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Effectiveness, Victim Safety, Characteristics, and Enforcement of Protective Orders

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This study sought to review the extant literature on effectiveness and safety associated with orders of protection from abuse. Forty-three scholarly articles were reviewed and placed in a table representing four themes, including (a) victim safety and effectiveness (as measured by protective order [PO] violations and revictimization); (b) perceptions of victim satisfaction, safety, and psychological well-being; (c) predictors and characteristics of victims, perpetrators; and (d) the enforcement of POs. Results suggest that approximately 40%–50% of POs are violated. Although some large-scale studies have found significant reductions in revictimization, a larger number of smaller community samples have found physical and psychological abuse increases upon issuance of a PO. Research on perceived safety and effectiveness suggests female victims feel safer when POs are issued and find them effective. Issues associated with enforcement demonstrate difficulty enforcing and POs. Issues of public policy and directions for future research are discussed.

KEYWORDS: protective orders; effectiveness; safety; victim characteristics; enforcement

Intimate partner abuse has been a major concern in society and a topic of scholarship for at least 30 years. Tjaden and Thoennes' (2000) large-scale study of more than 8,000 men and 8,000 women found that 22.1% of women and 7.4% of men reported being physically assaulted by an intimate partner sometime in their lifetime. Based on estimates using U.S. census data, researchers (Tjaden & Thoennes, 2000) report that more than 1 million women and more than 800,000 men are assaulted by an

ONLINE TABLES: Detailed summaries of the 43 studies reviewed in this article can be found in 4 tables available online at http://www.springerpub.com/pa. Click on the link to "The Partner Abuse State of Knowledge Project" and go to Topic 13 in the online document.

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intimate partner yearly. In an effort to curtail abuse, women who are victims of violence seek protective orders (POs) and 20% of women who are abused obtain POs (Holt, Kernic, Lumley, Wolf, & Rivera, 2002). The criminal justice system has used POs or restraining orders (ROs) as an injunction or command issued by the court that is intended to stop an offender from doing something. Its primary use in domestic violence (DV) cases is primarily used to prevent further violence, harassment, stalking, and sexual assault.

There are generally four types of POs that can be obtained from criminal or civil courts—temporary protection/restraining orders (TPOs or TROs); antistalking protection order (SPO); civil (domestic) court issues, a civil PO (CPO); or a civil stalking PO (CSPO). POs can be ordered to facilitate or stop a behavior (i.e., pay child support, custody, eviction, stop abuse). For the purpose of this article, POs will be referred to as using POs to stop the abuse. Such orders are intended to provide immediate relief to victims by separating the abuser and victim. In many states, violation of a PO is a criminal offense, and police may arrest and possibly convict the offender for violating an order. One of the intentions of issuing a PO is to provide another option to criminal prosecution because it offers immediate accessibility to victims and a broad range of protection to prevent victims from future physical abuse. Protection orders, or as I will refer to them in this manuscript (POs), are legal interventions designed to reduce the risk of future threat or harm by a person who is determined to pose a threat to another. Just as there are many types of POs, they also vary a great deal across jurisdictions. POs can be issued by and for criminal courts, family courts, civil courts, stalking, harassment, and so forth. For instance, POs may be referred to as "restraining orders," "emergency POs," or "domestic violence orders" (Logan, Shannon, Walker, & Farragher, 2006). There are TPO or TRO, SPO, CPO, or a CSPO. These orders can also vary by duration.

There are various types of POs that can be issued. At first, victims will seek a TRO for an acute incident of DV, and this is usually in effect for 2 weeks (Logan, Shannon, & Walker, 2005). However, in order for a PO to be enforced, law enforcement must first serve the order to the accused. TPOs are usually issued based on an ex parte basis (request made by one party present; Buzawa & Buzawa, 1996; Logan et al., 2005) at which point a date for hearing will be scheduled before the order expires. This is typically followed by a hearing with both parties present. Final orders of protection can be sought during this hearing (when both parties have the opportunity to be present), and these orders are usually longer lasting but differ in length of time based on state law, jurisdiction, and characteristics of the incident (Logan et al., 2006). Although the extant research is beginning to examine the various types of POs, the most common comparisons include differences among TROs and final order POs. In addition, although previously noted, the order must be served by law enforcement before it can be enforced, as we will see in many cases, the order may never be served. These are just some of the problems we encounter when considering studies on the effectiveness of ROs.

Over the past 25 years, the decreased tolerance of abuse toward women has led to significant changes in the criminal justice system, one of which is the use of POs

to deter abuse. Interventions such as battered woman shelters and more diligent criminal justice response to DV were hoped to offset the ultimate cost of DV in terms of the criminal justice system, state costs, and victimization. Over time, researchers continue to conduct more methodically sound research in an effort to examine the effectiveness of POs. However, at this point in the literature, there has been some debate surrounding the effectiveness of POs. In an effort to find answers within this debate, the number of research studies examining this topic has clearly expanded over the years and the methodology used has become more rigorous. The examination of the effectiveness of POs typically refers to deterrent effects and revictimization in an effort to determine whether POs facilitate victim safety and ultimately whether their use is cost effective (Koss, 2000). Interestingly, although literature reviews have questioned the issue of cost-effectiveness (Koss, 2000), there was no research found in this review that actually conducted a cost analysis of the problem. The purpose of this article is to provide an overview of the existing literature on the topic of the effectiveness of POs. When examining previous research on POs, it is evident that at least four research themes can be used to examine the effectiveness of POs. These include (a) victim safety and effectiveness (often measured by PO violations and revictimization); (b) perceptions of victim satisfaction, victim safety, and psychological well-being as a function of the issuance of a PO; (c) predictors and characteristics of victims and perpetrators; and (d) the enforcement of POs.

METHOD

Scholarly articles were located using several sources including searching PsycINFO, Sociological Abstracts, National Criminal Justice Reference Services Abstracts (ProQuest), and Google Scholar. First, the search terms *restraining orders* or *protective orders*, cross-referenced with intimate partner violence (IPV) or DV, were used as subject searches and title and cross-referenced those terms with IPV and/or DV and (using wild cards and root words) safety or effectiveness, satisfaction, enforcement, and granting/issuance. However, this technique brought up an unwieldy number of articles (most of which were irrelevant). I then used the same technique using the same search terms as title searches. Inclusion criteria for this review included (a) the study had to be published after 1990; (b) peer reviewed in scholarly journals, published in English; and (c) preferably empirically-based. Although the search efforts may not have resulted in an exhaustive analysis of the field, there is a sufficient number of articles to provide a review that merits a representation of the extant literature. Review of the article abstracts revealed 370 articles that met the previously listed criteria. After excluding redundant articles from the various databases and articles that did not focus on one of the four primary themes of the review, 43 articles were chosen that met the criteria. Four of the articles were literature reviews and 39 were empirical research studies. Studies meeting the criteria of one of the four themes mentioned were placed into one of the tables.

RESULTS

Defining Effectiveness

How one defines "effectiveness" of POs can be debated. At this point, I have come across no empirical research or literature that has provided an evaluative criterion suggesting an accepted concept of what constitutes effectiveness. Based on a review of the research, when evaluating effectiveness, most studies tend to refer to PO violations and/or revictimization. It can also be argued that the subsequent themes of research can also be associated with effectiveness such as perceived safety and satisfaction, characteristics associated with victims who obtain POs, and enforcement of POs. These topics have been included and placed into tables provided to summarize the studies.

Many of the studies relied on existing archival data, primarily police incident reports and court documents; however, the use of surveys and/or interviews with women who obtained POs appeared to be the most popular method of data collection. Although some studies included male victims obtaining POs, most research focused primarily on female victims of abuse who were involved in DV and/or sought protection orders. Although this review focuses primarily on published empirical research, there were four literature reviews (Benitez, Binder, & McNiel, 2010; Dugan, Nagin, & Rosenfeld, 2001; Johnson, Luna, & Stein, 2003; Jordan, 2004). Their inclusion was based on the fact that they examined previous data to identify trends to determine the effectiveness of POs. It should be noted that many of these literature reviews tended to include governmental documents and did not rely specifically on published data. However, because there is a great deal of research that is considered methodologically sound, yet not published, they may be cited where appropriate within the text and provided in a reference list later.

The most compelling evidence comes from studies that use control groups, comparison groups, large sample sizes, and longitudinal studies. A review of the research included in the tables contain five studies that used large representative samples on POs (Dugan, 2002; Holt et al., 2002; Jordan, Pritchard, Duckett, & Charnigo, 2010; Mele, 2006, 2009; Tjaden & Thoennes, 2000). For instance, Dugan (2002) used the Department of Justice National Crime Victimization Survey (NCVS) and examined data on 3,508 respondents. The number of participants and/or incident reports used in the large samples tended to range between 1,700 and 3,500. Several community studies had total samples of approximately 700–800 (Kane, 2000; Kanuha & Ross, 2004; Linares et al., 1999; Logan & Cole, 2007; Logan, Shannon, Cole, & Walker, 2006; Logan & Walker, 2009; Logan, Walker, Shannon & Cole, 2008; Mele, 2009). There were seven longitudinal studies (Holt et al., 2002; Holt, Kernic, Wolf, & Rivara, 2003; Kaci, 1994; Logan & Cole, 2007; Logan et al., 2008; McFarlane et al., 2004; Logan & Walker, 2010) ranging from 5 to 6 weeks (Bell & Goodman, 2001; Logan & Walker, 2009, 2010) to 6 months, 9 months (Holt et al., 2003; Wolf, Holt, Kernic, & Rivera, 2000), a year follow-up (Holt et al., 2002), 13 months (Logan et al., 2008) to 18 months (McFarlane et al., 2004).

Protective Order Violations as a Measure of Effectiveness

The most common reference to safety and effectiveness of POs refers to violations and revictimization. Between 30% and 70% of POs are violated (Kanuha & Ross, 2004; Logan & Cole, 2007; Logan & Walker, 2009; Logan et al., 2008; McFarlane et al., 2004). One literature review of 32 studies conducted by Spitzberg (2002) found approximately 40% of POs were violated. McFarlane et al. (2004) longitudinal study of female victims with POs found in an 18-month follow-up that 40% of POs had been violated. In contrast, Logan and Walker (2009) found that three out of five (or 70%) women with POs continued to experience violence after the PO was issued. The variance across studies on PO violations has been attributed to differences in methodological and jurisdictional differences (Logan et al., 2006). Reporting differences in law enforcement may be hampered by issues such as revictimization where records may not take into consideration how incidents of abuse are documented. Police reports of victim abuse may tend to lower compared to victim self-reports (Logan et al., 2006). For example, Hotaling and Buzawa (2003) found that although official data of PO violations were approximately 22%, almost half of the victims reported a PO violation.

Benitez, McNiel, and Binder (2010) literature review of 15 studies found that most PO violations occur in the first 3 months of the order. Logan et al. (2005) found that almost 30% of their sample reported a PO violation within 40 days of its issuance, and rural women experienced significantly more PO violations than urban women. When a victim continues to maintain a relationship with the offender, the number of PO violations increase. Logan et al. (2008) found 50% of women who did not continue a relationship with the abuser had PO violations compared to 70% of victims who continued a relationship with the abuser. According to one study (Morton, Runyan, Moracco, & Butts, 1998) and one literature review (Dugan et al., 2001), research suggests that PO violations led to increased homicides in some relationships. Finally, to examine the deterrent effect of violations of POs, Dugan (2002) examined NCVS data and showed that the statute with the strongest deterrent effect was when violation of a protection order was deemed a felony offense—although only for family violence and nonmarital violence. States that consider DV a felony are more likely to have police to intervene, but mandating arrest actually reduces the chance that police discover the incident (Dugan, 2002).

Protective Order Violations and Safety From Victimization

Some large-scale studies have found POs to be quite effective in reducing violence. For example, Holt et al. (2003) study of almost 2,700 women with POs found a 70% reduction in physical abuse and 60% reduction in psychological abuse for women who acquired long-term POs. Although controlling for a host of variables, those with permanent protection orders were also less likely to be physically abused than women without permanent protection orders. In addition, in a year follow-up, they found an

80% reduction in police-reported physical violence. In a smaller follow-up, longitudinal study of more than 400 participants, Holt et al. (2003) found that women who were issued a civil PO had significantly less contact with their abuser, threats of weapons, injury, and medical care related to abuse. With each follow-up, those who continued the PO experienced significant decreases in abuse. In fact, there was a 70% decrease in physical abuse and a 60% decrease in psychological abuse 9 months following the incident when the protection order was continued. Similarly, McFarlane et al.'s (2004) 18-month longitudinal study and Keilitz, Hannaford, and Efkeman's (2000) 6-month follow-up study found reductions in threats of assault, physical assault, stalking, and worksite harassment over time among victims. Results were similar for an analysis of state policy. Similarly, Wolf et al. (2000) found that women who sought POs were less likely to be physically assaulted or injured compared to women who did not obtain POs but more likely to have family members or friends physically assaulted. Therefore, there is evidence from large-scale longitudinal studies that have provided evidence that supports improved safety for victims of abuse who obtain POs. However, although there is evidence that victims report less violence when a PO is issued, there is also evidence of contextual factors that questions the effectiveness of POs.

Questioning the Effectiveness of Protective Orders

When we examine additional evidence about safety and revictimization, the effectiveness of POs are called into question. At least seven studies found evidence from large scale and some smaller scale community studies that those who obtained a PO were at greater risk for physical victimization (Kaci, 1992; Kaci, 1994; Klein, 1996; Logan & Walker, 2009; Mele, 2006; 2009) and increased stalking (Logan & Cole, 2007). Whether a victim continues a relationship with their abuser can also be predictive of further abuse. For instance, Logan et al. (2008) found women who continued in a relationship with their abuser after the PO was issued experienced greater physical violence, sexual violence, and injury than those who separated from their abuser. Time between the issuance of the PO and whether or not the order is temporary or became permanent appears to play a significant role in victim safety. For example, Mele's (2009) examination of 823 victims of IPV who did or did not obtain a PO found victims who obtained a PO were revictimized in a shorter time compared to victims who did not obtain a PO. In addition, although Holt et al. (2002) found evidence to support a significant reduction in physical violence after a PO was issued, they also found that psychological abuse quadrupled during the period of a TRO.

Location and access to resources also play a significant role because research by Logan et al. (2005) found that women who live in rural areas are more like to be subjected greater physical violence and threats compared to urban women. A study of the benefits and enforcement of POs in Barbados and St. Kitts (Spooner, 2009) found that eligibility for a PO had only negligible effects for women in those regions. Research by Dugan (2002) revealed that households with states awarding immediate custody to the victim after a protection order were more likely to suffer from violence

than those without it. States that allow protection orders to victims living apart from their abuser were less likely to suffer from violence.

A series of studies by Logan (2005, 2006, 2007, 2008, 2010) demonstrate the importance of stalking as it is related to separating from the abuser, abuse, and the issuance of POs. According to researchers (Logan et al., 2008; Tjaden & Thoennes, 2000), females are more likely to be stalked and those who are stalked are more likely to have POs. Logan (2008) found that being stalked was a significant predictor of severity of violence, and those who separate from their partner tend to experience greater physical violence than those who do not separate from their abusers. In addition, Logan and Walker's (2010) 6-month longitudinal study of 210 women found that being stalked was a significant predictor of PO violations because those who were stalked had significantly more PO violations than those with no PO violations or those who had PO violations but were not stalked.

Logan and Cole (2007) found that 57.4% of their sample of 662 women with POs reported that they were stalked after the PO was issued. Women who were stalked after the PO was issued reported significantly more psychological abuse, more severe physical abuse, sexual coercion, posttraumatic stress disorder (PTSD), and injuries by their partner compared to women not stalked after the PO was issued. In addition, the number of months of stalking after the PO was issued was highly correlated to the number of PO violations. These results suggest the importance of considering stalking when POs are issued. In particular, stalking is associated with increases in PO violations, severity of violence, and psychological abuse.

In summary, evidence suggests that almost half of the POs issued are violated. Some large-scale studies suggest a reduction in violence (Holt et al., 2002; 2003; Wolf et al., 2000) yet although Holt, Kernic, Lumley, Wolf, and Rivara (2002) demonstrated an 80% reduction in domestic incidents reported to police, this may not necessarily be indicative that the violence has actually stopped. In addition, rates of psychological abuse can increase significantly when a PO is issued. Variables that interact with effectiveness can include whether the victim maintains a relationship with the offender, and married women are more likely to stay with their abuser. Access to resources plays a significant role in PO protection from abuse (Logan et al., 2005) and stalking is highly related to PO violations (Logan & Cole, 2007; Logan et al., 2005).

Perceptions of Victim Satisfaction, Victims Safety, and Psychological Well-Being

Only five studies were included in this section. Studies have found that having a PO issued helped victim's sense of well-being (Keilitz et al., 2000), decreasing perceptions of fear, threat, and injury 6 months after the PO was issued (Logan & Walker, 2010), and victims with legal advocates reported less physical and psychological revictimization and better emotional support after 6 weeks (Bell & Goodman, 2001) and were more likely to follow through with a final order (Weisz, Tolman, & Bennet, 1998). Women tend to report that they feel safer when a PO is issued (Fischer & Rose, 1995;

Kaci, 1994; Keilitz et al., 1998; Logan et al., 2008). Logan et al. (2008) found that a victim's sense of safety can depend on whether they have maintained a relationship with their abuser. Logan's (2008) 13-month longitudinal study found of 756 women found that 67% of women who did not maintain any relationship with their abuser felt safer with their partner compared to 54% of women who continued a relationship with their abuser after separating from them. Of the one study specifically examining perceived effectiveness of POs, Logan and Walker (2009) found having a PO was extremely effective. However, effectiveness of the PO also relies on whether a victim has been stalked because the PO was issued. Logan and Cole (2007) found perceived effectiveness of the PO was inversely related to the number of months stalking occurred after the PO was issued.

In conclusion, victim safety and perceived satisfaction appears to increase when POs are issued. There is evidence that having a PO decreases fear and injury, and advocates (legal or DV) working on behalf of the victim may reduce physical and psychological revictimization (Bell & Goodman, 2001; Logan & Walker, 2010). Perceived safety tends to increase when victims separate from their abusers (Logan & Walker, 2009) and, in general, victims tend to consider POs effective, but being a victim of stalking can be inversely related to perceived effectiveness of POs (Logan & Cole, 2007).

Predictors and Characteristics of Victims and Perpetrators

The average age of most women who obtain protection orders range between early and mid-30s, and for studies that provided information on race, there appears to be a somewhat equal distribution of race across studies (Carlson, Harris, & Holden, 1999; Gist et al., 2001; McFarlane et al., 2004; Zoellner et al., 2000). However, in at least three studies (Bell & Goodman, 2001; Mele, 2006, 2009), there was a greater percentage of African American women represented, and in four studies, there were a greater proportion of Whites (Logan & Cole, 2007; Logan & Walker, 2010; Shannon et al., 2007; Weisz et al., 1998). For instance, in Shannon et al. (2007) study, 92.6% were White, and Weisz et al. (1998) reported that 85% of their sample was White. It is clear that the location of the studies (whether urban or rural) can play a role in the racial composition and diversity of the sample.

Most females surveyed showed at least half obtained a high school diploma (Gist et al., 2001; Logan & Walker, 2010). However rates of education are inherently tied to location and socioeconomic status. In that regard, it is no surprise that some studies have found that women who get POs are often unemployed. For instance, some studies have found that 40%–60% of women are unemployed (Logan & Cole, 2007; Logan et al., 2008; Zoellner et al., 2000) or make between $10,000 and $15,000 per year (Gist et al., 2001; Logan & Cole, 2007; Logan & Walker, 2010). Of their interviews with 756 women obtaining POs, Logan et al. (2008) found that 50% of women were financially dependent on their abuser and more rural women are financially dependent than urban women (Logan et al., 2005). It is important to note, however, that studies differ

according to sample location and employment rates may differ based on rural or urban areas (Logan et al., 2006).

Research on demographic differences and the issuance of POs have found that women who obtained POs did not differ by race from those without POs (Holt et al., 2003). Similarly, another study (Zoellner et al., 2000) found issuance of a PO was not related to marital status, ethnicity, or education. In contrast however, more research on married and cohabitating couples shows that approximately half of the women requesting POs are married (Logan & Walker, 2010; Wolf et al., 2000), and in one study (Shannon et al., 2007), almost all (92.6%) of the sample participants with POs were married. Similarly, other researchers (McFarlane et al., 2004) have found that 37%–46% of POs were filed on an ex-partner. In addition, Kaci (1992) found that married women were less likely to follow through with a final PO (17.7%) compared to unmarried women (32.5%). Contextual factors that can explain why partners stay or remain with their abusers go beyond the scope of this article, but suffice it to say that the determination of whether to stay or leave in a relationship plays a significant role in obtaining a PO and can be influenced by a host of variables (Logan et al., 2006).

Married women were also found to be more likely to obtain a PO and stay with their abuser (Wolf et al., 2000), and more likely to have children (Shannon et al., 2007), receive specific footage restrictions in their POs, and ordered to counseling compared to unmarried women (Shannon et al., 2007). Shannon et al. (2007) revealed that abuse tactics used by married or cohabitating women did not differ. Dugan, Nagin, & Rosenfeld (2001) longitudinal review of homicide trends for states who adopted the use of POs found an interaction between race and marriage, wherein the adoption of PO policy led to decreases in homicide for Black married women but increased homicide rates for Black unmarried women. The length of relationship with their partner ranges primarily between 4 and 6 years (Logan & Walker, 2010; Zollener et al., 2000). Many of the studies show that women who obtain POs have children with their PO partner (Mele, 2006; Shannon et al., 2007: Zoellner et al., 2000), ranging between one and two children (Carlson et al., 1999; Kaci, 1994; Keilitiz et al., 1997; Wolf et al., 2000; Zoellner et al., 2000).

Victims of abuse often suffer from psychological and health issues. Some studies have investigated the psychological effects associated specifically with female victims who obtain POs. Cole, Logan, and Shannon (2005) examined the prevalence of sexual insistence and sexual assault in women who experienced IPV and whether experiences differed among rural and urban areas. The authors compared groups of women who experienced no sexual insistence or sexual assault, sexual insistence and no forced sex, and threatened sex and/or forced sex. A little more than half (51.3%) of the sample experienced sexual victimization (insistence, threatened sex, forced sex). Women who experienced threats or forced sex also experienced sexual insistence by the same partner. Each of the three groups experienced severe physical violence (between 81% and 91%), and women in the threatened/forced sex group had the highest level of violence. Women with no sexual victimization had the least mental health

issues (PTSD, depression, anxiety) than women who experienced sexual insistence or threats/forced sex.

A few studies have compared women who do and do not obtain POs. Researchers (Holt et al., 2003; Wolf et al., 2000) found that women with POs were more likely to be working full time and pregnant than women without POs. Holt, Kernic, Lumley, Wolf, & Rivara (2002) also found that women with POs were less likely to be living with their partner at the time of the domestic incident causing the PO, and those with POs experienced significantly more physical abuse and depression but were less likely to have an alcohol or drug problem. This study also found that women who had permanent protection orders were less likely to be physically abused than women without permanent protection orders. These results were maintained after controlling for variables including age, pregnancy, alcohol and drug use, relationship status, cohabitation, number of IPV incidence in previous year, and type of offense (assault, threat, threat with weapon, physical assault, sexual assault, and injury). Similarly, Wolf et al. (2000) examined 448 women issued a PO or not issued a PO and found women who were issued a PO were less likely to be involved with the abuser at the time of assessment than women who did not obtain a PO. Women who obtained POs did not differ from women who did obtain POs in psychological abuse and depression. Of those women who obtained final POs, Zoellner et al. (2000) found that prior increased threats to kill and decreased emotional attachment led to more final POs. In a study comparing mothers who obtained POs compared to mothers who did not obtain a PO, Linares et al. (1999) found that mothers with POs experienced more aggression, physical violence, poorer health, and more PTSD than mothers without POs.

Gist et al. (2001) reported that only 28% of their sample qualified for a PO. There were no significant differences between women who qualified for the PO and those who did not qualify for a PO in amount of physical abuse or stalking. However, women with POs did experience more threats and mild violence compared to women who did not qualify for a PO. Research has found that between 28% and 88% of women receive POs (Kaci, 1994; Klein, 1996; McFarlane et al., 2004; Muller, Desmarais, & Hamel, 2009; Zoellner et al., 2000). One study (Kernsmith & Craun, 2008) revealed victims who obtained ROs against their partner were more likely to have a weapon used against them in a DV incident and female perpetrators were more likely to use a weapon during a DV incident. A few studies have identified a trend that shows women are more likely to be granted POs compared to men (see Shernock & Russell, 2012, in their review of the literature on differential treatment and arrest). Studies have shown that judges are much more likely to grant POs to females than male plaintiffs (see Basile, 2005; Muftic & Bouffard, 2007; Muller et al., 2009), be charged with a PO offense (Jordan et al., 2010), or be convicted of a PO offense (Frantzen, San Miguel, & Kwak, 2011). It should be noted that there are differences among these percentages based on sample differences as well as whether the PO is permanent or temporary. A recent study by Mele, Roberts, and Wolfer (2011) examined characteristics of men who pursued a PO and those who pursued a PO and withdrew their PO. Overall, more than 80% of men claimed that they obtained the PO because of

physical abuse and the second most common reason was for psychological and emotional abuse. There were no significant demographic differences or differences in type of abuse experienced among men who withdrew their PO and men who did not; however, men who withdrew their claims experienced fewer types of abuse and men who sought custody of their child were more likely to follow through with a final order.

In summary, an evaluation of the research suggests that women who obtain POs tend to be in their late 20s or early 30s and issuance of POs does not appear to be related to race. A large percentage of women who are issued POs tend to be unemployed or underemployed as income ranged between $10,000 and $15,000. Almost 50% of women are financially dependent on their partners. At least half of women obtaining POs are married. Married women are more likely to stay with their abusers and be pregnant. Women with children who obtain POs tend to have more mental health issues than women with children who do not obtain POs. Abuse tactics do not appear to differ among married and cohabitating couples. Women who are issued POs tend to have more mental health issues (i.e., depression, PTSD) and rural women tend to experience more abuse and mental health issues than urban women. Although the proportion of women who qualify for POs may vary tremendously, depending on contextual factors, research suggests women are much more likely than men to qualify for a PO. Only a few studies have examined characteristics of men seeking a PO. However, as we have seen, simply qualifying for a PO does not necessarily lead to the enforcement of the PO.

Enforcement of Protective Orders

In order for POs to be effective, law enforcement and the criminal justice system must respond to protect the victim. Ultimately, a swift police response can lead to protection of a victim and possibly arrest. Unfortunately, one of the main problems with obtaining data on arrest is that in many cases when the police respond to a domestic incident, the offender may not be there. In that case, it is rare for an arrest to take place or it is difficult to follow-up to determine whether an arrest was made after the incident (Maxwell & Garner, 2012).

As mentioned previously, because there are approximately 40%–50% of PO violations, understanding enforcement and consequences associated with PO violations is essential. First, it is essential that police respond to domestic incidents. Issuing and enforcing POs are two ways that the criminal justice system can respond within the criminal justice system (Kaci, 1994; Logan et al., 2006; McFarlane et al., 2004). As previously noted, in order for a PO to be enforced, it first has to be served to the offender. The typical sequence of events that leads to the issuance of a PO usually begins with a TRO. Temporary orders typically last for 2 weeks (Logan et al., 2005). TPOs are usually issued based on an ex parte basis (request made by one party present; Buzawa & Buzawa, 1996; Logan et al., 2005) at which point a date for hearing will be scheduled before the expiration of the order. Law enforcement must first serve the order to the accused before it can be enforced.

Unfortunately, simply serving the order is not as easy as it sounds. Some researchers (Kaci, 1994; Keilitz et al., 1997; Logan et al., 2005; McFarlane et al., 2004) have noted that serving the order is one of the most difficult obstacles to ensure PO protection. Logan et al. (2006) noted that studies of nonservice of POs vary widely (18%–91%, depending on the jurisdiction), which can account for a victim's failure to secure a final order (Harrell, Smith, & Newmark, 1993). One study by Wilcox, Jordan, Pritchard, and Randa (2008) investigated the predictor of POs issued but not served and compared rural and nonrural area jurisdictions. The authors found that rural areas were least likely to get POs issued and believed that this difference was caused by lack of resources in such areas. In fact, a study conducted by Logan et al. (2005) suggests that out of more than 400 women with POs and legal actors and advocates found differences in process and procedures associated with obtaining and handling POs in the criminal justice system as a function of being in an urban or rural community. For instance, Logan et al. (2005) found that urban counties had more POs issued compared to rural counties. Urban counties had more DV orders than rural counties. More rural women had no contact POs, more footage restrictions, temporary support granted, and counseling ordered for petitioner. Not surprisingly, rural women also believed that the PO was less effective than urban women. In addition, a study by Spooner (2009) examined 393 reports from two police districts on the islands of Barbados and St. Kitts to determine police response. The author found that cohabitation led to slower police response. Barbados police responded to a domestic incident 70% of the time, whereas St. Kitts police were more likely to respond the following day if at all. It is not surprising that the author found that POs had negligible effects for women. These results suggest that urban and rural areas may differ in criminal justice response and procedure. It is likely that resources are less available to rural women and they may face greater injury and more PO violations (Logan et al., 2005) suggesting that particular attention regarding public policy and resources should be focused on the needs of rural counties.

Certainly, the lack of service impedes the ability to enforce the POs. However, if a TPO is served to the offender, this is often followed by a hearing with both parties present. Final orders of protection can be sought during this hearing and these orders are usually longer lasting but differ in length of time based on state law, jurisdiction, and characteristics of the incident (Logan et al., 2006). Either way, for some women, it can be difficult to follow through with final orders.

Approximately 37%–39% of women complete final orders against their partners (Kaci, 1992; Zeollner et al., 2000). Married women are less likely to file permanent orders against their partners (Kaci, 1992). Holt et al. (2002, 2003) found that women with temporary or full protection orders had less contact with their PO partner, leading to less threats, injury, and medical care related to abuse. They also found that women with final POs were less likely to be revictimized and have less police-reported violence compared to women with temporary or no PO. However, protection orders are only good if they are enforced.

Research on arrest following a PO violation is essential to understand enforcement. Unfortunately, there is little research on this topic (Logan et al., 2006). Frantzen et al.

(2011) found that 83% of PO violators were convicted ($n = 38$). The mean number of days before rearrest was 21 months. About 64% were previous or current partners, and most cases involved a weapon (88%). About 40% of PO violators had one or more previous DV offense. Each prior DV charge predicted conviction by a factor of 1.58. Male victims were less likely to result in convictions compared to female victims. PO violators who had prior DV arrests reoffended sooner than those with no prior arrests, and arrests were more likely when there was visible injury. Males were four times more likely to be rearrested compared to female PO violators.

In an attempt to understand PO violations, Jordan et al., (2011) examined more than 2,300 cases in which POs were issued and explored the relationship between criminal histories and increased criminality on the issuance of a PO. They found that the largest predictor of PO violation was a previous violation of a PO. The next largest predictor was whether the offender was charged with a felony, misdemeanor, and assault or stalking because as the number of charges were issued, the likelihood of a PO being issued increased (A cluster of two or more charges increased the issuance of a PO by 6%.). Even while controlling for the effects of previous charges or jail time, the prediction for a PO increased by 13%. Controlling for variables, age decreased the odds of a man being charged. Women had a 45.5% less odds of being charged than men. Younger, nonwhite males with prior POs were more likely to accrue criminal charges once a new PO was issued.

From the scant amount of research on arrest and conviction, the results do not look that promising. For instance, Kane's (1999) analysis of 1,000 police reports of DV incidents found that violating a PO led to only a 5% increase in arrest compared to DV arrest with no POs issued. The strongest predictor of arrest was potential risk to the victim (which included weapon use, fists, feet, or gun). When there was increased risk to the victim, arrest rate was almost 73%. A follow-up study by Kane (2000) actually showed that the arrest rates for PO violators decreased. Kane (2000) examined 818 police responses to incidents of DV in a jurisdiction with mandatory arrest policies for violation of POs. Kane's (2000) study showed that violating a PO actually decreased the likelihood of arrest. Even after controlling for relevant variables, PO violation was not predictive of arrest. Although controlling for variables, risk and victim injury were the largest predictors of arrest. This suggests that having a PO in place may not actually result in arrest, even in jurisdictions with mandatory arrest. This suggests that there may be other factors that play a role in arrest (i.e., use of weapon, threats, risk of injury). Buzawa and Hotaling's (2006) investigation of 320 DV incidents from five towns in the northeast with pro-arrest policies found that men and women were equally likely to be arrested if there was an RO violation and when the incident included threats of injury. Although there are few studies on arrest and violation of POs, there is even less information on sentencing decisions by judges. In a state where the statute mandates 100% arrest rates of DV offenders, Diviney, Parekh, and Olson (2009) found that less than half were arrested and incarcerated and less than one quarter of the defendants were sentenced to attend batterer intervention programs.

Enforcement of a PO is inherently related to the order being served to the offender. Rural areas are less likely to serve POs than urban areas (Logan et al., 2005). Women issued POs in rural areas are also less likely to find the PO effective. Some of the literature suggests that obtaining final orders of abuse can curtail rates of physical abuse. Of the few studies that assess predictors of PO violations and indicators of arrest, results suggest that prior arrest for DV increases the odds of arrest (Frantzen et al., 2011), and previous PO violations predicts future PO violations and seriousness of charges made by police. Unfortunately, the two studies on arrest conducted by Kane (1999, 2000) show that PO violations led to only a 5% increase in arrest or even a decreased likelihood of arrest.

CONCLUSION

Effectiveness Is in the Eye of the Beholder

This examination of results from various studies has led to more questions than answers. The primary goal of this article was to identify the effectiveness of POs in DV cases. However, at what point do we consider PO's are effective? Is an average 40%–50% PO violation an acceptable rate to say that POs are effective? If a PO helps just one or two victims, would that be considered effective? The answer to these questions will depend on how one defines "effective". Not one of the studies in this review attempted to determine what would actually constitute an acceptable rate of PO violation that would be considered effective. It is clear that communities, the criminal justice system, and scholars need to ponder the extent to which they deem PO violation rates and revictimization as unacceptable or acceptable. Similarly, there was no research on the cost-effectiveness of POs. One study (Max, Rice, Finkelstein, Bardwell, & Leadbetter, 2004) found that the cost to the United States for domestic abuse in the form of rape, assault, stalking, and murder in 2003 was $8.3 billion. This estimate reflected medical care, lost wages, and mental health services and did not include the costs within the criminal justice system. Although Koss (2000) questioned whether the use of POs was actually worth the cost, there to my knowledge, there has yet to be a cost analysis that provides an in-depth analysis of cost-effectiveness both to society and the criminal justice system.

Unfortunately, data showing POs reduce physical and psychological harm to the victim is mixed. Results from three large-scale methodologically sound studies (Holt et al., 2002; Holt et al., 2003; Wolf et al., 2000) suggests that POs are effective in reducing violence. In fact, Holt et al. (2002) found an impressive 70% reduction in physical abuse and 60% reduction in psychological abuse for women who obtained long-term protective orders. In addition, in a year follow-up, they found an 80% reduction in police-reported physical violence. Although these rates suggest that POs are effective, the 80% reduction in police reports of physical violence may not necessarily indicate an actual reduction in violence. Instead, it simply might indicate that victims are less likely to call police to intervene in the incident. In a smaller follow-up study of more

than 400 participants, Holt et al. (2003) found in a longitudinal study that women who were issued a CPO had less contact with their abuser, threats of weapons, injury, and medical care related to abuse. McFarlane et al. (2004) also revealed reductions in threats of assault, physical assault, stalking, and worksite harassment over time among victims. These studies suggest that POs can be effective at reducing violence. However, even in large-scale studies, Holt et al. (2002) shows that psychological abuse quadrupled when a PO was issued. Moreover, seven studies using smaller community samples have shown that revictimization in the form of physical and psychological abuse actually increase when POs are issued and revictimization is a significant factor related to maintaining a relationship with the offender, lack of resources, living in rural areas, and stalking.

The research also appears to demonstrate that the issuance of POs enhance a victim's sense of safety and well-being. Self-reports of safety and well-being are also found to be related to successful separation from the offender and access to resources and assistance. This suggests that access to resources can enhance a female victim's sense of safety. Unfortunately, there appears to be a lack of resources for rural women who often feel less safe or satisfied with the PO and are less likely to have access to the resources that may be provided in urban areas. Research shows that rural women tend to find POs less effective than those in urban areas. A lack of resources can certainly explain some of the reasons why perceived safety and effectiveness of POs are less effective. This topic and additional information on the potential barriers that are faced by victims deserves additional investigation and perhaps funding to ensure more services are available to individuals in rural areas. Although there does not appear to be a difference in married and cohabitating women in rates or types of abuse, married women are less likely to go through with a final order, generally have a harder time separating themselves from their abuser, and may need additional resources to extricate themselves from the relationship. As we have seen, perceptions of satisfaction with the PO process can also change as a result of how much the victim wants to reconcile with the offender. However, all data on perceived safety, satisfaction, and effectiveness are based on victim self-reports. Most data that relies on interviews/self-reports can be unreliable and, quite often, satisfaction surveys can be confounded with other services such as legal and DV advocacy.

Research on the characteristics of victims shows that women in their early 30s tend to be represented in the samples described in this study. Race tends to be equally represented across studies. Most of the studies showed that women who obtain POs are often unemployed or underemployed, making between $10,000 and $15,000 a year, and about half are financially dependent on their abuser. More often than not, married and cohabitating couples are equally represented; however, married women are more likely to obtain a PO and stay with their abuser than cohabitating women. Although there were only a few studies on the psychological consequences for victims of abuse who obtain POs, the research that exists suggests that women who obtain POs have been found to have higher rates of depression and PTSD compared to women without POs, and women who are victims of stalking are more likely to

experience sexual assault and mental health issues compared to women with POs who were not stalked. Although there is a great deal of research on interpersonal violence and mental health in general, there is less information on the relationship among mental health and the use of POs.

Enforcement of POs is an area ripe for additional research. As described in this review, there are various types of POs that can be issued and although there are numerous studies that have examined the differences between TROs and final POs, there has been no mention of comparisons of populations with other forms of POs (i.e., SPO, other civil court-issued POs). Research has found that those women who obtain final orders of protection are less likely to be revictimized compared to women who do not obtain final orders. However, protection orders are only good if they are enforced. There was little to no data that examined victims whose PO was never issued because it was not served. Unfortunately, in these studies, when an issue was never served, this was often counted as missing data. Future research should consider investigating large-scale surveys of women who may have initiated the process, but the order was never served. Rates of service of POs also depend on jurisdiction because rural areas are more likely to have nonservice than urban areas. Based on the research provided in this review, it is clear that rural women face more obstacles than urban women—from the issuance of orders, to the completion of final orders and access to advocacy services—that can deter women from obtaining POs. Perhaps more funding and law enforcement training should be allocated for rural areas than urban areas.

There is very little research on PO violations as they relate to arrest. Only a handful of studies examined arrest and PO violations. Previous PO violations were the largest predictor of future PO violations and each prior DV charge increased conviction by 1.5%. Males are far more likely to be arrested and convicted of PO violations than females. Lastly, research on arrest and conviction suggested that PO violations do not necessarily lead to arrest. In fact, in one study (Kane, 1999), PO violations led to only a 5% increase in arrests, and in another study (Kane, 2000), PO violations led to a decreased chance for arrest. In one state where the statute required mandatory arrest for PO violations (Diviney et al., 2009) less than half of PO violators were arrested and only one quarter of the those defendants were sentenced to attend batterer intervention programs. Although there are only a few studies on arrest and violation of POs, there is even less information on sentencing decisions by judges. Future research should examine sentencing decisions and examine how many cases are actually brought to a judge.

Normally, researchers claim that methodological flaws are to blame for a lack of knowledge on the topic. This would include the need for multiple methods and triangulation, longitudinal studies, and control groups. Over the past few years, it is obvious that the methodology used in these studies have become more robust. There is a smattering of large representative samples, many longitudinal studies, and the use of control groups. With the exception of a few studies, triangulation and the use of multiple methods is lacking. In addition, of the studies using a control group, the controls used often (but not always) compare a variant of a victim of abuse with or

without a PO. Future research should explore how victims with POs may differ from nonvictims and victims who did not obtain a PO.

Although the methods used in most studies were fairly rigorous, one glaring omission from the research is the fact that most research studies female victims. There were only a few studies that included males in the sample (Buzawa & Hotaling, 2006; Frantzen et al., 2011; Logan, Nigoff, Walker, & Jordan, 2002; Muftic & Bouffard, 2007). However, most of those studies that included men examined them in the context of males as batterers. Research has found that men are also victims of rape and physical assault. According to Tjaden and Thoennes (2000), more than 800,000 men are victimized or assaulted yearly by an intimate partner. Family studies using the conflict tactic scale have repeatedly shown equal or higher rates of assault by women (Straus, 1990, 2005; Straus & Gelles, 1990). Although researchers are just beginning to examine characteristics of females who assault men, there is little research on women who are issued POs and the differential treatment they are provided in the criminal justice system. A few research studies have shown that there is a clear disproportion of women who are allocated POs compared to men. For instance, Basile (2005) found that men's request for a PO was less likely to be granted than women. In addition, Muller et al. (2009) found that judges were 13 times more likely to grant a temporary order to a female than a male. In addition, one study noted in this review found that both men and women who violated a PO were just as likely to be arrested (Buzawa & Hotaling, 2006) in a mandatory arrest state. Only one other study examined treatment differences between men and women (Muftic et al., 2007) and found women were more likely to be sent to anger management, whereas men were sent to batterer prevention programs. The authors attributed this difference to the fact that there were no batterer prevention programs designed for female IPV offenders. Clearly, as scholarly research continues to find equal numbers of men and women who are victimized in intimate relationships, perhaps society should begin to identify and appropriate funds for treatment of female IPV offenders. This research shows that there are differences in the implementation of justice among male and female victims. Although recent research by Mele et al. (2011) compared men who sought final orders compared to men who withdrew their petitions for POs, there is little information on male's experience with POs. Additional research is needed that examines men's experience with the PO process, their perceptions of safety and satisfaction with the process, and general effectiveness and revictimization. Not one study in the research has examined any of these issues.

In the same regard, there is not one study that included information on sexual orientation of the victim or offender in relation to POs. In fact, in this review, there was not even demographic information reported describing the context of the relationship (same sex or heterosexual couples). Research on same-sex IPV has shown that between 11% and 50% of same-sex couples have reported abuse (McClennen, Summers, & Vaughan, 2002). For instance, Tjaden and Thoennes (2000) found that 11.4% of women and 15% of males in same-sex relationships experienced partner violence. The question remains whether individuals in same-sex relationships are treated

differently in the criminal justice system. Not one study identified POs in relation to same-sex couples. Future research should begin to identify the extent to which these couples are issued POs, experience violations of POs and stalking, and whether their experiences regarding perceived safety and effectiveness, rates of stalking, and enforcement with the POs and PO process differs from heterosexual couples.

Although this article attempted to provide an extant review of the literature on the effectiveness of POs, it is clear that some research may have been overlooked. For instance, there is a great deal of literature on the topic of male offenders and treatment of IPV. This review did not examine characteristics of offenders of IPV and the PO process and that may be inherently tied to the effectiveness of POs. In addition, there are evidence-based book chapters and unpublished criminal justice data that were not provided in this review. However, where appropriate, some of these studies were cited. In essence, it appears that effectiveness lies in the eyes of the beholder. It is important to note that for many women, POs appear to be effective in stopping or reducing the violence. However, scholars and legal actors would benefit by discussing what an appropriate acceptance rate of PO violations and rates of revictimization would constitute effectiveness. Such a reference point may actually assist in improving effectiveness of POs. For instance, research has shown that making a PO violation, a felony can be a deterrent to PO violations (Dugan, 2002), yet other studies have found that in a mandatory arrest state for PO violations, only half of the offenders were arrested (Diviney et al., 2009). This suggests that better enforcement may enhance effectiveness. Perhaps states should consider putting policies into place that ensure there are consequences to PO violations. In addition, at least data from the few studies examining female offenders suggest that males and females are treated differently within the PO process. Legal actors should examine the contextual reasons that underlie such differences. To better assist all victims of IPV, additional law enforcement training that summarizes the research on POs can also benefit officers to better understand the dynamics surrounding POs. Although scholars have come a long way in improving the measurement of the effectiveness of POs, it is obvious that there is much more to be learned.

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