

INTRODUCTION

Lynn Rosenthal

More than 20 years ago, I spoke at a meeting of a newly constituted task force on domestic violence in Florida. As the director of the state domestic-violence coalition, my job was to inspire local communities to take action. In those days, the principles promoted by the Violence Against Women Act (VAWA) of victim safety and offender accountability were just beginning to take hold. My presentation was pretty basic: the dynamics of domestic violence, its effects on victims, and the tactics offenders use to make victims look like they are the problem. After my talk, a family-court judge waited in the background to speak to me. When he stepped forward, he said, "I wish I had known this before. Now I understand what I have been seeing in my courtroom." He said he could see the faces of women whose behavior he had not understood at the time. Now, he said, it all made sense.

Today, judicial training on domestic violence is much more widespread than it was 20 years ago. Most judges know that 1 in 3 women will suffer some form of abuse in their lifetimes and that this can take the form of threats, intimidation, coercion, economic control, sexual assault, and physical violence. Most know that domestic violence is about power and control and that the risk of violence is greatest when a victim is trying to separate from an abusive partner. The articles that follow describe how these dynamics play out in the courtroom and take us deeper into the complexities of domestic violence.

This collection begins, as it should, with the words of a survivor. Jane Licata is also a lawyer, and from this unique vantage point she gives us an inside view of domestic violence. She shares her painful journey through the courts, facing skeptical officials even as her batterer files motion after motion. As the court attempts to resolve Licata's divorce without addressing the domestic violence, she and her children suffer great economic and emotional costs. From her, we understand how batterers use the courts to continue to intimidate and control their victims. Chances are, Licata's story will stay with you long after you have turned the page.

Teresa Garvey tells us about victims' experiences from a different perspective: when they stand accused of crimes. As a victim advocate, I have long been aware of the downward spiral victims find themselves in when they are accused of wrongdoing. Garvey describes how the effects of trauma are misunderstood by the court and exploited by batterers in family and criminal courts. She places victim behavior in the context of abuse and helps us understand how batterers turn the truth on its head. Garvey takes on the complexities of self-defense and false accusations and offers information that will help judges understand these cases.

Furthering this lens on abuse, Victoria Lutz describes the important role expert witnesses can play in helping judges and

juries understand domestic violence. She provides detailed guidance to courts in making the best use of expert testimony. Lutz provides a fresh look at battered women's syndrome and offers helpful recommendations for experts who are serving as witnesses.

Offender accountability is a cornerstone of addressing domestic violence, but we haven't always known what this means. Batterer intervention programs began as voluntary efforts to help men recognize their abusive behaviors and the roots of these behaviors in the systemic oppression of women. Over time, these programs became part of the legal system working to hold individual men accountable for their violence. Victim advocates have voiced skepticism about these programs, and the research on their effectiveness has yielded mixed results. Angela Gover and Tara Richards offer a new look at offender treatment with a profile of the Colorado model and the state's standards for treatment. Today, as policymakers and activists seek new solutions to crime, the time is ripe for fresh ideas about intervention for domestic-violence offenders.

Featured on the Resource Page is an announcement about an upcoming judicial-training series offered by National Network to End Domestic Violence cyberviolence experts and judicial officers from around the country. As technological advances have triggered new ways for offenders to stalk and harass their victims, the criminal-justice system has lagged behind in its response. Experts Cindy Southworth and Erica Olsen and judicial partners are creating an important new initiative to train judges and other professionals on this growing form of abuse. From GPS tracking to social media, we are reminded that as cyberviolence continues to evolve, so must the response.

As I read these articles, I was struck by both our progress over these past two decades and the ongoing need for innovation and change. The role of the courts remains central to our continued progress, and I am grateful to these authors for contributing to this path forward.



Lynn Rosenthal was appointed by President Obama and Vice President Biden as the first-ever White House Advisor on Violence Against Women in 2009. She served in the White House for five years and coordinated interagency efforts to reduce domestic and sexual violence. Ms. Rosenthal was the executive director of the National Network to End

Domestic Violence and served as the executive director of state domestic-violence coalitions in Florida and New Mexico. A social worker by training, Ms. Rosenthal has been an advocate at the local, state, and national levels for 25 years.