important. In addition, it has been generally accepted that for every violent offense that is identified, it is highly likely that numerous other violent offenses have not been reported. The victim and children therefore become invaluable sources of information to help identify and accurately assess the physical abuser's true violent history.

In the course of my practice, I have found that some mental health professionals and probation officers who are supportive of the victims being interviewed and involved in the physical abuser's assessment process as needed. However, there are other professionals and probation officers that have not supported the victim being interviewed. This is often the result of an out-dated tendency to over-protect the victim and to inadvertently allow physical abusers to maintain secrecy about the true scope and nature of their violent behavior history. Unfortunately there is a paucity of research on conducting domestic abuse assessments and on how interviewing the victim or the offender's current partner impacts the assessment outcome. As a result there is little to compare the outcome data from this research with.

Anecdotally it appears many providers of domestic and general abuse assessments rely on minimal records provided from the referent and one 30-60 minute interview with the physical abuser, with no psychological or other testing being completed and the victim not being interviewed. Such a pseudo-assessment should never be acceptable and only results in an underestimation of the physical abuser's risk for reoffense and an under-identification of the abuser's psychological and behavioral problems.

In this study the victims were never interviewed with the physical abuser present. Appropriate security measures to ensure that the victim's safety were followed. Safety protocol include (but not limited to) the batterer not being informed of when the victim will be interviewed; scheduling the victim interview on different days from that of the abuser; ensuring the victim has adequate information about supportive and legal resources.

The purpose of this study was to identify what type of information victims would provide that was different from what information the physical abuser provided. It was assumed that the victims would report that the abuser had engaged in more abusive behavior than what was reported by the abuser or contained in official records. There was no control group utilized in this study.

Procedure

All subjects who were referred for a court ordered domestic abuse assessment (or related anger management assessment) were included in the study. The subjects all went through the standard protocol established for the assessment of domestic abuse (see Johnson, 2005; Johnson, 2007, pp. 246-249). As part of the intake process, informed consent was obtained from all subjects as well as permission for information to be used for research purposes. Fifty-nine subjects began the assessment process. Fourteen subjects failed to complete the assessment process and forty-five subjects completed the assessment process.

FINDINGS

The majority of the physical abusers were male (15% were female). The subjects ranged in age as follows: 24% were between the age of 21-30; 38% between ages 31-40; 27% between the ages of 41-50; and 11% between ages 51-60. Ninety-eight percent of the subjects were Caucasian, and 2% (1 subject) were Asian. Sixty-four percent of the subjects were blue-collar workers; 24%

managerial; and 7% professional or executive positions. Four percent were unemployed at the time of the assessment.

Relationship and/or Marital History

Most of the subjects had been married (78%) and of the married subjects, 58% were married only one time and 20% had been married twice (none of the subjects had been married more than twice). Interestingly, 54% of the abusers *did not* remain in a relationship with or married to their victim; 18% remained in a relationship with or married to their victim. In 13% of cases it is unknown whether the relationship or marriage remained or not. Fifteen percent of the subjects had victims other than significant others/romantic partners and were not counted for this item. Of the female batterers (again, N= 7), 43% ended their relationship with the victim; 14% (1 subject) remained in a relationship with their victim; for 14% the relationship with their victim was unknown at the time of the study; and 28% of the female subjects had victims other than significant others/romantic partners and were not counted for this item. In summary, the majority of the batterers did not remain in the relationship or marriage with their victims.

Criminal History

The majority of subjects had prior criminal convictions involving domestic or other assault as well as other types of crimes. Twenty-nine percent of the subjects had no known prior criminal convictions; 55% had criminal convictions for various other types of offenses (other than assault or DWI); 11% of the subjects had prior criminal convictions for DWI related offenses in addition to the current offense; and 4% had multiple types of offense convictions. Half of the subjects had prior periods of serving probation. Of those with prior histories of having been on probation, 6% had multiple probation violations.

Specifically related to domestic assault and/or assault related convictions, 40% of the physical abusers had prior convictions for domestic or related offenses, of which 8% had three or more prior domestic assault/assault related convictions. Taking all information into account, including an interview with the victim, 24% of the physical abusers had only one known physically assaultive incident with their victim while 75% had more than one physically assaultive incident towards their current victim. The majority of the admissions of prior domestic abuse towards the partner came from disclosures from the partner, not from the abuser.

Prior Treatment

The majority of subjects had never received anger management or domestic abuse treatment prior to the current (index) offense. Only 20% of the subjects had engaged in prior domestic abuse or anger management treatment and most completed that treatment program (93%).

Restraining Orders

Seventy-five percent of the subjects had never had a restraining order against them; Twenty-five percent had a restraining order against them for the current offense. Of those with a restraining order, 6% had violated the restraining order on multiple occasions. Of significance was that of those who violated a restraining order, none had violated the restraining order on only one occasion, but rather on multiple occasions.

Childhood Abuse

Approximately half of the physical abusers (49%) reported that they were the victim of or witnessed abuse within their household when children or adolescents. It would be expected that the above percentage is an underestimation of the true percent of the abusers who experienced some form of abuse during their childhood.

Children Present During Offense

One area often not assessed with physical abusers is to what degree the children may have been involved in, witnessed, or also abused. It is estimated that 40-60% of men & women who abuse other men/women *ALSO* abuse their children (American Psychology Association, 1996). In the current study, children appeared to be involved in most of the incidents of domestic assaults, either directly or indirectly. In 27% of the current offenses, children witnessed the offense, and in 35% of the current offenses, children were directly involved in some way in the index offense. Information utilized to determine whether children were present or involved in the current offense included interview data obtained from the subject, victim, and in some cases, the children, as well as from collateral information (e.g., police reports, victim interview). Interestingly all of the physical abusers acknowledged the children's presence or involvement in the current offense when confronted with collateral information.

Relationship between Abuser & Victim

The spouse was the victim of the current offense for 49% of the subjects and the ex-spouse was the victim in 2% of the cases (divorced at the time of the index offense). Twenty percent of the subjects had victims who were significant others/romantic partners (versus spouse or ex-spouses); 7% had victims who were other family members; 2% of the victims were acquaintances; 4% were strangers; 7% were children; and 9% of the cases involved both a child and adult family member who were the victims of the index offense.

Gender & Age of Victim

Eighty percent of the victims were female, 18 % male, and 2% had both a male and female victim. Seven percent of the identified victims were children (age 12 or younger); 2% were adolescent; 84% were adult; and 7% of the current offenses involved both a child and adult victim.

Degree of Injury

Sixteen percent of the victims were not physically injured during the current offense. Sixty percent received minor physical injuries (e.g., scratches, bruise) and 24% received moderate to severe physical injuries (e.g., significant bruising, sprains, broken bones, cuts) during the current offense.

Jealousy

Sixty percent of the subjects reported they experienced jealousy towards their victim, while 40% denied ever experiencing jealousy towards their victim. Of the 60% admitting to experiencing jealousy, 11% indicated they experienced jealousy towards a prior victim only and 11% towards both a prior and current victim; and 78% indicated they experienced jealousy towards the current victim only, not towards any prior romantic partners.

Stalking

Eleven percent of the physical abusers engaged in stalking of their victims based on information from the subject, victim, or collateral information. It should be noted however that none of the subjects *admitted* engaging directly or intentionally in stalking behavior.

Paraphilic or Sexually Deviant/Problematic Behavior

The impact of sexually deviant or sexual acting-out behavior on relationships is significant. Physical abusers tend to engage in significant degrees of problematic sexual behavior that impacts their relationship with their romantic partners. I defined paraphilic sexual behavior per DSM-IV definitions and included attendance at strip shows and use of pornographic material because of the impact these behaviors have on relationships (see my text book for more information, *Physical Abusers and Sexual Offenders: Forensic and Clinical Strategies*, 2007). Thirty-three percent of the subjects denied ever engaging in paraphilic behavior; 67% admitted they engaged in paraphilic behavior, of which

6% indicated they had raped their victim, 83% had attended strip clubs on at least one occasion, though most indicated that they attended strip clubs on 3 or more occasions. Most were moderately defensive about their sexually deviant behavior and most were either unaware of how their behavior impacted their victim or were callous about the impact. Many stated that their victim and/or their partners had complained about their sexual behavior (including attendance at strip shows and use of pornography) though they did not appear concerned about the impact.

Twenty-nine percent of the subjects denied ever viewing or using pornographic material while 71% admitted that they did. Of those admitting the use of pornographic material, 22% stated the use of pornographic material was problematic and negatively impacted their relationship with their significant other. Problematic use was defined as: the physical abuser's partner complaining about the use of pornographic material; the abuser spending a significant amount of time viewing or using pornographic material; or the abuser's subjective report that their pornography use was problematic in any way. When the physical abuser's victim was interviewed, 13% stated that they had complained about the abuser's use of pornographic material. Twenty-two percent of the victims were not questioned about the abuser's use of pornographic material for reasons including the victims being children or the victims not being involved with the abuser romantically.

Diagnosis

Physical abusers can present with a variety of mental health diagnosis. In this study, 27% of the subjects had diagnoses of adjustment disorder; 9% had a diagnoses of personality disorder cluster 2; 7% had the diagnoses of intermittent explosive disorder, and 58% had multiple diagnosis, the majority of which involving substance abuse and one or more of the above diagnosis, usually including Intermittent Explosive Disorder.

Thirty-eight percent of the subjects did not present with substance abuse concerns or related diagnosis. However, 62% did present with substance abuse or dependency problems. Thirteen percent of the subjects who presented with substance abuse were diagnosed with either alcohol abuse or alcohol dependency and 13% presented with substance abuse/dependency issues involving a combination of both alcohol and drugs. In 29% of the cases, alcohol was involved in the index offense; and 7% were under the influence of both drugs and alcohol during the index offense. Of the subjects who presented with drug abuse/dependency, all also had substance abuse issues involving alcohol as well.

Psychotropic Medication

Seventy-six percent of the subjects were not currently prescribed any psychotropic medication; 22% were currently taking psychotropic medication, and 2% were prescribed psychotropic medication and were noncompliant, refusing to take the medication. Seven percent of the subjects had a history of being prescribed psychotropic medication in the past but were not currently taking them or did not have a current prescription for medication.

Empathy

Empathy is defined as demonstrating any verbal concern for their victim's well-being; comments indicating caring about the harm they caused the victim; not blaming the victim for the abuser's offense behavior; being able to communicate or demonstrate putting themselves in their victim's position (e.g., appreciating the role of what the victim experiences); and engaging in behavior that demonstrates concern for safety (e.g., not harassing or stalking; not violating any restraining order; following through with promised or ordered intervention; paying support as expected; willingness to participate in treatment). The degrees of empathy used here were subjectively rated by the examiner and to avoid difficulty differentiating between some and significant degrees of empathy the

percentages could simply reflect that 58% of the subjects demonstrated little if any recognizable signs of empathy and 41% demonstrated some degree of empathy. Of those demonstrating empathy, 28% demonstrated *some* degree of empathy towards their victim and only 13% demonstrated what could be described as *significant* degrees of empathy towards their victims.

Remorse

Remorse was defined as demonstrating any verbal sense of shame or guilt about the current offense and not blaming the victim for the abuser's offense behavior; and engaging in behavior that demonstrates concern for safety and a desire not to repeat the behavior (e.g., not harassing or stalking; not violating any restraining order; following through with promised or ordered intervention; paying support as expected). Fifty-two percent of the subjects demonstrated little if any remorse for their abusive behavior and 48% did not demonstrate any sign of remorse for their current offense behavior. Of those who demonstrated remorse, 35% demonstrated *some* degree of remorse and 13% demonstrated *significant* degrees of remorse.

Degrees of Violence Used

Fifty-five percent of the physical abusers utilized non-lethal methods of violence against their victims; 7% used a weapon; 38% utilized choking and/or serious violent behavior that could have resulted in death. Seven percent of the subjects utilized choking or serious violent behavior against both past and current victims. Specifically pertaining to the female subjects, 71% utilized non-lethal forms of violence in their current offense; 14% utilized a weapon and 14% utilized choking and/or serious violent behavior that could have resulted in death.

What the Victims Had to Say

When the victim of the physical abusers was interviewed informed consent was obtained. Only approximately a quarter of the victims were moderately to significantly irritated or angry about being asked to be interviewed. Some of the common complaints included having to participate in the assessment that was for the physical abuser; being protective of the abuser; minimizing or denying any abuse has occurred; stating that the police officers made information up or took the facts out of context; and blaming of the children or witnesses for reporting of the incidents. However, after informed consent was obtained and the interview proceeded, all of the victims were cooperative and provided valuable information concerning the physical abuser's violent history.

Of the 45 victims interviewed, 11% provided information that was consistent with what the physical abuser stated, without adding any new information, suggesting that the abuser and official records were providing fairly accurate information. It should be noted that these victims appeared credible and honest. There was no information suggesting that they were withholding or minimizing the abuser's violent history.

The majority of the victims provided information that was consistent with that provided by the abuser but also added additional information. Most of the victims (89%) also provided rich information indicating that the physical abuser had minimized the violent/abuse history and degree of violence used. Sixty-nine percent of the victims indicated the violence had occurred over a longer period of time and that the abuser engaged in more significant force and violence than the abuser or the official records indicated. Many victims indicated that the abusive and violent behavior began long before the index offense and had been occurring for years. Some indicated the abuse was not necessarily occurring frequently while others indicated that the abuse was occurring weekly. Four percent reported that the abuser had violated orders for protection on numerous

occasions and that they had not previously reported these violations. Four percent reported that the abuser had stalked them. Without gathering collateral information the severity of the physical abuser's violent and controlling behavior, including stalking, would not have been identified.

Thirty-one percent of the victims reported that the physical abuser had been abusing alcohol and/or drugs more frequently or severely than what the abuser had reported. Most indicated that the abuser was under the influence of alcohol and/or drugs when the status offense occurred but none were clear that the abuser was in fact *intoxicated* at the time.

Victims also provided valuable information concerning the physical abuser's sexually violent and abusive behavior. Sixteen percent of the victims reported that the abuser's use of pornographic material was a concern and that they viewed the abuser's use of the pornographic material to be another form of abuse. Nine percent of the victims alleged that they had been raped by the abuser on at least one occasion, though most of these 9% indicated that the abuser had forced sexual contact on numerous occasions. Interestingly, only (4%) complained of their batterer demonstrating jealous behavior.

Findings

Forty-five subjects completed the assessment process. 46% of the subjects who completed the assessment completed a domestic abuse/anger management program. 42% of the subjects sought anger management treatment elsewhere and it is unknown whether or not they completed an anger management program. 11% failed to complete the treatment program. In cases where the physical abuser was involved romantically with someone other than the victim, both the victim and current partner were interviewed.

All of the victims were interviewed as part of the subject's assessment. Of those, 33% continued to receive therapeutic and supportive services beyond the one assessment visit. The vast majority of subjects continued to be assessed

and/or treated suggesting that requiring the victim and/or their current partner to be interviewed is not a significant deterrent for abuser's competing a court-ordered domestic abuse/anger management assessment and subsequent treatment. Further, having the victim and current partner participate in an interview not only produced a more thorough and accurate risk assessment of the abuser but also resulted in many more victims seeking further professional services.

Eleven percent of the victims provided the same or very similar version of the offense as the subject described. However, eighty-nine percent of the victim's statements contradicted or were significantly different than the physical abuser's version of the offense or related abuse history. The additional information provided by the victims included prior abusive incidents in addition to what the subject stated, information about the subject's use of pornography, prior criminal history, and information suggesting the subject had a more serious substance abuse problem than otherwise would have been known. Many of the victims reported ongoing and continued verbal, physical and sexual abuse that likely would not have been known without interviewing the victims.

Interviewing the victim and current partner of the abuser provides additional information about the offender's history that might not otherwise be known. Given the number of victims and partners that were interviewed suggests that they are far more amenable to participate than once thought and the victims provided important relevant information about the physical abuser. The abuser may be better and more accurately assessed for risk and problem identification as a result of information obtained from the victim and current and prior partner. Further, the majority of subjects initially adamantly refused to have their victim and/or partners involved in the assessment process. However, once it was made clear that the assessment could not be completed without the victim and/or partner's participation almost all complied. The remainder went elsewhere for services or had their probation violated for failure to comply.

Implications for Treatment

The above findings suggest that interviewing the victims of abuse is advantageous. The belief that the victim would be in harm's way if they were to provide details for the abuser's behavior was not supported. Victims indicated that they felt more understood and appreciated the opportunity to be interviewed. This resulted in a number of victims choosing to receive mental health services when initially they refused any services. The ability of the victim to provide details of the abuse appeared to have a healing and empowering effect.

In regards to the perpetrator of the abuse, having the victim interviewed helped to hold the abuser accountable for what actually occurred versus having the abuser's unchecked statements provide a distorted version of the facts. The abusers indicated that they believed that the victim's told the truth about the abuse history and many offered even more detail about the abuse that occurred. Several abusers admitted that they had a more significant problem with pornography, rape, and sex-related concerns than previously were known, and most abuse programs would not have revealed the degree of the sexual deviance and sexual violence without the victim having an active role in the assessment process. The end result is that the abuser has more to invest in being open and honest than in continuing to maintain the abuse secret and therefore to surrender power to the treatment process. One significant benefit of having the information directly from the victim was that the severity and chronicity of the abusive behavior was identified, therefore allowing a more tailored treatment approach.

Summary

Interviewing the victims and partners of physical abusers allows for significant and important information to be obtained. Obtaining as much collateral information as possible from numerous sources appears to significantly diminish the physical abuser's ability to maintain secrecy concerning the degree and severity of the abuse engaged in, the use and abuse of

pornography, substance use/abuse, and ongoing physical and sexual abuse. The result is that a more thorough and effective risk assessment occurs that decreases the likelihood of ongoing abuse occurring undetected. In addition, the physical abuser receives more effective treatment that addresses idiosyncratic areas that might otherwise been ignored or unidentified if the abuser was not thoroughly assessed and information not gathered as described in the article.

References

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Learning Objectives

After studying this article, the participant should be able to:

- 1) Understand the importance of interviewing the spouse or partner of the abuser.
- 2) Explain the benefits and outcome of interviewing the spouse or partner of the abuser to gain more detailed offense history information.
- 3) Understand the importance of obtaining accurate and detailed information related to the abuser's use of pornography.

Questions

- 1) Interviewing the spouse or partner of an abuser during a forensic assessment often results in:
 - A. Little useful information that was not already known.
 - B. An angry partner or spouse and no useful information.
 - C. Useful information regarding the offender's use of alcohol and pornography.
 - D. Useful information about the offender's abusive history.
 - E. Answers B & C.
 - F. Answers C & D.
 - G. None of the above.
- 2) Most abusers have criminal histories involving non-violent crimes:
 - A. True.
 - B. False.
- 3) The abuser's children are:
 - A. Often not impacted by partner/spousal abuse.
 - B. Often impacted and present during partner/spousal assault.
 - C. Often are present during the abuse.
 - D. Are immune from the impact of abuse, as long as the abuse is not directed towards them.
 - E. All of the above.
 - F. Answers B & C.
 - G. Answers B, C, and D.

- 4) Abusers often use pornography and many will admit to experiencing problems in some way related to their use of pornography. The concerns or problems included:
- A. The abuser's partner or spouse complaining about their (abuser's) pornography use.
 - B. The abuser spending a significant amount of time viewing or using pornography.
 - C. Abusers expressing that their use of pornography has become problematic.
 - D. All of the above.
- 5) When the victim/spouse/partner of the abuser was interviewed, many indicated:
- A. That the abuser had been abusing them for a longer period than what the abuser had admitted.
 - B. That the abuser had engaged in more significant force than previously reported.
 - C. Some reported that they had been raped by the abuser.
 - D. That the abuser did not demonstrate significant jealousy towards them.
 - E. All of the above.
 - F. All of the above except answer D.
- 6) Interviewing the abuser's victim/partner/spouse created minimal negative effects:
- A. True.
 - B. False.

Answers: 1) F; 2) A; 3) F; 4) D; 5) E; 6) A.