

Battered Women's Resource Center
Voices of Women (VOW) Organizing Project
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Battered Women's Experiences with the Criminal Justice System

Safety Issues:

- Unsafe for victim and perpetrator to use same entrance and wait on line to get past security at the same time;
- Often, a battered woman's new address is revealed to her batterer in court papers or by a judge, lawyer or law guardian;
- Visitation and/or custody arrangements may put victim and her children at risk;
- Victim's safety concerns are not taken seriously and are not reflected in bail, sentencing or plea bargaining decisions

Batterer Accountability

- Abusers are rarely held accountable or face no real repercussions;
- Perpetrators are not ordered into services at all or into inappropriate services (such as anger management);
- Often there are no consequences for abusers for not following up with services, not attending regularly or not providing child support when it is ordered.

Representation/access

- 18 B attorneys often do not understand domestic violence, have no time to prepare for the case, or extremely underpaid and have too full a caseload to adequately represent battered women;
- Law guardians assigned to the children of battered women, often don't understand the dynamics of domestic violence. They may ignore the recommendations of their own social work evaluators and may understand "the best interest of the children" without taking into account the effects of dv on the children or the mother. Some women report that they felt the law guardian was not impartial because s/he and their abuser's attorney were friends;
- Battered women with joint assets with their abuser (such as a house) or not eligible for legal aid even if they have no access to funds;
- Battered women who use a private attorney often are pushed into severe debt by an abuser with the money to drag out the proceedings;
- Non-English speaking victims often find no translators available in court or when making a complaint. Frequently, when an interpreter is found, they may not translate correctly, may impose their own values or feelings about domestic violence in their translation, and may not keep information confidential. Battered women have reported being afraid to say anything in front of an interpreter who may know their abuser or may reveal their situation to a tight knit community that finds dv shameful. For the most part, court interpreters are not trained, licensed or evaluated;
- Victims who need sign language interpreters often do not receive that service. It is not unusual for deaf victims to have no way to communicate with their attorneys or to have the court rely solely on their abuser's testimony.

Court Facilities

- No separate waiting areas are available for victims or complaining witnesses. Hallways and even ladies rooms feel unsafe and unsupervised;
- No child care available. Battered women report being uncomfortable speaking about what happened in front of their children. Mothers feel their children are traumatized by hearing their testimony, often hearing details of severe abuse or sexual assault over and over.
- Victims need access to pay phones, vending machines, water fountains and clean bathrooms.