U.S. Department of Justice
Office of Justice Programs
National Institute of Justice

NATIONAL INSTITUTE OF JUSTICE

Data Resources Program

Survey of Prosecutors' Views on Children and Domestic Violence in the United States, 1999

ICPSR 3103

Debra Whitcomb

Codebook and Data Collection Instrument

ICPSR

Inter-university Consortium for Political and Social Research

SURVEY OF PROSECUTORS' VIEWS ON CHILDREN AND DOMESTIC VIOLENCE IN THE UNITED STATES, 1999

(ICPSR 3103)

Principal Investigator

Debra Whitcomb
Education Development Center, Inc.

First ICPSR Version
June 2001

Inter-university Consortium for
Political and Social Research
P.O. Box 1248
Ann Arbor, Michigan 48106

BIBLIOGRAPHIC CITATION

Publications based on ICPSR data collections should acknowledge those sources by means of bibliographic citations. To ensure that such source attributions are captured for social science bibliographic utilities, citations must appear in footnotes or in the reference section of publications. The bibliographic citation for this data collection is:

> Whitcomb, Debra. SURVEY OF PROSECUTORS' VIEWS ON CHILDREN AND DOMESTIC VIOLENCE IN THE UNITED STATES, 1999 [Computer file]. ICPSR version. Newton, MA: Education Development Center, Inc. [producer], 2000. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2001.

REQUEST FOR INFORMATION ON USE OF ICPSR RESOURCES

To provide funding agencies with essential information about use of archival resources and to facilitate the exchange of information about ICPSR participants' research activities, users of ICPSR data are requested to send to ICPSR bibliographic citations for each completed manuscript or thesis abstract. Please indicate in a cover letter which data were used.

DATA DISCLAIMER

The original collector of the data, ICPSR, and the relevant funding agency bear no responsibility for uses of this collection or for interpretations or inferences based upon such uses.

DATA COLLECTION DESCRIPTION

Debra Whitcomb

SURVEY OF PROSECUTORS' VIEWS ON CHILDREN AND DOMESTIC VIOLENCE IN THE UNITED STATES, 1999 (ICPSR 3103)

SUMMARY: This survey of prosecutors was undertaken to describe current practice and identify "promising practices" with respect to cases involving domestic violence and child victims or witnesses. It sought to answer the following questions: (1) What are the challenges facing prosecutors when children are exposed to domestic violence? (2) How are new laws regarding domestic violence committed in the presence of children, now operating in a small number of states, affecting practice? (3) What can prosecutors do to help battered women and their children? To gather data on these topics, the researchers conducted a national telephone survey of prosecutors. Questions asked include case assignment, jurisdiction of the prosecutor's office, caseload, protocol for coordinating cases, asking about domestic violence when investigating child abuse cases, asking about children when investigating domestic violence cases, and how the respondent found out when a child abuse case involved domestic violence or when a domestic violence case involved children. Other variables cover whether police routinely checked for prior Child Protective Services (CPS) reports; if these cases were heard by the same judge, in the same court, and were handled by the same prosecutor; if there were laws identifying exposure to domestic violence as child abuse; if there were laws applying or enhancing criminal penalties when children were exposed to domestic violence; if the state legislature was considering any such action; if prosecutors were using other avenues to enhance penalties; if there was pertinent caselaw; and if the respondent's office had a no-drop policy for domestic violence cases. Additional items focus on whether the presence of children influenced decisions to prosecute, if the office would report or prosecute a battered woman who abused her children or failed to protect her children from abuse or from exposure to domestic violence, how often the office prosecuted such women, if there was a batterers' treatment program in the community, how often batterers were sentenced to attend the treatment program, if there were programs to which the respondent could refer battered mothers and children, what types of programs were operating, and if prosecutors had received training on domestic violence issues.

UNIVERSE: Prosecutors' offices that had knowledge of, or experience with, cases involving children and domestic violence in the United States.

SAMPLING: Convenience sampling.

NOTE: The user guide and the codebook and data collection instrument are provided by ICPSR as Portable Document Format (PDF) files. The PDF file format was developed by Adobe Systems Incorporated and can be accessed using PDF reader software, such as the Adobe Acrobat Reader. Information on how to obtain a copy of the Acrobat Reader is provided on the ICPSR Web site.

EXTENT OF COLLECTION: 1 data file + machine-readable documentation (PDF) + SAS data definition statements + SPSS data definition statements

EXTENT OF PROCESSING: MDATA.PR/ UNDOCCHK.ICPSR/ CDBK.ICPSR/ DDEF.ICPSR/ REFORM.DATA/ REFORM.DOC

DATA FORMAT: Logical Record Length with SAS and SPSS data definition statements

File Structure: rectangular
Cases: 93
Variables: 68
Record Length: 98
Records Per Case: 1

RELATED PUBLICATION:
Whitcomb, Debra. "Children and Domestic Violence: Challenges for Prosecutors" (Final Report). NCJ185355. Washington, DC: United States Department of Justice. National Institute of Justice, 2000.

TABLE OF CONTENTS

Page

Codebook Notes 1

Codebook 3

Original Data Collection Instruments 17

ICPSR CODEBOOK NOTES

1. ICPSR recoded system missing to 9-series and labeled these codes as "NA/DK/Missing" because they are recodes.

2. Variables ABUSREP2 and PROTREP2 contain the same data. Both variables are recodes of PROTREP.

3. The following abbreviations are used in the data definition statements and codebook.

   DV=Domestic Violence
   CA=Child Abuse
   CPS=Child Protective Services

CODEBOOK FOR ICPSR 3103

SURVEY OF PROSECUTORS' VIEWS ON CHILDREN AND DOMESTIC VIOLECE
IN THE UNITED STATES, 1999

PLEASE NOTE: The "M" between the code and the code label indicates the code has been designated as a missing value.

NAME	VARIABLE LABEL	BEG COL	END COL	FMT
ID	SEQUENTIAL ID NUMBER	1	2	F2
COUNTY	COUNTY	3	31	A29
STATE	STATE	32	33	A2
BEALE	BEALE CODE	34	34	F1

0 Central metro counties GE 1,000,000
1 Fringe metro counties GE 1,000,000.
2 250,000-1,000,000 counties in metro
3 Counties in metro areas of LE 250,000
4 Urban 20,000 adjacent to metro area
5 Urban GE 20,000 not adjacent to metro
6 Urban 2500-20,000 adjacent to metro
7 Not adjacent to metro,urban 2500-20,000
8 Rural adjacent to metro
9 Rural not adjacent to metro

OFFICE	OFFICE DESCRIPTOR	35	35	F1

1 County or district attorney
2 City attorney

NORESP	RESPONDENT'S CASE ASSIGNMENT	36	36	F1

1 Family violence
2 DV and child abuse
3 DV only
4 Child abuse only

DVPROS	OFFICE JURISIDICTION FOR DV CASES	37	37	F1

1 All DV cases in geo. juris.
2 Only felonies
3 Misdemeanors
8 Don't know
9 M NA/missing

DVFEL	DV FELONY CASELOAD	38	38	F1

1 <50

NAME	VARIABLE LABEL	BEG COL	END COL	FMT
DVFEL (cont.)				
	2 51-100			
	3 101-250			
	4 251-500			
	5 501-1000			
	6 >1000			
	8 Don't know			
	9 M NA/missing			
DVMIS	DV MISDEMEANOR CASELOAD	39	39	F1
	1 <50			
	2 51-100			
	3 101-250			
	4 251-500			
	5 501-1000			
	6 >1000			
	8 Don't know			
	9 M NA/missing			
CAPROS	JURISDICTION FOR CHILD ABUSE CASES	40	40	F1
	1 Criminal and civil cases			
	2 Only criminal cases			
	3 Other(specify)			
	8 Don't know			
	9 M NA/missing			
CACRIM	CHILD ABUSE CRIMINAL CASELOAD	41	41	F1
	1 <50			
	2 51-100			
	3 101-250			
	4 251-500			
	5 501-1000			
	6 >1000			
	8 Don't know			
	9 M NA/missing			
CACIVIL	CHILD ABUSE DEPENDENCY CASELOAD	42	42	F1
	1 <50			
	2 51-100			
	3 101-250			
	4 251-500			

NAME	VARIABLE LABEL	BEG COL	END COL	FMT
CACIVIL (cont.)				
	5 501-1000			
	6 >1000			
	8 Don't know			
	9 M NA/missing			
XCOMM	PROTOCOL FOR DV/CA PROSECUTORS	43	43	F1
	1 Yes			
	2 No			
	3 Conflict			
	8 Don't know			
	9 M NA/missing			
CAPROT	PROTOCOL ABOUT DV WHEN INVESTIGATING CA	44	44	F1
	1 Yes			
	2 No			
	8 Don't know			
	9 M NA/missing			
CAKNOW	HOW YOU FIND OUT WHEN CASE INVOLVES DV	45	45	F1
	1 Info provided (specify)			
	8 Don't know			
	9 M NA/missing			
DVPROT	PROTOCOL ABOUT CHILDREN WHEN INVESTIGAT	46	46	F1
	1 Yes			
	2 No			
	8 Don't know			
	9 M NA/missing			
DVKNOW	HOW YOU FIND OUT DV CASE INVOL. CHILDREN	47	47	F1
	1 Info provided (specify)			
	8 Don't know			
	9 M NA/missing			
CPSCHECK	POLICE CHECK FOR PRIOR CPS REPORTS	48	48	F1
	1 Yes			
	2 No			
	3 Sometimes			

NAME	VARIABLE LABEL	BEG COL	END COL	FMT
CPSCHECK (cont.)				
	4 Conflict			
	8 Don't know			
	9 M NA/missing			
WHENCHEC	WHEN POLICE CHECK FOR PRIOR CPS REPORTS	49	49	F1
	1 Info provided (specify)			
	8 Don't know			
	9 M NA/missing			
SAMEJUDG	CASES HEARD BY SAME JUDGE/IN SAME COURT	50	50	F1
	1 Yes			
	2 No			
	3 Sometimes			
	4 Conflict			
	8 Don't know			
	9 M NA/missing			
SAMEPROS	CASES HANDLED BY THE SAME PROSECUTOR	51	51	F1
	1 Yes			
	2 No			
	3 Sometimes			
	4 Conflict			
	8 Don't know			
	9 M NA/missing			
EXPOSE	LAWS IDENTIFYING EXPOSURE TO DV AS CA	52	52	F1
	1 Yes			
	2 No			
	3 Conflict			
	8 Don't know			
	9 M NA/missing			
ENHANCE	LAWS APPLYING CRIMINAL PENALTIES	53	53	F1
	1 Yes			
	2 No			
	3 Conflict			
	8 Don't know			
	9 M NA/missing			
OTHERLAW	OTHER LAWS ADDRESSING THIS ISSUE	54	54	F1
	1 Yes			

NAME	VARIABLE LABEL	BEG COL	END COL	FMT
OTHERLAW (cont.)				
	2 No			
	3 Conflict			
	8 Don't know			
	9 M NA/missing			
STATELEG	STATE LEGISLATURE CONSIDERING ACTIONS	55	55	F1
	1 Yes			
	2 No			
	3 Conflict			
	8 Don't know			
	9 M NA/missing			
AVENUES	USE OTH AVENUES TO ENHANCE PENALTIES	56	56	F1
	1 Yes			
	2 No			
	3 Conflict			
	8 Don't know			
	9 M NA/missing			
CASELAW	IS THERE PERTINENT CASELAW	57	57	F1
	1 Yes			
	2 No			
	3 Conflict			
	8 Don't know			
	9 M NA/missing			
NODROP	OFFICE HAS NO DROP POLICY FOR DV CASES	58	58	F1
	1 Yes			
	2 No			
	8 Don't know			
	9 M NA/missing			
CHILDINF	CHILDREN INFL. DECISIONS TO PROSECUTE	59	59	F1
	1 Yes			
	2 No			
	3 Sometimes			
	8 Don't know			
	9 M NA/missing			
ABUSEREP	REPORT WOMAN WHO ABUSES CHILD	60	60	F1
	1 Yes			

NAME	VARIABLE LABEL	BEG COL	END COL	FMT
ABUSEREP (cont.)				
	2 No			
	3 Sometimes			
	8 Don't know			
	9 M NA/missing			
ABUSEPRO	PROSECUTE WOMAN WHO ABUSES CHILD	61	61	F1
	1 Yes			
	2 No			
	3 Sometimes			
	8 Don't know			
	9 M NA/missing			
ABUSEFRE	OFTEN CHARGE MOTHERS ABUSE CHILDREN	62	62	F1
	1 Very often			
	2 More often than not			
	3 Sometimes			
	4 Rarely			
	5 Never/never happened			
	8 Don't know			
	9 M NA/missing			
PROTREP	RPT WOMAN FAIL PROTECT CHILDRN FROM ABUSE	63	63	F1
	1 Yes			
	2 No			
	3 Sometimes			
	8 Don't know			
	9 M NA/missing			
PROTPROS	PROS WOMAN FAIL PROTECT CHILD FROM ABUSE	64	64	F1
	1 Yes			
	2 No			
	3 Sometimes			
	8 Don't know			
	9 M NA/missing			
PROTFREQ	OFT PROS MOM FAIL PROTECT CHILD FRM ABUSE	65	65	F1
	1 Very often			
	2 More often than not			
	3 Sometimes			

NAME	VARIABLE LABEL	BEG COL	END COL	FMT
PROTFREQ (cont.)				
	4 Rarely			
	5 Never/never happened			
	8 Don't know			
	9 M NA/missing			
EXPREP	RPT WOMAN FAIL TO PROTECT CHILD FROM DV	66	66	F1
	1 Yes			
	2 No			
	3 Sometimes			
	8 Don't know			
	9 M NA/missing			
EXPPROS	PROSEC. WOMAN FAIL PROTECT CHILD FROM DV	67	67	F1
	1 Yes			
	2 No			
	3 Sometimes			
	8 Don't know			
	9 M NA/missing			
EXPFREQ	OFTEN PROSEC MOM FAIL PROTECT CHILD FRM DV	68	68	F1
	1 Very often			
	2 More often than not			
	3 Sometimes			
	4 Rarely			
	5 Never/never happened			
	8 Don't know			
	9 M NA/missing			
BATPROG	BATTERERS' TREATMENT PROGRAM IN COMMUNITY	69	69	F1
	1 Yes			
	2 No			
	8 Don't know			
	9 M NA/missing			
FREQBAT	HOW OFTEN BATTERERS SENTENCED TO ATTEND	70	70	F1
	1 Very often/mandated			
	2 More often than not			
	3 Sometimes			
	4 Rarely			

NAME	VARIABLE LABEL	BEG COL	END COL	FMT
FREQBAT (cont.)				
	5 Never			
	6 Except if sentenced to prison/jail			
	8 Don't know			
	9 M NA/missing			
VICPROG	PROGS REFERRED TO BATT. MOTHERS/CHILDREN	71	71	F1
	1 Yes			
	2 No			
	8 Don't know			
	9 M NA/missing			
TYPEPROG	WHAT TYPES OF PROGRAMS ARE THERE	72	72	F1
	1 All listed			
	2 All but(specify)			
	3 Conflict			
	8 Don't know			
	9 M NA/missing			
TRAINING	PROSECUTORS RECEIVED TRAINING ON ISSUES	73	73	F1
	1 Yes			
	2 No			
	3 Some/limited scope			
	4 Conflict			
	8 Don't know			
	9 M NA/missing			
NEWBEALE	RECODED BEALE	74	74	F1
	1 Metro			
	2 Nonmetro			
NORESP2	RECODED NORESP	75	75	F1
	1 Family violence			
	2 DV and child abuse			
	3 Either DV or CA (not both)			
NORESP3	RECODED NORESP2	76	76	F1
	1 Family violence			
	2 Domestic abuse, child violence or both			

NAME	VARIABLE LABEL	BEG COL	END COL	FMT
PROTREP3	RECODED PROTREP2	77	77	F1
	1 Yes or sometimes			
	2 No			
	9 M NA/DK/Missing			
PROTPOS3	RECODED PROTPRS2	78	78	F1
	1 Yes or sometimes			
	2 No			
	9 M NA/DK/Missing			
CAPROT2	RECODED CAPROT	79	79	F1
	1 Yes			
	2 No			
	9 M NA/DK/Missing			
DVPROT2	RECODED DVPROT	80	80	F1
	1 Yes			
	2 No			
	9 M NA/DK/Missing			
CPSCHEC2	RECODED CPSCHECK	81	81	F1
	1 Yes or sometimes			
	2 No			
	9 M NA/DK/Missing			
CHILDIN2	RECODED CHILDINF	82	82	F1
	1 Yes or sometimes			
	2 No			
	9 M NA/DK/Missing			
EXPREP3	RECODED EXPREP	83	83	F1
	1 Yes or sometimes			
	2 No			
	9 M NA/DK/Missing			
EXPROS3	RECODED EXPREP	84	84	F1
	1 Yes or sometimes			

NAME	VARIABLE LABEL	BEG COL	END COL	FMT
EXPROS3 (cont.)				
	2 No			
	9 M NA/DK/Missing			
TRAINNG3	RECODED TRAINNG2	85	85	F1
	1 At least some training			
	2 No training			
	9 M NA/DK/Missing			
ABUSREP2	ABUSREP2: RECODED PROTREP	86	86	F1
	1 Yes			
	2 No			
	3 Sometimes			
	9 M NA/DK/Missing			
PROPROS2	RECODED PROTPROS	87	87	F1
	1 Yes			
	2 No			
	3 Sometimes			
	9 M NA/DK/Missing			
AVENUE2	RECODED AVENUES	88	88	F1
	1 Yes			
	2 No			
	9 M NA/DK/Missing			
EXPROS2	RECODED EXPPROS	89	89	F1
	1 Yes			
	2 No			
	3 Sometimes			
	9 M NA/DK/Missing			
TRAINNG2	RECODED TRAINING	90	90	F1
	1 Yes			
	2 No			
	3 Sometimes			
	9 M NA/DK/Missing			
EXPREP2	RECODED EXPREP	91	91	F1
	1 Yes			

NAME	VARIABLE LABEL	BEG COL	END COL	FMT
EXPREP2 (cont.)				
	2 No			
	3 Sometimes			
	9 M NA/DK/Missing			
PROTREP2	PROTREP2: RECODED PROTREP	92	92	F1
	1 Yes			
	2 No			
	3 Sometimes			
	9 M NA/DK/Missing			
PROTPRS2	RECODED PROTPROS	93	93	F1
	1 Yes			
	2 No			
	3 Sometimes			
	9 M NA/DK/Missing			
EXPOSE2	RECODED EXPOSE	94	94	F1
	1 Yes			
	2 No			
	9 M NA/DK/Missing			
ENHNCE2	RECODED ENHANCE	95	95	F1
	1 Yes			
	2 No			
	9 M NA/DK/Missing			
CSELAW2	RECODED CASELAW	96	96	F1
	1 Yes			
	2 No			
	9 M NA/DK/Missing			
SAMEJDG2	RECODED SAMEJUDG	97	97	F1
	1 Some or all of the time			
	2 No			
	9 M NA/DK/Missing			
SAMEPRO2	RECODED SAMEPROS	98	98	F1
	1 Some or all of the time			
	2 No			
	9 M NA/DK/Missing			

Original Data Collection Instrument

(Provided by the Principal Investigator)

Respondent: County:

FORM A

SURVEY OF PROSECUTORS WHO HANDLE ALL FAMILY VIOLENCE CASES

Hello. My name is _____. I'm conducting a survey of prosecutors to learn about policies and procedures for handling cases involving both domestic violence and child maltreatment. The study is sponsored by the National Institute of Justice. You were identified by [insert name of initial contact] as someone who has particular experience with the special challenges that arise in these cases.

The survey should take 30-45 minutes. Is this a good time, or would you prefer to schedule the call at another time? [If rescheduling]:

When would be a good time for you? _____

Would it be helpful if I fax the survey to you before we talk? [If so]:

Fax number: _____

I'll look forward to talking with you _____ (date and time).

[When proceeding with the survey]

Thanks for taking the time to complete the survey. Let's get started.

First, you should know that all responses will be kept confidential. Survey findings will be reported only in the aggregate and will not be identified by individual respondents or offices. The findings will be used to identify five jurisdictions where we will do more intensive research through site visits and interviews with a wide range of professionals with an interest in battered women and their children. Do you have any questions so far?

Respondent: County:

1. Is your office responsible for prosecuting *any* domestic violence case or only felony charges?

   ☐ This office handles all domestic violence cases.
   ☐ Another office handles misdemeanors.

   Which agency handles these cases? _____

2. How many domestic violence cases did your office prosecute in calendar year 1998?

   _____ felonies

   _____ misdemeanors (if appropriate)

3. Is your office responsible for child abuse dependency proceedings in civil court?

   ☐ This office handles both criminal and civil child abuse proceedings.
   ☐ Another office handles dependency cases.

   Which agency handles these cases? _____

4. How many child abuse cases did your office prosecute last year?

   _____ criminal cases

   _____ dependency cases

5. When CPS and/or police investigate reports of suspected child abuse or neglect, are there protocols for them to ask specifically about domestic violence?

   ☐ Yes. Could you please send/fax a copy?
   ☐ No.
   ☐ Don't know.

   [If no or don't know]: How do you find out when a child abuse case involves domestic violence?

Respondent: County:

6. When police respond to domestic violence calls, are there protocols for them to ask about children who may be victims of, or witnesses to, the violence?

☐ Yes. Could you please send/fax a copy?
☐ No.
☐ Don't know.

[If no or don't know]: How do you find out that a domestic violence case involves child victims or witnesses?

7. Do police or other investigators routinely check with CPS about prior reports of child abuse or neglect in families experiencing domestic violence?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

[If sometimes]: Under what circumstances would police check with CPS?

8. Are domestic violence and child abuse cases involving the same family heard by a single judge or in a special family court?

☐ Yes. ☐ No. ☐ Don't know.

9. Does the same prosecutor handle all these proceedings?

☐ Yes. ☐ No. ☐ Don't know.

Respondent: County:

10. Are there any laws in your state that explicitly address the issue of co-occurring domestic violence and child maltreatment? (Read options):

Are there laws identifying children's exposure to domestic violence as a form of child maltreatment?

☐ Yes. ☐ No. ☐ Don't know.

Are there laws that apply or enhance criminal penalties for domestic violence when children are present?

☐ Yes. ☐ No. ☐ Don't know.

Are there any other laws that address the issue of children who witness or who are exposed to domestic violence?

☐ Yes. ☐ No. ☐ Don't know.

[If yes:] What are the key provisions?

[IF RESPONDENT INDICATES EXISTING LAWS: Could you fax the relevant language or citations to these statutes?]

11. Is the state legislature considering any action on these issues?

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: Do you know any details?

Respondent: County:

12. Are prosecutors using other avenues to enhance the potential penalties for those who commit domestic violence in the presence of children [If prompt is needed: For example, charging emotional abuse or endangerment when children are present?]

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: Please explain.

13. Is there any pertinent case law we should know about?

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: Please explain.

[IF RESPONDENT INDICATES PERTINENT CASE LAW: Would you be able to fax the relevant language or citations for these opinions?]

14. Does your office have a "no drop" policy for domestic violence cases?

☐ Yes. ☐ No. ☐ Don't know.

15. Does the presence of children influence decisions to prosecute male batterers when mothers are unwilling or uncooperative victims?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

Please explain.

Respondent: County:

Now I'm going to ask you about three different scenarios in cases of co-occurring domestic violence and child maltreatment: First are cases where a battered woman is abusing her children. Second are cases where the male perpetrator is battering both the mother and the children. Third are cases where children are exposed to domestic violence but not directly abused themselves.

16. In the first scenario, where there is evidence that a battered woman has abused her children, would your office *report* this woman to CPS (child protective services)?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

Please explain.

17. Would your office *prosecute* a battered woman who has abused her children?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

(A) How frequently does your office charge mothers under these circumstances?

☐ Very often (75-100% of the cases)
☐ More often than not (50-75% of the cases)
☐ Sometimes (25-50% of the cases)
☐ Rarely (10-25% of the cases)
☐ Never.
☐ Don't know.

(B) What are the specific charges?

18. In the second scenario, where a male perpetrator is battering both the mother and her children, would your office *report* the mother to CPS for failure to protect her children?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

Please explain.

Respondent: County:

19. Would your office *prosecute* a battered woman for failure to protect her children from abuse by the male perpetrator?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

(A) How frequently does your office charge mothers under these circumstances?

☐ Very often (75-100% of the cases)
☐ More often than not (50-75% of the cases)
☐ Sometimes (25-50% of the cases)
☐ Rarely (10-25% of the cases)
☐ Never.
☐ Don't know.

(B) What are the specific charges?

20. In the third scenario, where children are exposed to domestic violence but not directly abused, would your office *report* to CPS battered mothers who fail to protect their children from continued exposure to domestic violence?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

Please explain.

21. Would your office *prosecute* a battered woman for failure to protect her children from continued exposure to domestic violence?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

(A) How frequently does your office charge mothers under these circumstances?

☐ Very often (75-100% of the cases)
☐ More often than not (50-75% of the cases)
☐ Sometimes (25-50% of the cases)
☐ Rarely (10-25% of the cases)
☐ Never.
☐ Don't know.

(B) What are the specific charges?

22. Is there a specialized batterers treatment program in your community?

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: How frequently are domestic violence offenders sentenced to attend this program?

☐ Very often (75-100% of the cases)
☐ More often than not (50-75% of the cases)
☐ Sometimes (25-50% of the cases)
☐ Rarely (10-25% of the cases)
☐ Never.
☐ Don't know.

23. Are there any specific resources, programs, or services in your community where you can refer battered mothers and their children?

☐ Yes. ☐ No. ☐ Don't know.

[If yes:] Is there [read options]:

☐ Shelter.
☐ Legal services.
☐ Specialized counseling for battered women.
☐ Specialized counseling for child witnesses to violence.
☐ Victim assistance program.
☐ Child protection agency.

☐ Other: _____

☐ Other: _____

24. Have prosecutors in your office received any particular training about co-occurring domestic violence and child maltreatment?

☐ Yes. ☐ No. ☐ Don't know.

Respondent: County:

This concludes our telephone survey. Before I forget, I'd like to review the materials you offered to send/fax to me:

[Review survey and list documentation below]:

We will be compiling the results of these surveys over the next few weeks, and I may call you back with some follow-up questions. In the next step, we will choose as many as five jurisdictions for field research to learn more about prosecutors' responses to domestic violence cases involving child victims or witnesses. Do you anticipate that, if selected, your office would have any concern about participating in the field research component of our study?

- ☐ Yes. Why?

- ☐ No.

Do you have any questions for me? [note nature of questions they ask]

Thank you so much for your time!

Respondent: County:

FORM B

SURVEY OF DOMESTIC VIOLENCE PROSECUTORS

Hello. My name is _____. I'm conducting a survey of prosecutors to learn about policies and procedures for handling cases involving both domestic violence and child maltreatment. The study is sponsored by the National Institute of Justice. You were identified by [insert name of initial contact] as the best person for me to talk to about prosecution of domestic violence cases.

The survey should take 30-45 minutes. Is this a good time, or would you prefer to schedule the call at another time? [If rescheduling]:

When would be a good time for you? _____

Would it be helpful if I fax the survey to you before we talk? [If so]:

Fax number: _____

I'll look forward to talking with you _____ (date and time).

[When proceeding with the survey]

Thanks for taking the time to complete the survey. Let's get started.

First, you should know that all responses will be kept confidential. Survey findings will be reported only in the aggregate and will not be identified by individual respondents or offices. The findings will be used to identify five jurisdictions where we will do more intensive research through site visits and interviews with a wide range of professionals with an interest in battered women and their children. Do you have any questions so far?

Respondent: County:

1. Is your office responsible for prosecuting *any* domestic violence case or only felony charges?

   ☐ This office handles all domestic violence cases.
   ☐ Another office handles misdemeanors.

   Which agency handles these cases? _____

2. How many domestic violence cases did your office prosecute in calendar year 1998?

   _____ felonies

   _____ misdemeanors (if appropriate)

3. Are there policies or protocols for communication between the domestic violence and child abuse prosecutors when domestic violence cases involve child victims or witnesses?

   ☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

   [If yes]: Please explain. Could you send or fax a copy? [NOTE: Tell respondent you'll give him/her the mailing address/fax number at the end of the survey.]

4. Are there protocols for police who respond to domestic violence calls to ask about children who may be victims of, or witnesses to, the violence?

   ☐ Yes. Could you please send/fax a copy?
   ☐ No.
   ☐ Don't know.

   [If no or don't know]: How do you find out that a domestic violence case involves child victims or witnesses?

Respondent: County:

5. Do police or other investigators routinely check with CPS about prior reports of child abuse or neglect in families experiencing domestic violence?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

[If sometimes]: Under what circumstances would police check with CPS?

6. Are domestic violence and child abuse cases involving the same family heard by a single judge or in a special family court?

☐ Yes. ☐ No. ☐ Don't know.

7. Does the same prosecutor handle all these proceedings?

☐ Yes. ☐ No. ☐ Don't know.

8. Are there any laws in your state that explicitly address the issue of co-occurring domestic violence and child maltreatment? (Read options):

Are there laws identifying children's exposure to domestic violence as a form of child maltreatment?

☐ Yes. ☐ No. ☐ Don't know.

Are there laws that apply or enhance criminal penalties for domestic violence when children are present?

☐ Yes. ☐ No. ☐ Don't know.

Are there any other laws that address the issue of children who witness or who are exposed to domestic violence?

☐ Yes. ☐ No. ☐ Don't know.

[If yes:] What are the key provisions?

Respondent: County:

[IF RESPONDENT INDICATES EXISTING LAWS: Could you fax the relevant language or citations to these statutes?]

9. Is the state legislature considering any action on these issues?

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: Do you know any details?

10. Are prosecutors using other avenues to enhance the potential penalties for those who commit domestic violence in the presence of children [If prompt is needed: For example, charging emotional abuse or endangerment when children are present?]

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: Please explain.

11. Is there any pertinent case law we should know about?

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: Please explain.

[IF RESPONDENT INDICATES PERTINENT CASE LAW: Would you be able to fax the relevant language or citations for these opinions?]

Respondent: County:

12. Does your office have a "no drop" policy for domestic violence cases?

☐ Yes. ☐ No. ☐ Don't know.

13. Does the presence of children influence decisions to prosecute male batterers when mothers are unwilling or uncooperative victims?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

Please explain.

Now I'm going to ask you about three different scenarios in cases of co-occurring domestic violence and child maltreatment: First are cases where a battered woman is abusing her children. Second are cases where the male perpetrator is battering both the mother and the children. Third are cases where children are exposed to domestic violence but not directly abused themselves.

14. In the first scenario, where there is evidence that a battered woman has abused her children, would your office report this woman to CPS (child protective services)?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

Please explain.

15. In the second scenario, where a male perpetrator is battering both the mother and her children, would your office report the mother to CPS for failure to protect her children?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

Please explain.

Respondent: County:

16. In the third scenario, where children are exposed to domestic violence but not directly abused, would your office *report* to CPS battered mothers who fail to protect their children from continued exposure to domestic violence?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

Please explain.

17. Is there a specialized batterers treatment program in your community?

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: How frequently are domestic violence offenders sentenced to attend this program?

☐ Very often (75-100% of the cases)
☐ More often than not (50-75% of the cases)
☐ Sometimes (25-50% of the cases)
☐ Rarely (10-25% of the cases)
☐ Never.
☐ Don't know.

18. Are there any specific resources, programs, or services in your community where you can refer battered mothers and their children?

☐ Yes. ☐ No. ☐ Don't know.

[If yes:] Is there [read options]:

☐ Shelter.
☐ Legal services.
☐ Specialized counseling for battered women.
☐ Specialized counseling for child witnesses to violence.
☐ Victim assistance program.
☐ Child protection agency.

☐ Other: _____

☐ Other: _____

Respondent: County:

19. Have prosecutors in your office received any particular training about co-occurring domestic violence and child maltreatment?

☐ Yes. ☐ No. ☐ Don't know.

This concludes our telephone survey. Before I forget, I'd like to review the materials you offered to send/fax to me:

[Review survey and list documentation below]:

We will be compiling the results of these surveys over the next few weeks, and I may call you back with some follow-up questions. In the next step, we will choose as many as five jurisdictions for field research to learn more about prosecutors' responses to domestic violence cases involving child victims or witnesses. Do you anticipate that, if selected, your office would have any concern about participating in the field research component of our study?

☐ Yes. Why?

☐ No.

Do you have any questions for me? [note nature of questions they ask]

Thank you so much for your time!

Respondent: County:

FORM C

SURVEY OF CHILD ABUSE PROSECUTORS

Hello. My name is _____. I'm conducting a survey of prosecutors to learn about policies and procedures for handling cases involving both domestic violence and child maltreatment. The study is sponsored by the National Institute of Justice. You were identified by [insert name] as the best person for me to talk to about prosecution of child abuse cases. The survey should take about 30-45 minutes. Is this a good time, or would you prefer to schedule the call at another time?

[If rescheduling]:

When would be a good time for you? _____

Would it be helpful if I fax the survey to you before we talk? [If so]:

Fax number: _____

I'll look forward to talking with you _____ (date and time).

[When proceeding with the survey]

Thanks for taking the time to complete this survey.

Before we start, you should know that all responses will be kept confidential. Survey findings will be reported only in the aggregate and will not be identified by individual respondents or offices. The findings will be used to identify five jurisdictions where we will do more intensive research through site visits and interviews with a wide range of professionals with an interest in battered women and their children. Do you have any questions so far?

Okay, let's get started.

Respondent: County:

1. Is your office responsible for child abuse dependency proceedings in civil court?

   ☐ This office handles both criminal and civil child abuse proceedings.
   ☐ Another office handles dependency cases.

   Which agency handles these cases? _____

2. How many child abuse cases did your office prosecute last year?

   _____ criminal cases

   _____ dependency cases

3. Are there policies or protocols for communication between the domestic violence and child abuse prosecutors when child abuse cases involve domestic violence?

   ☐ Yes. ☐ No. ☐ Don't know.

   [If yes]: Please explain. Could you send or fax a copy? [NOTE: Tell respondent you'll give him/her the mailing address/fax number at the end of the survey.]

   [If no or don't know]: How do you find out when a child abuse case involves domestic violence?

4. Are there protocols for CPS and/or police to inquire about domestic violence when investigating reports of suspected child abuse or neglect?

   ☐ Yes. Could you please send or fax a copy?
   ☐ No.
   ☐ Don't know.

Respondent: County:

5. Do police or other investigators routinely check with CPS about prior reports of child abuse or neglect in families experiencing domestic violence?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

[If sometimes]: Under what circumstances would police check with CPS?

6. Are domestic violence and child abuse cases involving the same family heard by a single judge or in a special family court?

☐ Yes. ☐ No. ☐ Don't know.

7. Does the same prosecutor handle all these proceedings?

☐ Yes. ☐ No. ☐ Don't know.

8. Are there any laws in your state that explicitly address the issue of co-occurring domestic violence and child maltreatment? (Read options):

(1) Are there laws identifying children's exposure to domestic violence as a form of maltreatment?

☐ Yes. ☐ No. ☐ Don't know.

(2) Are there laws that apply or enhance criminal penalties when children are exposed to domestic violence?

☐ Yes. ☐ No. ☐ Don't know.

(3) Are there any other laws that address the issue of children who witness or who are exposed to domestic violence?

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: What are the key provisions?

Respondent: County:

[IF RESPONDENT INDICATES EXISTING LAWS: Could you fax the relevant language or citations to these statutes?]

9. Is the state legislature considering any action on these issues?

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: Do you know any details?

10. Are prosecutors using other avenues to enhance the potential penalties for those who commit domestic violence in the presence of children [If prompt is needed: For example, charging emotional abuse or endangerment when children are present?]

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: Please explain.

11. Is there any pertinent case law we should know about?

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: Please explain.

Respondent: County:

[IF RESPONDENT INDICATES PERTINENT CASE LAW: Would you be able to fax the relevant language or citations for these opinions?]

Now I'm going to ask you about three different scenarios in cases of co-occurring domestic violence and child maltreatment: First are cases where a battered woman is abusing her children. Second are cases where the male perpetrator is battering both the mother and the children. Third are cases where children are exposed to domestic violence but not directly abused themselves.

12. In the first scenario, would your office prosecute a battered woman when there is evidence that she has abused or neglected her children?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

Please explain.

(A) How frequently does your office charge mothers under these circumstances?

☐ Very often (75-100% of the cases)
☐ More often than not (50-75% of the cases)
☐ Sometimes (25-50% of the cases)
☐ Rarely (10-25% of the cases)
☐ Never.
☐ Don't know.

(B) What are the specific charges?

Respondent: County:

13. In the second scenario, would your office prosecute a battered mother for failure to protect her children from abuse by the male perpetrator?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

Please explain.

(A) How frequently does your office charge mothers under these circumstances?

☐ Very often (75-100% of the cases)
☐ More often than not (50-75% of the cases)
☐ Sometimes (25-50% of the cases)
☐ Rarely (10-25% of the cases)
☐ Never.
☐ Don't know.

(B) What are the specific charges?

14. In the third scenario, would your office prosecute battered mothers who fail to protect their children from continued exposure to domestic violence?

☐ Yes. ☐ No. ☐ Sometimes. ☐ Don't know.

Please explain.

Respondent: County:

(A) How frequently does your office charge mothers under these circumstances?

- ☐ Very often (75-100% of the cases)
- ☐ More often than not (50-75% of the cases)
- ☐ Sometimes (25-50% of the cases)
- ☐ Rarely (10-25% of the cases)
- ☐ Never.
- ☐ Don't know.

(B) What are the specific charges?

15. Are there any specific resources, programs, or services in your community where you can refer battered mothers and their children?

☐ Yes. ☐ No. ☐ Don't know.

[If yes]: Is there [read options]:

.

- ☐ Shelter.
- ☐ Legal services.
- ☐ Specialized counseling for battered women.
- ☐ Specialized counseling for child witnesses to violence.
- ☐ Victim assistance program.
- ☐ Child protection agency.
- ☐ Other: _____

- ☐ Other: _____

16. Have prosecutors in your office received any particular training about co-occurring domestic violence and child maltreatment?

☐ Yes. ☐ No. ☐ Don't know.

Respondent: County:

This concludes our telephone survey. Before I forget, I'd like to review the materials you offered to send/fax to me:

[Review survey and list documentation below]:

We will be compiling the results of these surveys over the next few weeks, and I may call you back with some follow-up questions. In the next step, we will choose as many as five jurisdictions for field research to learn more about prosecutors' responses to domestic violence cases involving child victims or witnesses. Do you anticipate that, if selected, your office would have any concern about participating in the field research component of our study?

- ☐ Yes. Why?

- ☐ No.

Do you have any questions for me? [note nature of questions they ask]

Thank you so much for your time!