Domestic Violence: The Rule of Thumb

James W. Davis MD, FACS
Professor of Clinical Surgery
Steven N. Parks Endowed Chair
UCSF/Fresno
Some Disclaimers

• Properly “Intimate Partner Violence”
• I will use IPV and DV interchangeably
• Much of this is evidence based, some is not
• At times, I will deviate from ‘political correctness’
• It is not my intent to offend anyone, but I have no apologies for the content…..

With deference to Dante

“Abandon all hope, ye who enter here....”
Why Domestic Violence?

• Florida with mandatory domestic violence education
  – Dr Ronald Chez, OB-GYN
  – ‘the index case’
  – Trauma Service rounds
Domestic Violence: Index Case

- Divorced woman, graduate student
- Marries another graduate student
- Verbal, psychological and physical abuse
  - Rib fractures – denies abuse in ED
  - Facial injuries
  - Hospital admission for facial reconstruction
- Eventual divorce
- No Domestic Violence report – EVER
- Not atypical, 15 year course
Domestic Violence: Scope

• Domestic violence among women of child-bearing age
  – estimated to be the leading cause of serious injury
  – second-leading cause of injury and death
  – rate of injury from battering was described as greater than that of motor vehicle crash and mugging combined
  – not a new problem to modern society, discussions of intimate partner violence date back centuries.
Domestic Violence
Historical Perspectives:

• 15th Century Scholar
  – When you see your wife commit an offense, don’t rush at her with insults and violent blows... scold her sharply, bully and terrify her. And if this still doesn’t work, take up a stick and beat her soundly, for it is better to punish the body and correct the soul, than to damage the soul and spare the body, not in rage but out of charity and concern for her soul, so that the beating will rebound to your merit and her good.

  – Harvard Law Review 1501,1502
Origins of the ‘rule of thumb’

• Controversial
  – Folk lore
  – 1782 Judges Proclamation (Great Britain)
    • ‘husband of a nagging wife...could legally beat her at home, if the stick he used was no thicker than a man’s thumb.
    • British law explicitly supported and upheld the husband who physically chastised his wife until 1891
    • Reiterated as recently as 1915 in London by a police magistrate
Domestic Violence: History

• The legal right of men to beat their wives was not abolished until 1871 in the United States
• Until the 1970’s assaults on wives were misdemeanors, when an equal assault against a stranger would have been considered a felony
• In 1992, JCAHO requirement that all accredited hospitals have policies and procedures in their emergency departments and ambulatory care facilities for identifying, treating and referring victims of abuse.
Domestic Violence and Trauma

• Definition:
  – *actual or threatened physical, sexual, verbal or emotional abuse of an individual by someone with whom they have or have had an intimate or romantic relationship*

• physical abuse most reported
  – probably less than 25% of actual
  • National Institute of Justice and Centers for Disease Control 2000
Domestic Violence Myths

• Battering occurs infrequently.
• Battering is limited to certain women.
• Batterers are easy to identify.
• Battering is a private matter.
• Battering is caused by drinking and drugs.
• Battering is not a crime.
• Battered women cause their beatings.
• Battered women can just leave.
• Once a victim, always a victim.
Domestic Violence Facts

• A woman is battered every 9 seconds.
• No distinction for age, race, culture, status, class, education or religion.
• 24-54% cumulative lifetime risk of battering.
• Child abuse occurs in 59% of wife abuse families.
• Battering increases in severity and frequency over time.
• Battering increases in severity after leaving.
• Battering is the cause of 19-30% of ER visits by women.
• Battering is associated with 33-50% of female homicides.
• Battering is associated with 25% of female suicide attempts.
Bureau of Justice Statistics 2014

63% decline from 1993 - 2010 in REPORTED IPV
IPV by Age Group
Domestic Violence

• Women of all races are equally vulnerable to violence by an intimate partner
• 5.3 million women experience a serious assault by a partner during an average 12 month period
• More than 4 women are murdered by husbands or boyfriends every day
• 1 of 3 women has been beaten, coerced into sex or otherwise abused during her lifetime
Domestic Violence and Adolescents

• 1 in 5 high school students report being physically or sexually abused by a dating partner
• 1 in 3 teens report knowing a friend or peer who has been hit, punched, slapped, choked or physically hurt by her/his partner
• Abused girls are significantly more likely to engage in risky behavior
  – 4-6 times more likely to get pregnant
  – 8-9 times more likely to attempt suicide
Domestic Violence: Pregnancy

• Battering
  – For 30% of women who experience abuse, the first incident occurs during pregnancy
  – As many as 324,000 women each year experience intimate partner violence during their pregnancy
  – More common than pre-eclampsia, placenta previa
  – Marker for particularly violent, dangerous relationship
Domestic Violence: The Cycle

• First Phase: Tension building
  – name calling, intimidation, and mild physical abuse
• Second Phase: Discharge
  – May be explosive, verbal and physical attack and frequently injury
• Third Phase: hearts and flowers
  – the abuser apologizes, asks for forgiveness
  – may show remorse and promise that it will not recur
  – many abusers are manipulative and charming, the victim may believe the promises.
The Second Cycle: Failure to Diagnose

• In a study of battered women
  – 23%, 6 - 10 prior ED visits
  – 20%, 11 prior ED visits
    • Stark and Flitcraft, 1981

• Review of patients in our ED emergency: 1/08
  – 31 women with documentation of assault and injury
    • only two referrals to social services
    • NO referrals to law enforcement for domestic violence.
Failure to Diagnose

• Physicians identified 1 patient in 35 as battered when a medical record review indicated that 1 in 4 was likely to have been battered.
  – Stark, Flitcraft. Int J Health Serv 1979

• Cases with known domestic violence
  – physicians made no response at all in 40%
  – physicians made no referral for the abuse in 92%.

• Survey of victims of domestic violence: physicians were least effective compared to women’s shelters, social services, clergy, police and lawyers.
  – Bowker LH, Womens Health 1987
IPV: Diagnosis

• Non-trauma complaints predominate as reasons for physician visit
  – even after violent episode, only 23% had injury related complaint
  – rarely volunteer information
    • 13% after battering either told staff or were asked
  – Obvious signs rare
Making the Diagnosis: IPV Injuries

• Injury Location and Types
  – contusions and minor lacerations face, head, neck, breast and abdomen versus peripheral in accidents

• In a study from 10 ED’s; 280 battered patients
  – head, face, neck, thorax and abdomen significantly more injured than accident victims (p < 0.001)
Intimate Partner Violence: Diagnosis

• **Patients Do Not volunteer, however,**
  
  – NOT offended when asked about abuse in a non-judgmental manner
    
  
  – failure of healthcare providers to ask about domestic violence may be perceived as evidence of a lack of concern and add to feelings of entrapment and helplessness
    
    • *JAMA 1992; 267: 3184-3189.*
Intimate Partner Violence: Diagnosis

• **Routine Screening**
  – explicit questioning
  – question without partner present

• **Partner Violence Screen (PVS)**
  – 3 question; 1 physical violence, 2 for safety
  – takes 20 seconds

• **Abuse Assessment Screen**
  – 5 questions
  – documents site of injury
Domestic Violence:
Partner Violence Screen

• Have you ever been kicked, hit, punched or otherwise been hurt by someone within the last year? If so, by whom?

• Do you feel safe in your current relationship?

• Is there a partner from a previous relationship that is making you feel unsafe now?
Domestic Violence:
Abuse Assessment Screen

• Have you ever been physically or emotionally abused by your partner or someone important to you?
• Within the last year, have you been hit, slapped, kicked or physically hurt by someone?
• Since you’ve been pregnant, have you been hit, slapped, kicked or otherwise hurt by someone?
• Within the last year has anyone forced you to have sexual activities?
• Are you afraid of your partner or anyone else?
Domestic Violence: Effectiveness of Screens

- History: 41% (p < 0.001)
- Recent: 15% (p < 0.001)
- Pregnancy: 10% (p < 0.001)
- Sex Abuse: 4% (p < 0.01)
- Fear: 5%

* p < 0.001, ^ p < 0.01
Reducing IPV

• Police response, particularly arrest is the most effective offender-focused solution
• Reducing re-victimization; advocacy programs with victim safety planning across a range
• Data is sorely lacking and better studies needed

• Can Interventions Reduce Recidivism and Revictimization following adult IPV incidents. Forum on Global Violence Prevention; Board on Global Health, Institute of Medicine 2014
Domestic Violence and Mortality

• Failure to make the diagnosis of domestic violence and to intervene may have lethal consequences

• In a study of female homicide victims:
  – 44% of those with DV-related homicide had presented to an emergency department within 2 years of their deaths.
  – Averaged over 3 visits per victim
  – Injury documented on at least one encounter in 93%.
  – Domestic violence was documented in only 2 of these cases and in no case was intervention noted.
  – Wadman; Am J Emerg Med
Missed Opportunities to Prevent Homicide

- Study of homicide of women by intimate partners in 11 cities;
- 81% had been abused within a year prior to being murdered
  - 72% had reported harassment or stalking
  - 66% had used healthcare
    - Injury
    - Physical and mental health problems
IPV: Murder - Suicide

• Domestic violence resulting in death is not uncommon
• More than 4 women are murdered every day in the United States by husbands or boyfriends.
• Included in this are the murder-suicides;
  – 74% involve intimate partners
  – 94% of the offenders being male
  – Most murder-suicides with 3 or more victims involved a ‘family annihilator’- killing not only their wives/girlfriends, but their children and other family members as well
IPV: Consequences

• Victims of domestic violence have increased
  – use of medical care (primary care and ED visits)
  – prescription drugs
  – hypertension
  – somatic complaints (headache, ulcers, irritable bowel syndrome)

• Domestic violence victims are at increased risk for:
  – Depression
  – Post-traumatic stress disorder
  – Substance abuse
  – Suicide
IPV and Pet Abuse

- 71% of battered women report their pet was threatened, harmed, or killed by their partners.
- 85% of women's shelters indicated that women seeking safety described incidents of pet abuse in their families.
- Batterers abuse animals to
  - demonstrate and confirm power and control over the family,
  - to isolate the victim and children,
  - to prevent the victim from leaving or coerce her/him to return.
- Many victims delay leaving out of fear for their pets' safety.
- Domestic violence shelters and animal protection organizations have begun partnering to develop "safe havens" for pets of domestic violence victims.
Domestic Violence and Society

• Pervasive but silent – sort of
  – “jokes”
  – “Asking the neo-cons to comment on Iraq is like asking OJ Simpson to comment on the Oscar Pistorious trial”
  – Acknowledged but not commented on

• Media portrayal of violence against women
  – Entertainment

• Professional Sports
Intimate Partner Violence and the Media

• The response of the media to domestic violence has been
  – bored indifference
  – occasionally sensational and exploitive
  – entertainment value

• Most reports of domestic violence appear as blurbs inside the national or local news sections with little or no follow up.

• Occasional stories of horrific violence spark the sensational interest of the media and are used for a brief period of time.
Fire chief held in threats

Brown allegedly said he would kill relatives.

By Jim Guy, Pablo Lopez and Hannah Furfaro

The Fresno Bee

Fresno Fire Chief Rob Brown threatened to kill family members, one of whom then used pepper spray against him, a Fresno County sheriff's spokesman said following Brown's arrest on domestic violence charges Wednesday night.

It's not clear which family member used the pepper spray, but sheriff's spokesman Chris Curtice said Brown knocked his wife, Fresno city emergency manager Beth Brown, to the floor and choked another family member.

Craig Kohlruss/The Fresno Bee
Fresno Fire Chief Rob Brown is seen on the opening day of discussions for the city's new budget Monday.

Fresno fire chief's wife denies allegations

Beth Brown site with attorney Charles Magli during a news conference, which was also attended by her four sons. Magli said he brought them to tell reporters that no harm had been done to them and that they did not fear their father.

By Jim Guy
The Fresno Bee

Applying with her four sons, but without her husband, Beth Brown Frey Friday that the arrest of Fresno Fire Chief Rob Brown was the result of "too much information" in the family's home and "too much alcohol." Brown told the Fresno Bee that her husband also has pumps and "too much alcohol."

Late Friday night, the Fresno County Sheriff's Department released a tape of the 911 call that led it to Rob Brown's arrest Wednesday night in front of his Spuyten Duyver home. On the tape, Beth Brown tells a dispatcher that her husband has "too much" alcohol and "too much" information. She tells the dispatcher that she was prepared, "too much information" and that her husband "too much alcohol."

Her husband reportedly told the dispatcher that "too much information" and "too much alcohol." He also told the dispatcher that her husband "too much information" and "too much alcohol." He also told the dispatcher that her husband "too much information" and "too much alcohol."

Craig Kohlruss/The Fresno Bee
Fresno Fire Chief Rob Brown is seen on the opening day of discussions for the city's new budget Monday.

See BROWN, Page A9

See BROWN, Page A7
IPV NOT Publicized Like Other Crimes

• A tale of 3 Murders.....

• Jasper, Texas 1998

• Laramie, Wyoming 1998

• Denver, Colorado 2006
A tale of 3 murders: #1

- In Jasper, Texas on June 7, 1998, Mr. James Byrd Jr., an African-American, accepted a ride from 3 men, one known to him.
- The men beat him, tied a chain around his waist and dragged him behind a pick up truck.
- The assailants dumped his body and went to a barbeque.
- **Autopsy:** he was alive for much of the dragging and died after his arm and head were severed when his body hit a culvert.
- Two of the assailants were known members of a white supremacist group, prosecuted as a hate crime.
- **Trial February 1999;**
  - all three were convicted of first degree murder
  - two were sentenced to death and one to life in prison
    - One executed 9/21/2011
A tale of 3 murders: #2

• In Laramie, Wyoming on October 7, 1998, Matthew Shepard met 2 men at the Fireside Lounge, they offered him a ride their car
• After admitting he was gay, Shepard was robbed, pistol whipped, tortured and tied to a fence in a remote, rural area, and left to die.
• Never regained consciousness, pronounced dead October 12, 1998
• Trials included “gay panic defense”.
• Plead guilty in April 1999, both got 2 consecutive life sentences
A Tale of 3 Murders; #3

- September 18, 2006, the naked body of a woman was found in the road in a quiet subdivision, about 20 miles from Denver, Colorado
- Dragged behind a vehicle with an orange tow-rope around her neck for more than a mile, leaving a trail of blood and tire marks
- **Autopsy:** died from fatal head injuries and was strangled as she was dragged
- The body was so disfigured that fingerprints were used to make the identification;
- Luz Maria Franco-Fierros, an undocumented immigrant, working 3 jobs to support her family in Mexico
- The man she was living with was arrested and charged with murder.
- February 19, 2009: plea deal, life in prison without parole
Comparison of Coverage

• Byrd
  • 5,190,000 stories
  • Crime denounced by civil rights leaders
  • Foundation for Racial Healing has been started in his name
  • Movie about the crime appeared on Showtime
  • Documentary on PBS
  • 77th Texas State Legislature passed the James Byrd Jr. Hate Crimes Act on May 11, 2001

• Shepard
  • 2,880,000 stories
  • Crime denounced by Gay rights groups, civil libertarians
  • Foundation for diversity and tolerance in youth organizations
  • Featured on ABC 20/20,
  • Musicians have written numerous songs
  • 3 films and a play
  • Matthew Shepard Act became law October 2009.
Coverage of Luz Maria Franco-Fierros

- 468 stories initially, now 300,000
- No impassioned condemnation by national civil rights leaders
- No foundation
- No made for TV movies
- No documentaries
- No legislation
- Collections for funeral costs
- Body quietly repatriated to Mexico for burial
Violence against Women: Media

• Television and studio movies include stalking, rape and murder regularly

• Google search on “movies and rape”
  – approximately 89,900,000 entries in .23 seconds
  – including a web site advertising “the most brutal FREE real RAPE movies on the net”.
Desensitization from Media Violence

• Response of men to films that portrayed violence against women, often in sexual context.
  – material initially described as violent and degrading to women was considered to be significantly less so.
  – less anxiety about the content
  – enjoyed the material more with increased exposure

• The study then measured the response of these men, compared to a no-exposure group, to the victim in a mock-rape trial. Men in the movie group:
  – felt that the victim was less injured
  – had less empathy to rape victims in general

• The same effects were observed in women who viewed sexual violence
Media and Violence

• Entertainment industry has argued that it is not real violence and has no effect on behavior
• Movie studios and television networks take in millions of dollars in advertising revenue
  – Advertising is effective in changing viewers purchase patterns in 20-30 seconds

• But the barrage of violence has no effect?
Movies and Violence

[Poster of 300]

YOU WILL NOT ENJOY THIS!

[Kill Bill Poster]

KILL BILL
A ROARING RAMPAGE OF REVENGE
THE 4TH FILM BY QUENTIN TARANTINO
Movies and Domestic Violence

- The Burning Bed
- The Color Purple
- Boys on the Side
- Enough
- Fried Green Tomatoes
- Kindergarten Cop
- Raging Bull
- Sleeping with the Enemy
- The Bucket List
- Sling Blade
- Affliction
- What's love got to do with it
- Dangerous Intentions
- Once Were Warriors
- If Someone had Known
- Shattered Dreams
Sex, Violence and Video Games

- Grand Theft Auto IV
- Contains a simulated sex act, then the main character runs the hooker over afterwards with his car.
- The video shows graphic lap dances featuring one, and then two girls.
- 6 million sold in first week
- Over 25 million sold
- NPR discussion
Media Violence: Long Term Effects?

- Longitudinal study of young adults over 15 years
- Stratified by high or low violence television viewing
- Those with childhood high-violence television viewing were significantly
  - More likely to have grabbed, pushed or shoved their spouses
  - The men in this group were three times more likely to be convicted of crimes
Violence and the Media

• To suggest that the violence portrayed in the media contributes significantly to domestic violence may be controversial....
  – Television
  – Movies
  – Video games

• But is not at all far-fetched
IPV & Professional Sports

• Involved in a disproportionately high number of assaults
  – Increasingly violent contact sports
  – Some from dysfunctional families

• Special treatment
  – Society
  – Sports organizations
  – Legal system
Michael Vick

- Pit Bull dog fighting ring
  - Animal cruelty
  - Deaths of numerous pit bulls
- 21 months in prison
- Not welcome in Atlanta
- Traded to Philadelphia
- Burned in effigy
Lamar Thomas

- Shoved pregnant fiancée's head through window
- Arrested, charged multiple times 1996-1997
- No lost playing time
- Eventually fired from ESPN for comments
‘The Criminals Who Play in the NFL’

• Criminal background checks on every player on opening-day NFL rosters
  – 21% had rap sheets.
  – Rape, kidnapping, DUI, homicide

• The most prevalent crime among NFL players was domestic violence and spousal abuse.
Athletes and IPV

• OJ Simpson
• Chris Benoit, Pro Wrestler
  – Killed his wife, 2 children then hanged himself
• Michael Pittman, Fresno State, NFL
  – Charged 4 times for domestic violence
  – 30-40 more not reported (wife)
  – Rammed his Hummer into the car carrying his wife and child
  – 3 game suspension from the NFL
Domestic Violence and Celebrities

- Chris Brown pled guilty to felony domestic violence
  - 5 years felony probation
  - 180 days community labor
  - 52 week domestic violence counseling
- Restraining order granted
- Witnessed his mother’s abuse by stepfather
- Now back together
DV: Perpetrator you would expect.....

- Steven Adler
- Drummer, Guns N’ Roses
- Charged with Domestic Violence 1997
DV: perpetrators you’d expect

• Gary Busey
• Actor
• Unsuccessful motorcyclist and anti-helmet activist
• Joined “Promise Keepers” after cocaine OD, 1995
• Domestic Violence
  – Arrested 1999
  – Arrested 2001
DV: More perpetrators you’d expect

- “Stone Cold” Steve Austin
- Professional Wrestler, Actor
- Domestic Violence
  - Arrested 2002 for assaulting his wife
  - Allegedly assaulted girlfriend in 2004, not charged
DV: Perpetrator you’d sort-of expect

- Robert Matthew Van Winkle
- AKA: “Vanilla Ice”
- Domestic Violence
  - Arrested 2001
  - Arrested 2004
  - Arrested 2008
DV: Perpetrator you won’t believe

- Yanni
- New Age “musician”
- Domestic Violence
  - Arrested March 2006 for assaulting his girlfriend
DV: Perp you won’t want to believe

• Harry Morgan
• M*A*S*H’s own Colonel Sherman T. Potter
• Domestic Violence
  – Arrested July 1996 for beating wife
  – Charges dropped in 1997 after completing domestic violence counseling program
Celebrities and Domestic Violence

• Sean Penn
• Singer James Brown
• Boxer Riddick Bowe
• Christian Slater
• Eminem
• Tracy Lawrence
• David Hasselhoff
• Mike Tyson
• Dennis Rodman

• Evel Knievel
• Tonya Harding
• Liza Minelli
• Christian Slater
• Phil Hartman
• Tina Turner
• Christina Aguilera
• Christina Applegate
• Halle Berry
International DV

• Images of 9/11 are burned into the collective memory
  – Deaths: ~ 3,000

• Contrast to 106,000 annual deaths in India from immolation

• Where is the international outrage?

100k young women die in fires in India in year

NEW DELHI — More than 100,000 young women were killed in fires in India in a single year, and many of those deaths were tied to domestic abuse, according to a new study published Monday.

Young Indian women are more than three times as likely to be killed by fire as their male compatriots, according to an article published on the Web site of the British medical journal, The Lancet. The victims largely fell within the 15- to 34-year-old age group.

Domestic abuse is a serious problem in India. Women are sometimes killed in disputes over dowries; often in such disputes the victims are doused with gasoline and set ablaze, and their deaths are claimed as kitchen accidents.

In the first study of its kind and using the most recent data available, U.S.-based researchers analyzed death registrations, official questionnaires in rural areas and census figures to arrive at an estimate of 163,000 fire-related deaths in 2001, or 2% of all deaths. That number is six times higher than the number of such deaths reported by police. More than 106,000 of those, or 65%, were women.
Domestic Violence and Politics

- National Violence Against Women Act 1994
  - Enhances judicial and law enforcement tools to combat violence against women
  - Improves services for victims of domestic violence
  - Includes provisions for housing, and includes youth violence
Index Case

• My Mother
  – ‘from a good family’
  – Bright, Well-educated
• The facial reconstruction story......
  – Days to find out where she was
  – The story kept changing
  – Hospitalized in a city 35 miles away,
  – In a different hospital than the ED where she had been asked about abuse previously
Index Case: the rest of the story...

• Child abuse occurs in 59% of wife abuse families.
• Our family was not part of the 41% group...
  – Brothers
  – Myself

• The effects are life-long
Domestic Violence: Summary

• Domestic violence is an under-recognized, recurrent part of trauma
  – at least 1 in 5 women seeking help in ED

• Physicians frequently fail to diagnose

• 3 question, 20 second screen will improve identification of the victims

• **ASK THE QUESTION**

• Refer for help
DV: Trauma Center Action

• EAST position paper recommended that all female trauma patients be screened for domestic violence - 1999

• **Require** that a screening tool (Partner Violence Screen) be part of the H & P or tertiary survey
  – ALL in-patients screened at CRMC, Fresno

• Trauma PI process must include
  – compliance in using the screen
  – Referral to appropriate shelter/advocate

• On going education on domestic violence for trauma and emergency medicine
DV: Trauma Center Action

• **Support your local Shelter**
  – $$$$$$
    • Women are turned away for lack of space
  – Active support for initiatives
  – Collaboration for injury prevention

• **Cooperation with law enforcement**
  – Reporting of domestic violence
    • Appropriate form
  – Accurate medical record documentation
IPV: Pediatric Specific Action

- I have NO data...
- But some thoughts
- Adolescent counseling
  - All hazards (alcohol, drugs, STD’s)
  - Include dating violence
- If you have concerns about the kids, screen the moms
Domestic Violence: ACS-COT

• ‘Screening and Brief Intervention’ for alcohol as a requirement
  – 2006 optimal resource document
• Victims of domestic violence deserve no less
  – Make DV screening and PI part of verification
• Provide national leadership in support of DV programs
• Ronnie Stewart: stewartr@uthscsa.edu
Dedications: Mom
who was a victim......
Dedications: Amy
who refused to be a victim....

- Abused by college boyfriend
- Instrumental in this presentation
- The media clips
- The courage to do it
Dedications: Leah
so that she NEVER will be...

Why Daddy requires good grades AND a Black Belt to date