

House Bill 3
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Domestic Relations Court Supports Violence against Men and Women

Victims are re-victimized every year due to the ignorance of an American society and its failure to protect those who have suffered at the hands of abusers. Domestic violence is not just physical, mental, financial, or emotional abuse it is also life-long. According to Wright, Hanlon, Lozano, and Teitelman, women who have experienced domestic violence are at a much greater risk for cardiovascular disease, alcohol dependence, and depression (2019). Simply letting time pass or taking a medication does not cure a person nor does it erase the memories of the violence, or trauma they have experienced. Children are directly impacted by domestic violence and experience the need to protect themselves and their siblings, children are also permanently affected by the abuse and are at a greater risk for depression, substance abuse disorders, or becoming an abuser later in life (Øverlien & Holt, 2019). In domestic relations court victims who have children with their abusers are forced to communicate with the abusers, and the abuser is given visitation rights to the children. It may be supervised but regardless of how violent the abuser was they can get rights to see the child, and the victim never fully escapes. They are forced to communicate and interact with their abuser and must live in fear for the safety of their children.

Annually more than 10 million men and women will be victims of domestic violence, and 1 in 15 children will be exposed to it in the United States (National Coalition Against Domestic Violence, 2019). When another individual is assaulted or a victim of different type of crime, it is not expected that they communicate with or be exposed to their aggressor again. However, in domestic violence situations where there are children the victims are forced to communicate with, be exposed to, and their children may be possibly required to have visits with them. This exposes the children to the risk of being exposed to abuse again or become victims themselves of

the abuse in the future (Johnson, Strauss, Elmquist, Brem, Florimbio, Temple, Rothman, Stuart, & Shorey, 2019). It is imperative that law-makers understand the effects of domestic violence both short-term and long-term, so that the right decisions can be made in regard to the rights of the victim, and the children of the victim.

Psychological Health and Abuse

Being exposed to domestic violence can lead to psychological problems later in life in both children and the victims. Children who have witnessed or experienced domestic violence at a young age places them at greater risk for transgenerational violence, and lead to them becoming an abuser (Silva, Ludermir, Lima, Eickmann, & Emond, 2019). Simply experiencing or watching domestic violence can cause severe psychological problems and have a negative impact on an individual's wellbeing. Witnessing abuse can also lead to problems with depression, anxiety, personality disorders, and post-traumatic stress disorder (PTSD) (Spencer, Mallory, Cafferky, Kimmes, Beck, & Stith, 2019). Victims of violence within the home and children who witness domestic violence especially at a young age are at a greater risk for a variety of mental health disorders, and psychological problems.

Being exposed to violence can cause deep psychological wounds and cause major problems later in life which can eventually lead to alcoholism or substance-abuse disorders. According to (Lee, Micol, and Davis), victims experience higher levels of betrayal, anxiety, depression, and a variety of stress related disorders (2019). Victims are at a greater risk and likelihood of suffering from substance abuse as well and are much more likely to have problems with alcohol. Forcing victims to have contact with their abusers is a violation of their rights, peace of mind, and it forces them to interact with the individual that caused possibly significant damage both mentally and physically. Victims should be given the right to decide whether or not

they should have to have contact with their abusers and be given the resources to leave an abusive relationship. Victims should not be forced to be in contact with their perpetrators as they may view this as punishment and may be placed at greater risk for violence in the future. When victims have to maintain contact it also can lead to them returning to the abusive relationship and end in either their own death, or future trauma. Simply just leaving the relationship is not an option when children are involved, the victim must have communication with the abuser, and this puts their safety at risk.

Domestic Violence and Physical Health

Multiple studies have shown that domestic violence can lead to health problems later in life and increase risks to diseases such as cardiovascular disease. Riedl, Beck, Exenberger, Daniels, Dejacó, Unterberger, and Lampe Found that: “CV was found for 38% and DV for 16% of participants. A significantly higher occurrence of physical disease was observed in patients with poly-victimization,” (2019). Respiratory and gastrointestinal diseases have also been linked to domestic violence and early childhood. When an individual witnesses or experiences abuse it places them at a greater risk for a variety of health conditions, and diseases. It is imperative for lawmakers to understand the direct impact and correlation that there is between domestic violence and the effect it may have in regard to an individual’s physical health, psychological health, mental health, and risk for diseases later in life.

It is often difficult to get victims to come forward or leave an abusive situation, and domestic violence often goes unreported. A very large portion of domestic violence is never reported to the police and victims more often than not remain in abusive relationships, or do not get the help they need (Voce & Boxall, 2018). This increases the risk for fatalities associated with domestic violence and places victims at the greatest risk for being murdered, raped, and for

permanent physical damage. Forcing victims to communicate with their abusers could cause victims to hesitate in reporting abuse and lead to an increased number of fatalities, or injuries associated with abuse. Victims who are parents also might feel the need to stay in the relationship in order to protect the children as they may fear what may happen to the children if they are not around and feel obligated to stay in an abusive situation, which puts them at high risk for serious physical injury or worse death.

Safety Implications for Domestic Violence Survivors and Their Children

A history of assaults is an indication that future abuse will occur and greatly increases the risk of future incidences involving aggression, or violence. “Offenders with a history of domestic violence-particularly more frequent offending-and of breaching violence orders were more likely to reoffend. Most importantly, the risk of reoffending was cumulative, increasing with each subsequent incident,” (Morgan, Boxall, & Brown, 2018). Research shows a strong correlation between domestic violence and child abuse, children that come from homes with intimate partner violence are at a much greater risk for being abused by the abuser. Lloyd states: “A strong correlation exists between domestic abuse and child abuse, with approximately half of all domestic violence situations involving direct child abuse. Children can also be affected indirectly by violence occurring in their home by seeing or hearing it taking place,” (2018). It is imperative this is recognized and that every effort is made to minimize the amount of abuse the child is exposed to even if it means taking the visitation rights away from the abusive parent, it is truly in the best interest of the child. Stanley, Chantler, and Robbins found that children who had witnessed extreme violence were at a much greater risk for becoming violent later in life and that often child abuse goes unreported especially in domestic violence situations (2019). Children must be kept away from the abuser whenever possible for their own safety, well-being, and to

promote a healthy psychological development. Violence is unpredictable and occurs out of the control of the victim, and those affected by the violence (Burge, Katerndahl, Wood, Becho, Ferrer, & Talamantes, 2016). Victims and their children should not be forced to live in or frequently visit an unpredictable, unstable, and potentially violent environments. Children have the right to grow-up without fear and in a stable home, free from abuse.

Children who are affected by or witness domestic violence are at much greater risk for becoming an offender in the future, being violent, and a victim themselves. Green and Browne state: Offenders who have experienced abuse, domestic violence, or who have a parent who was arrested for domestic violence are at a much higher risk for becoming an offender later in life (2019). Children are directly affected by domestic violence and it is important that law-makers recognize this. Action must be taken to ensure that the cycle of violence is broken so that children can have a chance at a childhood that is nurturing, free of violence, and so that their futures are not negatively impacted. The cycle must be broken in order to prevent it from repeating children must be removed from an environment that is unhealthy and be given the right support, and resources in order to prevent psychological damage that could impact them later in life (Cole, 2015). The future generation depends upon us to truly impact this horrible pandemic that affects women, children, and men worldwide.

Conclusion

Abusers should not have more rights than their victims or the children affected negatively by the abuse. The victims of abuse should not be forced to communicate with their abuser and the children of the victim should not be placed in an environment that perpetuates violence and is unsafe. In order to break the cycle of violence and make a direct impact to combat abuse it is imperative that law-makers recognize how important it is to keep the victims away from their

abusers, and the children out of an abusive environment. Many abusers are repeat offenders and more than one-third of children with a parent convicted of domestic violence will also be abused. Victims should not have less rights than their abusers and those affected by domestic violence should not be forced to re-live their experience, and safety should be maintained. Serious consideration should be made regarding the loss of parental rights and domestic violence, as the rights of the child to safety and a healthy environment simply cannot be ignored. If a daycare or school is unwilling to hire an individual with a violent record convicted of violent acts children should not be placed in their care regardless of their relationship. If victims are forced to be in contact with their abusers or must worry about the safety of their children should they leave their abusive partner, or get divorced why bother reporting it? The legal system is failing the victims of domestic violence and it is contributing to thousands of deaths every year.

Personal Note

I was choked and beaten regularly for years, in addition to sexual, financial, emotional, and mental abuse. My abuser tried to get me to commit suicide and his family watched him abuse me and knew of the abuse for years yet did nothing, in fact; they encouraged it. He beat me in front of my children multiple times and my son now has behavioral problems at school. I live in pain every day and sometimes my fingers go numb because of damage to my nerves, and neck. I have not eaten solid food since December 25th, 2019 and he received a misdemeanor with no jail time. It hurts my case if I talk about how I believe he should not be alone with my children because I fear for their safety even though no school or daycare would hire my abuser, the domestic relations court wants me to be silent. That is how I am treated as a victim in America today. He can afford a high-priced attorney and I cannot, everything I say or do is

retaliated against. I could play the lottery by using a pro-bono attorney or utilize a legal aid attorney which would be a horrible choice for going against such a well-known lawyer. The money from our suffering is taken in by the system and we are left with little to no options. There is no escape or justice in Ohio and we are pushed into silence. The abuse continues after the relationship has ended long ago, and the courts assist the abuser by further punishing the victims.

Why is it that victims of domestic violence have less rights than other victims of crime? Because we were in a relationship or married it is less of a crime to try to kill their significant other, strangle, or beat their partner? Victims in relationships have less rights than strangers? Why since I was married my ex-husband is allowed to beat me and gets a misdemeanor if I were a stranger it would be a felony? Why is it other victims are looked at differently than victims of domestic violence, are we not as human as the others? Why is it any different, we suffer just as they do, we feel pain just as they do, the after effects psychological and depending upon the injuries sustained can last a lifetime there is no cure for PTSD, or fear. Every day we are walking on eggshells wondering and waiting, will it happen again and will the next time we are attacked will we survive? There is not enough protection for domestic violence victims especially if they had children with their abuser, and victims are intimidated by the domestic relations court and are in fear of speaking up. If no judge, or lawyer or magistrate would allow an abuser to watch their children and no school would hire them, why must domestic violence victims be forced to be in contact with their abuser, and allow for them to be around the children? Why must domestic violence victims continue to suffer, they should not have to stand in a room with the abuser for any reason, and should be allowed to escape and live free, free of the fear of possibly being killed. Police officers should be given more power to help victims as well, allow them the

opportunity to save a life and possibly prevent the violence. Abusers are criminals and should be charged as criminals not be given a slap on the wrist, the lives of millions of victims are at stake action must be taken, no one should die in a manner that is preventable if their rights were protected no one should be beaten to death, harmed, or injured. A victim of domestic violence is a human being just as we all have mothers, daughters, sisters, and friends how would we want them treated? Do we want them living in fear? Their lives depend upon you, they need help it is not someone else's problem, take action, help us. Ignoring cries for help allows the abuser to have more power along with their often high-priced attorneys who know how to manipulate the system. If I were to go through a list of names of women who probably thought their abuser would never kill them, I would be here for days, they had rights, we have rights. Abusers should not have more rights than their victims. A victim of domestic violence is not less of an individual than that of a victim of any other crime. Stop repeating the cycle, take action, give these victims their power back and their peace of mind. No one should have to live everyday wondering if today will be their last, wondering if they will be breathing tomorrow or if they will end up just another statistic.

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