

## When Victims Use Violence & Victim Safety Issues

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Victims Use of Violence  
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*Where do we see this and how is it different?*

### Use of Violence: Before He Uses it

- ▶ Non-physical abuse has occurred, and his controlling behavior makes her frustrated or angry and she slaps him.
  - ▶ Typically victims will learn from that.
  - ▶ Usually early in the relationship.
  - ▶ She may not have identified his behavior as “abusive.”
  - ▶ Then she is blamed as instigator for all future abuse.
    - ▶ If you call the cops....



### Use of Violence: Primary v Dominant Aggressor

- ▶ Something will take place, she may push or slap him.
- ▶ Abusers response:
  - ▶ Strangles her and blames her, she started it, she made him do it.
  - ▶ Point at her and tell her SHE is the abuser.
- ▶ Incidental v Contextual Violence

### Use of Violence: Weapon

- ▶ A victim may bring a weapon into the game to “equalize” their size and strength differential.
  - ▶ Abuser won't respect it
  - ▶ So she may drop it, or use it out of panic



### Use of Violence: Incident v Pattern

- ▶ Can you hit someone or call them a name and NOT be an abuser?
- ▶ Violent **act or incident** vs part of a **patterns** of abusive behavior
  - ▶ What is the INTENT or IMPACT?
  - ▶ What is the RESULT?
  - ▶ **CONTEXT** is KEY!

### Use of Violence: Incident v Pattern

- ▶ What is the **INTENT** or **IMPACT**?
  - ▶ Abuser: to instill fear to get power and control
  - ▶ Non-abuser: to stop your behavior towards me
- ▶ What is the **RESULT**?
  - ▶ Abuser: Physical violence reinforces the control over the behavior of the victim that is unwanted.
  - ▶ Non-Abuser: Say spouse is cheating, non-cheater slaps her, cheating won't likely stop as a result of that because the control isn't established.

### Use of Violence: Self-Defense

- ▶ Legal Definition?
  - ▶ Usually requires **imminent threat**.
  - ▶ What is an imminent threat?
- ▶ **Victim's perspective**
  - ▶ Example: Every Friday the D beats and rapes V then goes out drinking with his buddies. One Friday he beats her and goes out drinking with his buddies and doesn't rape her. When he gets home she kills him as he walks in the door.
  - ▶ Shift in pattern of behavior → responds from a place of fear or safety.
  - ▶ What was the threat she saw and why was it imminent to her?
    - ▶ *She is no longer worth raping; no longer necessary.*

### Closing the window, shutting the curtains....



### Turning up the Radio or TV



### Triggers the Victim

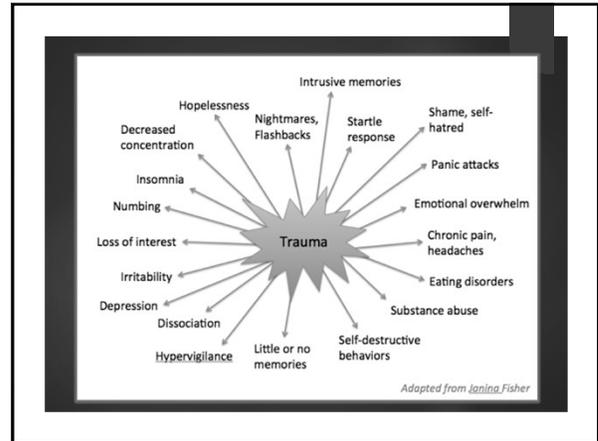
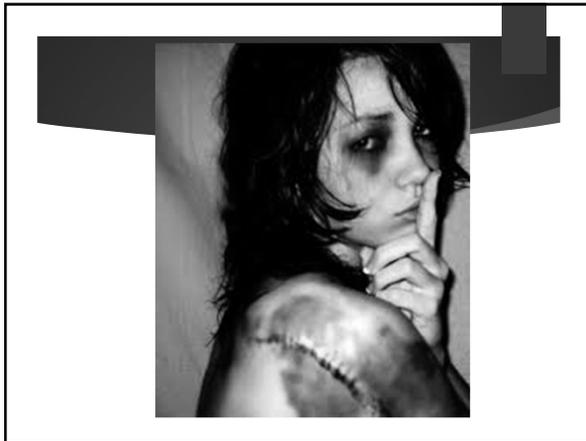
- ▶ They know what is coming next
- ▶ Now or never, in their mind, and perhaps reality
- ▶ Context is important
- ▶ ASK HER!
  - ▶ She is not always self-protective
  - ▶ Strangulation Homicide

### Use of Violence: Control

- ▶ Regulating the **degree** of violence
  - ▶ If she predicts the explosion is coming, and perhaps they are in public she may "encourage" it to contain the degree of beating or violence.
- ▶ Regulating the **time** of violence
  - ▶ Strategic time-line
    - ▶ Ex: before kids get home







**WHY DOES SHE STAY?**

**#WHYISTAYED**

"The hope I had of him changing never died"

"Because he managed to convince me I did it to myself"

"I did leave, he just wouldn't leave me"

"Because I was ashamed"

"Because if I left he would kill me"

"Because he said no one would believe me, and I believed no one would believe me."

"Because he would take my kids"

"We are brainwashed into believing the pain is deserved, that begging for life is normal, that we are unworthy of anything else"

"He said it wasn't abuse"

**Highest risk of homicide?**

▶ When she leaves the relationship.

**Separating from an abuser increases a victim's risk of being killed by 75%.**

-U.S. Department of Justice

**At all times victims are making safety assessments/planning.**

They ask themselves, **what is the safest thing for me to do?**

- ▶ Its why they call the police that night, and its why they don't come to court that day.
- ▶ Sex after an assault.

**"Consensual" Sex After Assault**

"I have another case I am asking you to review . I'm on the fence with this one, primarily because the victim is uncooperative (does not want to get suspect in trouble, according to report) and the Officer documenting that the victim was not clear w/her answers about the event and how the assault happened. **However, the victim does report being strangled for approx. 30 seconds, blacking out, seeing stars, and "could not breathe". In addition to this, the victim also reports the suspect broke her phone (interference w/emergency phone call) and would not let her leave the apt (unlawful restraint), with the entire incident lasting from 630a-300p. What's also odd is that the victim reports having consensual sex with the suspect before he let her go.** Photos were taken, showing injury to her lip (busted) and arm (scratches). Also, I did speak with her and she scheduled to come in for interview, but did not show. I've also tried to call her and sent a contact card, to no avail. I have enough pc for assault w/inj, but not certain regarding the strangulation and other charges. Please advise regarding how to proceed with the strangulation."



**What did you think was going to happen during the strangulation?**

**Thoughts of a homicide victim**



*SHE THOUGHT SHE WAS GOING TO DIE*

**"OH MY GOD MY BABIES!"**

*THOUGHT SHE WAS GOING TO DIE*

**She thought she would die in front of her children!**

*Smith was crying during the interview and stated she thought that she was going to die that night and that there were four kids there to save her.*

**Who usually does have external visible injury?**

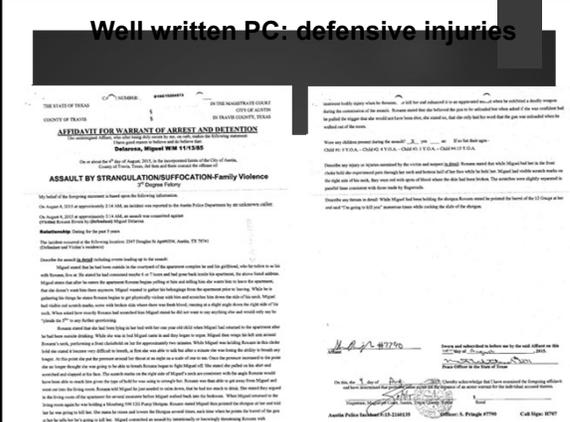
- ▶ SUSPECT
- ▶ Why?
- ▶ What type?
- ▶ Life threatening?

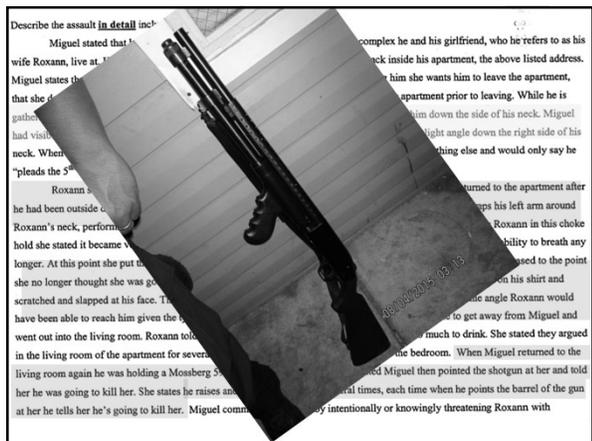
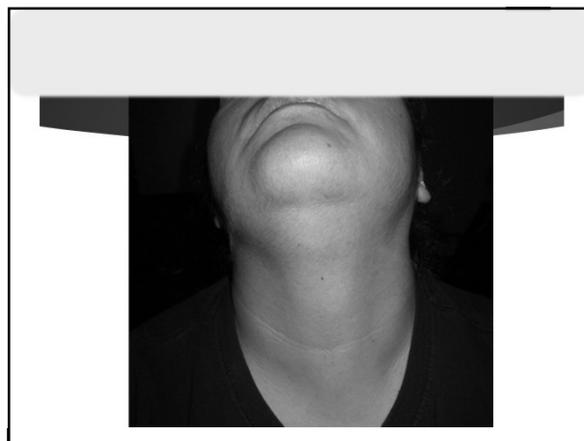
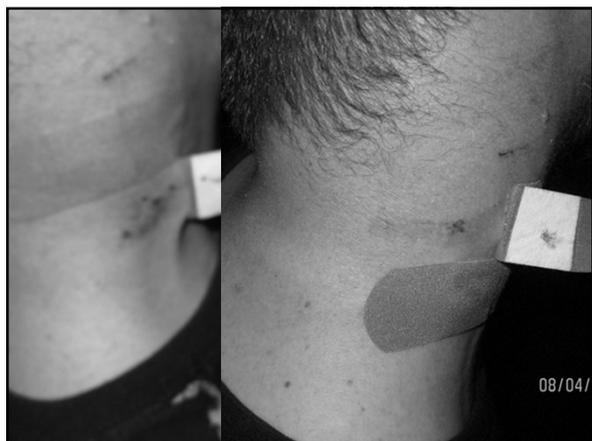


**Did you or did you attempt to physically stop the strangulation?**

Yes  No Describe:

**Well written PC: defensive injuries**





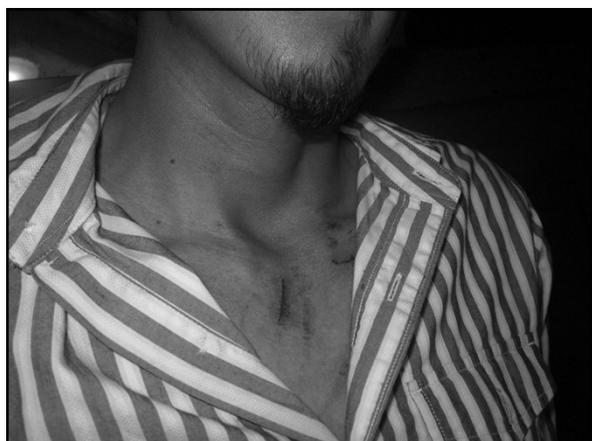
Describe the assault in detail including the date, time, location, and names of the victim and suspect. Miguel stated that he and his girlfriend, who he refers to as his wife Roxann, live at [redacted] inside his apartment, the above listed address. Miguel states that [redacted] him she wants him to leave the apartment, [redacted] apartment prior to leaving. While he is [redacted] down the side of his neck. Miguel had visible [redacted] right angle down the right side of his neck. When [redacted] anything else and would only say he "pleads the 5th".

Roxann stated that [redacted] returned to the apartment after he had been outside [redacted] steps his left arm around Roxann's neck, performing [redacted] Roxann in this choke hold she stated it became [redacted] ability to breath any longer. At this point she put [redacted] on his shirt and scratched and slapped at his face. The [redacted] angle Roxann would have been able to reach him given the [redacted] to get away from Miguel and went out into the living room. Roxann told [redacted] much to drink. She stated they argued in the living room of the apartment for several [redacted] Miguel then pointed the shotgun at her and told her he was going to kill her. She states he raises and [redacted] times, each time when he points the barrel of the gun at her he tells her he's going to kill her. Miguel committed [redacted] intentionally or knowingly threatening Roxann with

Relying on external visible injuries alone...

Describe any injury or injuries sustained by the victim and suspect in detail: Roxann stated that while Miguel had her in the front choke hold she experienced pain through her neck and bottom half of her face while he held her. Miguel had visible scratch marks on the right side of his neck, they were red with spots of blood where the skin had been broken. The scratches were slightly separated in parallel lines consistent with those made by fingernails.

Describe any threats in detail: While Miguel had been holding the shotgun Roxann stated he pointed the barrel of the 12 Gauge at her and said "I'm going to kill you" numerous times while cocking the slide of the shotgun.



NEWS  
EVIDENCE  
JOGGER FOUND  
WAS STRANGLER  
SAY

### Strangled New York City Jogger Bit Her Attacker So Hard, Her Teeth Cracked: Source

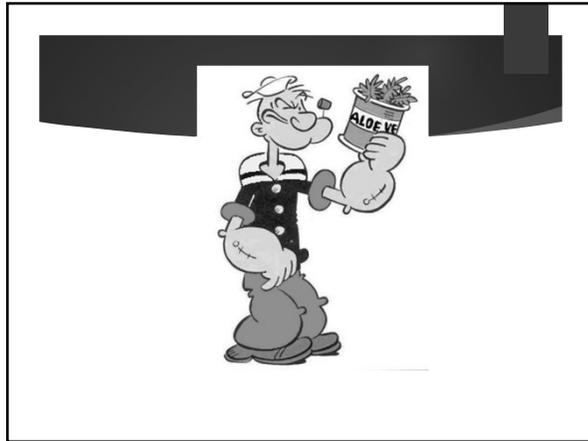
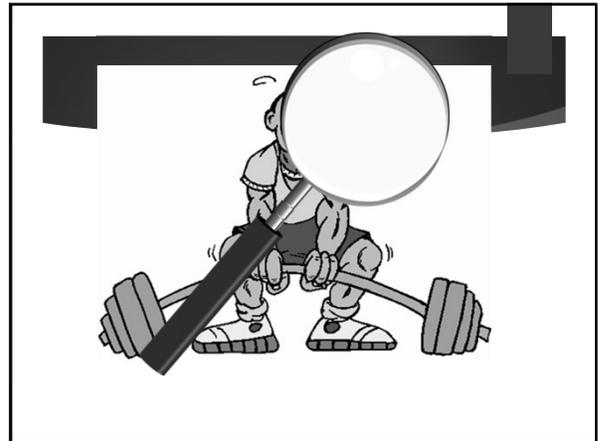
People August 5, 2016



Jogger found sexually assaulted to death this City "put up a ... ore her death, police

... fighting off her ... st moments of her ... Thursday news ... dy was found ... ens park Tuesday, ... from the jogging trail,

... s PEOPLE that ... cker so hard, her ... source says ... recovered DNA from ... ody.



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