

Domestic Violence Offenses VS. Sexual Offenses: Overlaps and Differences

Sara Windsheimer, MA MFT

Washington State Department of Corrections
Sex Offender Treatment and Assessment Program

Goals for today...

- Identify similarities and differences between domestic violence offenses and sexual offenses:
 - Underlying motivations for each offense
 - Offense related tactics
 - Associated grooming behaviors
 - Cycle of offense

Domestic Violence



- “Domestic violence is the willful intimidation, physical assault, battery, **sexual assault**, and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another. It includes physical violence, **sexual violence**, psychological violence, and emotional abuse. The frequency and severity of domestic violence can vary dramatically; however, the one constant component of domestic violence is one partner’s consistent efforts to maintain power and control over the other.”


- National Coalition Against Domestic Violence

Sexual Violence



- “Sexual violence is a completed or attempted sex act against the victim’s will or involving a victim who is unable to consent; abusive sexual contact; and non-contact sexual abuse, including sexual harassment. It is committed by an intimate or non-intimate perpetrator such as a spouse, family member, friend, person in position of power or trust, acquaintance, or stranger.”

- CDC



A square is a rectangle, but a rectangle is not a square...

- Domestic violence often includes an element of sexual violence, but sexual violence does not as often include an element of domestic violence.

- * Domestic Violence: 100% committed by a known perpetrator, i.e. current/former partner or relative.
- * Sexual Violence: about 70% committed by a know perpetrator, i.e. current/former partner (25%), relative (1%), or acquaintance (45%).
- * 93 % of sexual offenses against juveniles by a known perpetrator.

- RAINN (Rape, Abuse & Incest National Network)



Overlaps can make things blurry, differences can be nuanced.



Why do they do it?

Myths about Underlying Motivations:

- Alcohol or Drugs
- Mental Health Disorder
- Only about that Anger emotion


Underlying Motivations to Offend:

Domestic Violence Includes:

- Belief system based on Power and Control over partner/family members.
- Hostility towards women and/or rigid gender roles.
- Belief system allowing for use of violence to gain desired outcomes.

Sexual Violence Includes:

- Sexual Motivations: deviant arousal, sexual pre-occupation, and sex as coping.
- Maladaptive attempt to meet emotional needs: Poor skills in maintaining peer consenting partners, emotional identification with children, and misinterpretation of sexual cues.
- Belief system motivations: power and control, sexual entitlement, hostility towards women, and lack of concern for others.



What do they do?

Domestic Violence:



DOMESTIC ABUSE INTERVENTION PROJECT
202 East Superior Street
Duluth, Minnesota 55802
218-722-2781
www.duluth-model.org

Sexual Violence:

Sexual Offenses

Non-Contact Offenses:

Exposing, Voyeurism, Child pornography/Depictions of minors.

Often unsuspecting strangers (adult or child), can be known victims.

Against Prepubescent Children (under the age of 13 F/14 M):

Rape, Forced Rape, Attempted Rape
Molestation, Communication for immoral purposes.

Own child/related child/known child. Rarely a stranger offense. Will befriend parents and child to create access opportunities.

Against Person of legal age to consent:

Rape, Forced Rape, Attempted Rape, Using substances to incapacitate victim or sexual contact when victim is unable to consent.

Partner/Acquaintance/Stranger. This can be the domestic violence connected offenses, date rape, party rape, stranger rape.

Against Pubescent Children (under the age of 16):

Rape, Forced Rape, Attempted Rape,
Molestation, communication for immoral purposes.

Own child/Related child/Friend's Child/Child's friends/Social Media Connections/Stranger. Often will befriend teen and create access opportunities. Often treats teen as adult.



How do they groom their victims?

Grooming Behaviors:

Domestic Violence:

- Charming
- Gifts
- Manipulation
- Crazy making
- Justification/rationalization
- Slow increase in lethality of tactics used

Sexual Violence:

- Charming
- Gifts
- Manipulation
- Guilting
- Justification/rationalization
- Slow increase of offense related behaviors




Putting it all together...

Cycles of Offending

- Maladaptive way to meet perceived needs.
- NO beginning or end until intervention.
- Each steps length varies each time through the cycle.
- Progressive increase in severity of negative behavior.





Why does making a distinction between
the two offenses matter?

Legal Implications...

Domestic Violence Related Changes

- Misdemeanor: (6)
 - Assault 4, Coercion, Interfering with the Reports of DV, Malicious Harassment 3, Reckless Endangerment, Criminal Trespass
- Felony: (11)
 - Assault 3-1 (include strangulation), Malicious Harassment 2 & 1, Burglary 2 & 1, Residential Burglary, Kidnapping 2& 1, Unlawful Imprisonment
- Either: (2)
 - Stalking, Violations of Protection Orders

* Sexual Motivation Special Allegations

* Sexual Assault Charges

Sexual Assault Related Charges

- Misdemeanor: (3)
 - Sexual Misconduct with a Minor 2, Voyeurism, Communication with a Minor for Immoral Purposes
- Felony: (14)
 - Rape 3-1, Rape of a Child 3-1, Child Molestation 3-1, Sexual Misconduct with a Minor 1, Indecent Liberties, Sexually Violating Human Remains, Promoting Prostitution 2 & 1
- Either: (1)
 - Indecent Exposure

* Other crimes with Sexual Motivation Special Allegations

Society's view of offenses:

Domestic Violence:

- "That only happens in 'those' families, it does affect me or my family. I'd never let that happen to me."
- "Can't manage their anger, they only need classes. As long as that couple is not together it won't be an issue."

DV offenders hear: my crime was not that bad, others would do the same if they had to deal with my partner.

Sexual Offenses:

- "Stranger rape could happen to me or my kids, keep them out of parks and in prison! I want to know where they live!"
- "Monsters that will offend at any time and can't be cured, lock them all up!"

SO offenders hear: I'm a terrible person, I'm marked for life.

Treatment and Recidivism



Treatment in Washington State:

Domestic Violence:

- Community based treatment
 - State standards for certified perpetrator services: up to 12 months of treatment (minimum 26 weekly groups followed by monthly sessions with provider).

Sexual Offense:

- SSOSA – Some time in jail (up to 12 months) and treatment from a private provider in the community (up to 5 years).
- DOC – In prison, treatment in the institution (up to 12 months) possible institutional aftercare groups (up to 12 months). When released community based treatment (up to 12 months).
- Post Prison – If they did not complete treatment in the prison, then they may be required to pay for treatment in the community with a private provider (up to 5 years)
- Special Commitment Center (DSHS) – Treatment at the center, if appropriate for less restrictive environment possible private provider in the community.

Recidivism Rates

Rates...

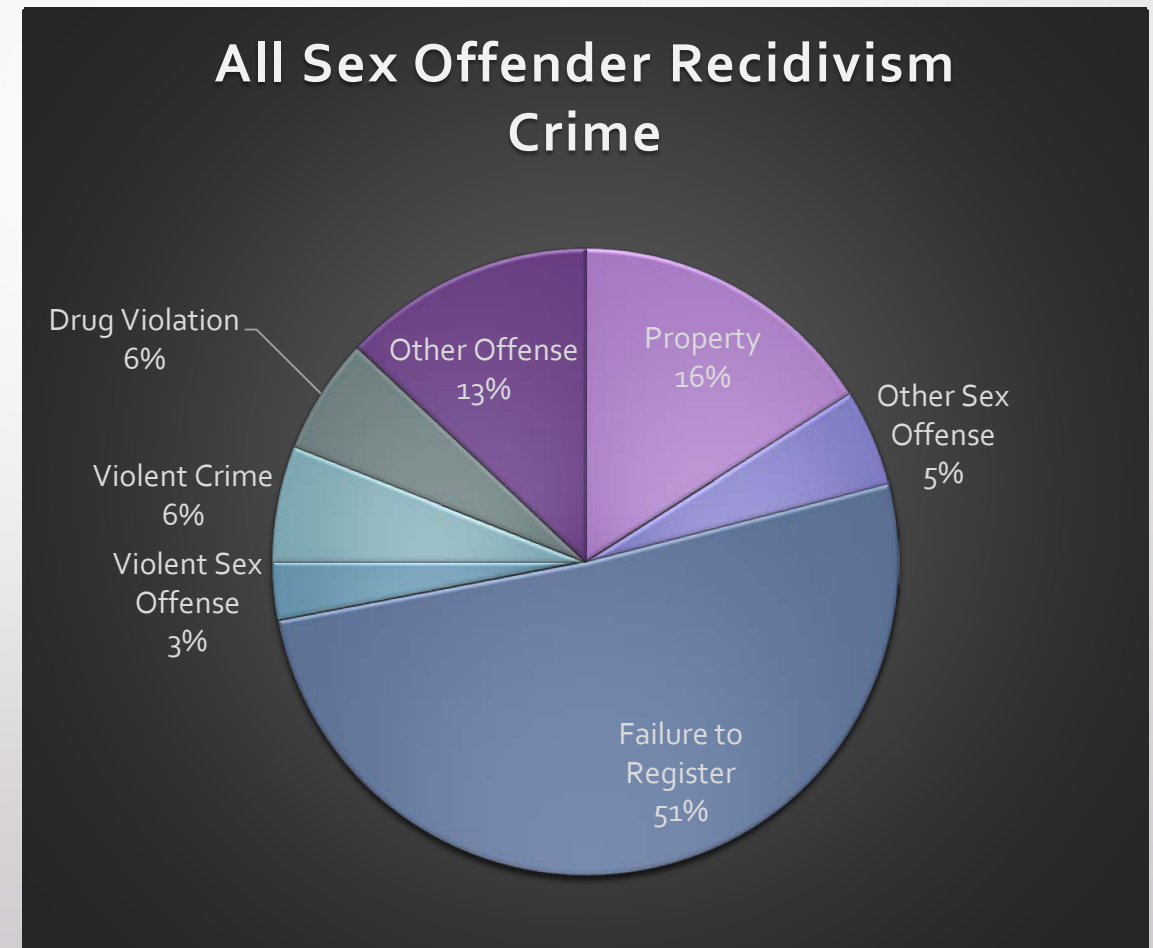
All Offenses (DV and Non DV)	%	DV Offenses only	%
Any	36%	Any	18%
Felony	12%	Felony	4%
~ Violent Felony	(7%)	~Violent Felony	(4%)
Misdemeanor	24%	Misdemeanor	14%

Concerns...

- Being court ordered to treatment has not been shown to reduce recidivism.
- Number of session in treatment and completing treatment has been shown to have statistical impact on recidivism.
- It has been reported up to 40% of offenders who have an intake with treatment fail to complete treatment.
- Often DV offenses are misdemeanor offenses and sexual offenses are often felony resulting in differences in tracking of recidivism.

Recidivism Rates:

Offenders Released from Prison in FY 2012	All Sex Offenders	Sex offenders who did not enter/complete prison SOTAP	Sex Offenders who completed Prison SOTAP
Total Offenders	100%	78.3%	21.7%
Percentage that Recidivated:	18.2%	21.5%	6.5%



References

- Gordon, J.A., & Moriarty, L. J. (2003). The effects of Domestic violence batterer treatment in domestic violence recidivism: The Chesterfield County experience. *Criminal Justice and Behavior*, 30:1 (118-134).
- Sartin, R. M., Hansen, D. J. & Huss, M. T. (2006). Domestic violence treatment response and recidivism: A review and implications for the study of family violence. *Aggression and Violent Behavior* 11:5 (425-440).
- Washington State Department of Corrections. (2015). *Sex Offender Treatment Program (SOTP)* [Flyer]. Olympia, Wa
- Washington State Institute for Public Policy. (2013). *Recidivism trends of domestic violence offenders in Washington State* [Document no. 13-08-1201]. Olympia, Wa.
- Washington State Institute for Public Policy. (2013). *What works to reduce recidivism by domestic violence offenders?* [Document no. 13-01-1201]. Olympia, Wa.