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Contact Hours: **3**

Domestic Violence Education for Kentucky Nurses

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LEARNING OUTCOME AND OBJECTIVES: Upon completion of this continuing education course, you will have increased your understanding of the impact of domestic violence and the role of the Kentucky nurse in identifying and responding to patients presenting with known or suspected domestic violence signs and symptoms. Specific learning objectives to address potential knowledge gaps include:

- Identify the different types of domestic violence.
- Describe who is affected by domestic violence.
- Discuss the healthcare implications and adverse effects of domestic violence.
- List common risk factors, lethality issues, and dynamics of abuse.
- Recognize the signs and symptoms of domestic violence.
- Discuss appropriate documentation in cases of suspected domestic violence.
- Summarize Kentucky's mandatory reporting, information sharing, and referral requirements.
- Identify community resources and victim services and protections.
- Explain a model protocol that addresses domestic violence.

INTRODUCTION

According to the Centers for Disease Control and Prevention (CDC), 1 in 3 women and 1 in 4 men in the United States will experience serious physical violence from a domestic partner over

their lifetime, and sometimes it will result in death. In the United States, 1 in 5 victims of homicide are killed by a domestic partner, and over half of female victims of homicide are killed by a current or former intimate partner (CDC, 2022a). Viewed as a national public health problem, domestic violence is a crime in all 50 states.

Domestic violence, which is believed to be underreported, affects not only victims but also their families and communities through a ripple effect. Victims of this crime experience diminished quality of life, decreased productivity, and negative health consequences. An estimated lifetime economic cost to society of \$3.6 trillion is attributed to domestic violence (CDC, 2022a).

The term *domestic violence* refers to physical, verbal, psychological, sexual, or economic abuse (e.g., withholding money, lying about assets) used to exert power or control over someone or to prevent someone from making a free choice. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Rape, incest, and dating violence are all considered to be forms of domestic violence. The related term *intimate partner violence* (IPV) describes violence committed by a current or former partner.

TYPES AND DYNAMICS OF DOMESTIC VIOLENCE

While domestic violence can manifest in a variety of manners and severity, the CDC (2022b) has identified **four types of domestic violence** (or intimate partner violence). These may occur separately or together.

- **Physical violence:** An attempt to injure or actually injuring a partner by kicking, hitting, or using a type of physical force
- **Sexual violence:** An attempt to force a partner or actually forcing a partner to participate in any type of sex act or sexual event when the partner does not or cannot consent to the act or event
- **Stalking:** Repeated and undesired attention or contact from a partner that results in fear or concern in the victim for their own safety or the safety of someone to whom the victim feels close
- **Psychological harm or aggression:** The use of any type of communication that is intended to cause psychological (emotional) harm to a person or to exercise control over that person

These types of violence are perpetrated by a current or former partner or spouse and can occur among couples of all genders. The definition of intimate partner violence does not require sexual intimacy (CDC, 2021).

Kentucky statutes distinguish between *domestic violence* and *dating violence and abuse*. The acts that comprise the two classifications of violence are the same, but the relationship between the involved persons is different.



- Domestic violence and abuse is defined in KRS 403.720 as “physical injury, serious physical injury, stalking, sexual abuse, strangulation, assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, strangulation, or assault between family members or members of an unmarried couple.”
- “Dating violence and abuse” is defined in KRS 456.010 as “physical injury, serious physical injury, stalking, sexual assault, strangulation, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, strangulation, or assault occurring between persons who are or have been in a dating relationship.”

Both domestic violence and dating violence in Kentucky include “the infliction of fear of such imminent conduct, taken against a domestic animal when used as a method of coercion, control, punishment, intimidation, or revenge.”

A *victim* of such violence is defined by KRS Chapter 209A.020 as “an individual who is or has been abused by a spouse or former spouse or an intimate partner [people who live or have lived together, or have a child in common, or are or have been in a dating relationship].”

FINANCIAL ABUSE

Financial or economic abuse is frequently perpetrated by an abuser in an attempt to control and exert power over an intimate partner. The U.S. Department of Justice’s Office on Violence Against Women describes this as one of the most powerful impediments to leaving an abusive relationship. Financial abuse can take many forms, such as not allowing a person full access to bank accounts, defaulting on financial obligations, or unfairly using a person’s economic resources (OVW, 2023a).

Research indicates that domestic violence occurs in a **three-phase cycle**:

1. A period of increasing tension, leading to verbal and physical abuse
2. An acute battering incident
3. A “honeymoon” period of calm and remorse in which the abuser is kind and loving and begs for forgiveness

When stress and conflict begin to build, the cruel cycle begins again. Over time, the first two phases grow longer and the honeymoon phase diminishes (Walker, 2017).

Physical Violence

The Kentucky definition of domestic violence and abuse includes physical violence, such as sexual abuse, physical injury, serious physical injury, strangulation, assault, or the infliction of fear of imminent physical injury, serious physical injury, strangulation, or assault between family members or members of an unmarried couple (KRS 403.715 to 403.785).



The CDC defines physical violence as “the intentional use of physical force with the potential for causing death, disability, injury, or harm. Physical violence includes, but is not limited to: scratching, pushing, shoving, throwing, grabbing, biting, choking, shaking, hair-pulling, slapping, punching, hitting, burning, use of a weapon (gun, knife, or other object), and use of restraints or one’s body, size, or strength against another person. Physical violence also includes coercing other people to commit any of the above acts” (Breiding et al., 2015).

Sexual Violence

There are five categories of sexual violence as identified by the CDC. These include:

- Rape or penetration of the victim. This includes attempted rape or penetration that is drug-facilitated or forced.
- Forcing the victim to penetrate another person. This act also includes alcohol- or drug-facilitated incidents.
- Unwanted penetration of the victim by the use of nonphysical methods such as verbal pressure or abuse of authority.
- Unwanted sexual contact in which the perpetrator touches the victim or forces the victim to touch the perpetrator either directly or through the clothing without the victim’s consent. The areas of the body involved in the definition include genitalia, buttocks, anus, groin, inner thigh, and breast.
- Unwanted noncontact sexual experiences, such as exposure to pornography, sexual harassment, filming or photography, and threats of sexual violence.
(Breiding et al., 2015)

Kentucky statutes 510.040 describes the crime of **rape in the first degree**, in which a person engages in sexual intercourse with another person by forcible compulsion or engages in sexual intercourse with another person who is incapable of consent due to being physically helpless, of poor mental capacity, or is under 12 years of age.

Kentucky statute 510.050 defines **rape in the second degree** as when a person engages in sexual intercourse with a person under the age of 14 or with a person who is mentally incapacitated.

Kentucky Statute 510.060 defines **rape in the third degree** as when a person engages in sexual intercourse with another person who is “mentally retarded” or if a person who is age 21 or older engages in sexual intercourse with someone who is under the age of 16, or if the 21-year-old engages with anyone under the age of 18 for whom they provide foster care, or if they are in a position of authority and engage in intercourse with a minor under 16 years of age who is subject to their authority.

Kentucky statute 510.110 describes the crime of **sexual abuse**, in which a person subjects



another person to sexual contact by forcible compulsion, including those who are incapable of consent due to being physically helpless, of poor mental capacity, or a young age.

Psychological Aggression

Psychological aggression is defined by the CDC as “the use of verbal and nonverbal communication with the intent to harm another person mentally or emotionally, and/or to exert control over another person” (Breiding et al., 2015). This form of abuse may include name-calling, humiliation, and control over finances, transportation, and access to family and friends.

It may also include reproductive coercion, such as deliberately exposing a partner to sexually transmitted infections (STIs); attempting to impregnate a partner against her will (by damaging condoms or throwing away birth control pills, also called *birth control sabotage*); threats or acts of violence if the partner does not comply with the perpetrator’s wishes concerning the decision to terminate or continue a pregnancy; as well as threats or acts of violence if the partner refuses to have sex.

Psychological aggressors may exploit vulnerabilities of the victim, such as immigration status or disabilities, or present false information to the victim with the intent of causing victims to doubt their memories or perceptions.

Stalking and Cyberstalking

The U.S. Department of Justice Office on Violence Against Women (2023b) identifies several types of unwanted stalking behaviors that would cause a reasonable person to experience fear for personal safety or the safety of others or to suffer emotional distress.

Identified behaviors that are experienced by stalking victims include the major categories of surveillance, life invasion intimidation, and interference (SLII):

- Receiving unwanted phone calls
- Receiving unsolicited or unwanted letters or emails
- Being followed or spied on
- Having the stalker show up at places without a legitimate reason
- Having the stalker wait at places for the victim
- Receiving unwanted items, presents, or flowers
- Having information or rumors about the victim posted on the Internet, in a public place, or by word of mouth
- Planting a tracking device
- Monitoring online activity
- Contacting family or friends



- Accessing social media or online financial accounts
(SPARC, 2023)

Although these acts individually may not be criminal, collectively and repetitively they may cause a victim to fear for their safety or the safety of a family member.

In Kentucky, KRS 508.130 defines stalking as engaging in an intentional course of conduct that:

1. Is directed at a specific person or persons
2. Seriously alarms, annoys, intimidates, or harasses the person or persons
3. Serves no legitimate purpose
4. Would cause a reasonable person to suffer substantial mental distress

According to Kentucky statute 508.140, a person is guilty of the felony of **stalking in the first degree** who intentionally:

1. Stalks another person; and
2. Makes an explicit or implicit threat with the intent to place that person in reasonable fear of:
 - a. Sexual contact as defined in KRS 510.010;
 - b. Serious physical injury; or
 - c. Death; and
3. A protective order has been issued by the court to protect the same victim or victims and the defendant has been served with a summons or warrant or has been given actual notice; or
4. A criminal complaint that is currently pending with a court, law enforcement agency, or prosecutor by the same victim or victims and the defendant has been served with a summons or warrant or has been given actual notice; or
5. The defendant has been convicted of or pled guilty within the previous five years to a felony or to a Class A misdemeanor against the same victim or victims; or
6. The act or acts were committed while the defendant had a deadly weapon on or about their person.

According to Kentucky statute 508.150, a person is guilty of the **stalking in the second degree** who intentionally:

1. Stalks another person; and
2. Makes an explicit or implicit threat with the intent to place that person in reasonable fear of:
 - a. Sexual contact as defined in KRS 510.010;



- b. Serious physical injury; or
- c. Death.

RESPONDING TO CYBERSTALKING

Recommended actions for victims of cyberstalking include:

- Create strong passwords and log out every time from email and social media.
 - Keep track of devices and do not leave a cell phone or laptop unattended.
 - Use caution when accessing public Wi-Fi.
 - Do not accept friend requests from strangers.
 - Consider using a separate email address for online activity.
 - Send the person one clear, written warning not to contact you again.
 - If the person contacts you again after you have told them not to, do not respond.
 - Block the person.
 - Change your email addresses and screen names.
 - Change your passwords.
 - Suspend your online accounts.
 - Get your devices checked for tracking devices.
 - Save any evidence, such as emails or screenshots of your phone, and make copies.
 - Keep a record of the stalking and any contact with police.
 - Consider hiring an attorney.
 - Report the stalker to the authority in charge of the site or service where the stalker contacted you. For example, if someone is stalking you through Facebook, report them to Facebook.
 - If the stalking continues, get help from the police. You also can contact a domestic violence shelter and the National Center for Victims of Crime Helpline for support and suggestions.
 - Never post online profiles or messages with details that someone could use to identify or locate you (such as your age, sex, address, workplace, phone number, school, or places you often visit).
- (Gordon, 2023)

WHO IS AFFECTED BY DOMESTIC VIOLENCE?

Domestic violence may occur in the lives of persons of all ages, cultural/ethnic/religious groups, genders, and social classes. It is one of the most common but least reported crimes, so it is



impossible to know the actual incidence and prevalence. Feelings of shame, fear, and hopelessness often prevent victims from seeking protection and support. Many victims of such abuse do not report domestic violence to their physicians or to anyone else. However, the few statistics available confirm that the problem is pervasive and alarming.

Domestic violence is viewed as an ongoing and widespread problem in Kentucky. In 2020, 23,262 domestic violence–related protection orders and 4,129 interpersonal violence–related protective orders were filed with Kentucky courts (KY Court of Justice, 2020).

Domestic Violence among Women

Victims of domestic violence are usually women and children. Perpetrators of domestic violence are generally, though not always, men. Nearly 1 in 6 homicide victims in the United States is killed by an intimate partner, and nearly half of female homicide victims are killed by a current or former male intimate partner. Many victims do not report IPV to police, friends, health professionals, or family, so these statistics underestimate the problem (CDC, 2019).

IPV AND PREGNANCY

Intimate partner violence (IPV) is considered to be a serious health concern and leading cause of traumatic death for pregnant women. The nexus of intimate partner violence and pregnancy is two-fold. The pregnancy may be a result of sexual assault or reproductive coercion, resulting in a disturbing situation for both mother and child. Secondly, if the abuse begins during pregnancy, it usually extends throughout the gestation and continues after the child is born (Hrelac, 2019).

IPV during pregnancy occurs in an estimated 325,000 women each year. The prevalence of reported violence includes one third who experience psychological abuse and nearly 20% who experience sexual abuse. In addition, 99% of those who experience any of those types of violence also experience financial abuse. During the COVID-19 pandemic, the prevalence and severity of IPV increased.

The psychological effects of abuse contribute to stress, depression, and substance abuse, which can also adversely affect the fetus. Women who experience domestic violence during pregnancy are about three times more likely to suffer perinatal death than those who do not. Prenatal care affords an excellent opportunity for screening and violence prevention (Goodman, 2021).

Teens and Dating Violence

Teen dating violence is another form of intimate partner violence that is disturbingly common among high school students and can result in serious short- and long-term effects. The nature of dating violence can be physical, emotional, or sexual. Dating violence can also include stalking and can take place in person or electronically.



As with adult victims of IPV, many teens do not report their victimization. About 1 in 12 U.S. high school students have experienced physical dating violence, and the same number have experienced sexual dating violence.

Community-based programs can assist young people by teaching them about healthy relationship strategies (CDC, 2023).

Domestic Violence among Older Adults

Abuse of older adults may be missed by professionals who work with these patients because of a lack of training in detecting abuse. Abuse may go unreported by the victims themselves because they may be unable physically or cognitively to seek help, they do not want to get the abuser in trouble, or they fear retaliation. Various studies on elder abuse present different findings, but the most common type of elder abuse is financial, followed by neglect, physical abuse, and sexual abuse. Elder abuse may also take the form of emotional abuse, abandonment, or self-neglect.

Kentucky does not have a specific elder abuse law. Instead, the law provides for protection of all adults age 18 and over “who because of a mental or physical dysfunction cannot carry out the activities of daily living or protect themselves from others who may abuse, neglect, or exploit them” (RAINN, 2020a).

Domestic Violence among Racial and Ethnic Groups

Domestic violence is a crime without cultural boundaries. It affects people from all walks of life regardless of race, religion, or economic class, but Black, indigenous, and other people of color experience IPV disproportionately, which leads to higher rates of depression, PTSD, and suicidal thoughts. The desire or ability to report the crime and the victim’s access to services may also be affected by the person’s culture. Therefore, it is essential for health professionals to screen all patients consistently (Goodman, 2021).

Although nearly 95% of Kentucky residents are reported to speak English, language barriers can also be an obstacle to seeking help. Spanish is the most common language after English, and it is spoken by less than 3% of the total population (Data USA, 2020).

Domestic Violence and Lesbian, Gay, Bisexual, Transgender, Queer/Questioning, and Intersex Persons (LGBTQI+)

Intimate partner violence in LGBTQI+ relationships is not unlike that which occurs in heterosexual relationships. One partner exhibits a pattern of abusive behavior in an effort to control and intimidate the other. The prevalence is difficult to quantify because crime reports may list the persons as roommates, and not all LGBTQI+ survivors disclose their sexual orientation or gender identification when reporting IPV. Some reports state the rate of IPV as comparable to the rate in heterosexual relationships (Yale University, 2020).



Persons who identify as LGBTQI+ face unique barriers to accessing services or reporting to the police:

- A LGBTQI+ victim may fear that the abuser will reveal their sexual orientation or biological gender to family, friends, or coworkers.
- Abusers may threaten to reveal an infected person's positive HIV status to others or to transmit HIV to the victim if they are HIV negative.
- These individuals fear institutional discrimination and homophobic or transphobic care providers.
- A transgender person may not have undergone sexual reassignment surgery and may avoid a physical exam by a clinician that might include observation of their genitals.
- LGBTQI+ communities in many areas are small, which makes maintaining privacy more difficult.
- LGBTQI+ individuals may not want to report for fear of perpetuating negative stereotypes.
(Yale University, 2020)

Law enforcement authorities may not recognize same-sex individuals as intimate or domestic partners and may have a difficult time determining the primary abuser or that the assaultive behavior is actually a domestic crime. Access to services is severely limited by lack of domestic violence shelters that serve male and transgender victims. Sensitivity to the needs of these individuals is paramount to effecting social change and helping victims receive needed assistance.

Domestic Violence and the U.S. Military

A survey by the Department of Defense recorded over 40,000 incidents of domestic violence from 2015 through 2019. Seventy-four percent of those incidents were physical abuse. The U.S. Government Accountability Office identified several gaps in the military's training, implementation, and data collection of domestic violence among service members.

Military regulations require that all military officials report any suspicion of family violence to a Family Advocacy agent. Officials include commanders, first sergeants, supervisors, medical professionals, teachers, and police officers.

If the abuser is a military member, the military justice system is implemented. Family Advocacy personnel conduct an investigation, intervene, and provide treatment. They may substantiate the abuse, but if there is insufficient legal evidence, there may be no punishment for the abuser. There is no confidentiality in the military, as there is with civilian advocacy, and any pertinent statements that are made during interactions with Family Advocacy are recorded and passed on to the legal sector (GAO, 2021).



If there is sufficient legal evidence, the military justice system may reprimand the abuser or mandate extra training or counseling. Reprimands are recorded and can negatively affect the subject's career. In many cases, the subject is required to be separated from their spouse and required to be housed in barracks until an investigation has been completed, and the subject may be issued a no-contact order with the victim.

Military spouses may decide not to report the abuse for all of the same reasons that civilian victims do not report. They may also hesitate because the accusation may negatively impact their spouse's career. In fact, a military member who is a domestic abuser is 23% more likely to be discharged than a nonabuser, and if not discharged, is likely to be promoted more slowly than a nonabuser. The federal government provides limited financial protection (up to 36 months) to the abused spouse if the military member is discharged for the abuse of a spouse or dependent child (Powers, 2016).

EFFECTS OF DOMESTIC VIOLENCE

Domestic violence has an enormous impact on the health and well-being of those who are affected as well as on the healthcare system. Injuries sustained during episodes of violence are only part of the damage to victims' health. Physical and psychological abuse are related to other **adverse health effects**, including both vague and specific complaints, such as:

- Headaches
- Back pain
- Pelvic pain
- Gastrointestinal disorders
- Gynecological disorders
- Obstetrical problems
- Sexually transmitted infections
- Central nervous system disorders
- Heart or circulatory conditions
- Asthma
- Diabetes
- Fibromyalgia
- High blood pressure
- Chronic pain

Intimate partner violence is also linked to **mental health problems**, including:

- Depression



- Anxiety
- Fatigue
- Restlessness
- Decreased appetite
- Insomnia
- Panic attacks
- Posttraumatic stress disorder (PTSD) (OWH, 2021)

Consequences of abusive relationships in **teens** may manifest as depression or anxiety and may lead to tobacco, drug, or alcohol use. Teens who are involved in dating violence may exhibit antisocial behaviors or contemplate suicide. In addition, adolescents who are involved in violent relationships may experience future relationship problems such as IPV or sexual violence as either perpetrators or victims (CDC, 2023).

The effects of any type of **stalking** can be severe. Victims of stalking can become depressed, hypervigilant, experience sleep problems, and develop PTSD. Victims may cope by taking time off work, changing jobs or schools, and relocating to avoid the stalker (Dardis et al., 2018).

The **economic impact** that accompanies the personal and emotional effects are severe. Researchers estimate the lifetime cost of domestic violence at \$103,767 per female victim and \$23,414 per male victim, which totals nearly \$3.6 trillion over victims' lifetimes based on a population of 43 million U.S. adults with victimization history (CDC, 2022a).

HEALTH EFFECTS ON CHILDREN

Children who are subjected to domestic violence may develop problems such as attachment disorder, depression, anxiety, and oppositional defiance disorder. A violent environment will have the greatest adverse effects on the brains of the youngest children, even infants. This is because the developing brain of a child is highly sensitive, and the chronic state of fear and stress that these children experience prevents the brain from developing normally. Instead, the brain is influenced adversely by abnormal patterns of neurological activities and brain chemicals (CWIG, 2023).

The Adverse Childhood Experience (ACE) Study, published in 2009, investigated the association between childhood maltreatment and later-life health and well-being (CDC, 2009). Findings suggested that child maltreatment experiences are major risk factors for the leading causes of illness and death as well as poor quality of life in the United States. The more adverse childhood experiences that were experienced by an individual, the greater the risk of developing alcoholism, chronic obstructive pulmonary disease (COPD), depression, illicit drug use, intimate partner violence, sexually transmitted infections, criminality, and smoking.



RISK FACTORS AND LETHALITY

Categories of Risk Factors for Abusers

The CDC identifies four risk factor categories for abusers: individual, relationship, community, and societal. Not everyone who experiences these risk factors becomes an abuser. Identification and understanding of risk factors can lead to prevention.

INDIVIDUAL RISK FACTORS

- Low self-esteem
- Low income
- Low academic achievement
- Low verbal communication ability
- Young age
- Aggressive or delinquent behavior as a youth
- Heavy alcohol and drug use
- Depression and suicide attempts
- Anger and hostility
- Lack of nonviolent social problem-solving skills
- Antisocial personality traits and conduct problems
- Poor behavioral control/impulsiveness
- Borderline personality traits
- Prior history of being physically abusive
- Having few friends and being isolated from other people
- Unemployment
- Emotional dependence and insecurity
- Belief in strict gender roles (e.g., male dominance and aggression in relationships)
- Desire for power and control in relationships
- Hostility toward women
- Attitudes accepting or justifying IPV
- Being a victim of physical or psychological abuse (consistently one of the strongest predictors of perpetration)
- Witnessing IPV between parents as a child
- History of experiencing poor parenting as a child



- History of experiencing physical discipline as a child
- Unplanned pregnancy

RELATIONSHIP RISK FACTORS

- Marital conflict/fights, tension, other struggles
- Jealousy, possessiveness, negative emotions within an intimate relationship
- Marital instability, divorces, separations
- Dominance and control of the relationship by one partner over the other
- Economic stress
- Unhealthy family relationships and interactions
- Association with antisocial and aggressive peers
- Parents with less than a high school education
- Social isolation/lack of social support

COMMUNITY RISK FACTORS

- Poverty and associated factors (e.g., overcrowding, high unemployment rates)
- Low social capital; lack of institutions, relationships, and norms that shape a community's social interactions
- Poor neighborhood support and cohesion
- Weak community sanctions against IPV (e.g., unwillingness of neighbors to intervene in situations where they witness violence)
- High alcohol outlet density

SOCIETAL RISK FACTORS

- Traditional gender norms and gender inequality (e.g., belief that women should stay at home, not enter workforce, and be submissive; belief that men should support the family and make the decisions)
- Cultural norms that support aggression toward others
- Societal income inequality
- Weak health, educational, economic, and social policies/laws (CDC, 2021)



Common Risk Factors

POVERTY

Although domestic violence is found in all walks of life, those who live in poverty face additional challenges. The CDC (2021) lists poverty as a risk factor for intimate partner violence. Poverty damages health and well-being in countless ways; exposure to domestic violence is just one. When violence and poverty intersect, they limit coping options. Both poverty and violence lead to stress, feelings of powerlessness, and social isolation, which combine to produce posttraumatic stress disorder, depression, and other emotional difficulties.

Victims who are experiencing poverty face risks that are related to poverty as well as risks from their abuser.

- Risks from the abuser include physical injury; threats and loss of security, housing, and income; and potential loss of their children.
- Risks from poverty include food insecurity, lack of access to health insurance and healthcare, possible racism, unsafe neighborhoods, and poor schools for their children.

The double jeopardy of poverty and violence challenges victims and the healthcare and social service professionals responsible for protecting them. Intervening to stop the violence is only the first step. Issues of income, housing, and healthcare—both mental and physical—must also be addressed. For example, in 2022, 11% of all homeless service system beds (emergency shelter, transitional housing, and safe haven) in the United States were aimed at survivors and families of domestic violence (NAEH, 2023).

FAMILY/CAREGIVER STRESS

Families stressed by illness, unemployment, alcohol, and/or drug use are more likely to experience violence. This is particularly true with elder abuse, especially if the older person is frail or mentally impaired, the caregiver is poorly prepared for the task, or needed resources are unavailable. Adult children who abuse their parents frequently suffer from mental and emotional disorders, alcoholism, drug addiction, and/or financial problems that make them dependent on the parents for support. These families may respond to tension or conflict with violence because they have not learned any other way to respond.

DISABILITY/IMPAIRMENT

People with disabilities are especially vulnerable and are more likely to experience abuse than those without disabilities. Approximately 70% of people with disabilities experience some form of abuse, and they are three times more likely to be sexually assaulted. Eighty percent of women with disabilities have been sexually assaulted and experience IPV at a 40% higher rate than do women who do not have a disability. In addition to a higher prevalence, the frequency and severity of the acts are also elevated.



It is estimated that between 70%–97% of cases are not reported, and only 5% of reported cases are prosecuted as compared to 70% of comparable cases against people without disabilities. Survivors with disabilities must contend with barriers to help-seeking, such as need for transportation, fear of being institutionalized, lack of communication devices, and many other reasons. In addition, if a survivor is able to leave an abusive household, many domestic violence shelters cannot accommodate their specific needs.

In almost 100% of cases, survivors with disabilities are abused by a trusted person. This person is usually a family member, intimate partner, or caregiver (Sanctuary for Families, 2022).

In addition to physical and psychological abuse, unwanted sexual contact, and intimidation, people with disabilities may also experience the following types of abuse:

- Neglect
- Minimizing a disability
- Withholding medications
- Refusing help for necessary activities of daily living
- Preventing access to healthcare or resources
- Isolating victims
- Harming or threatening to harm a service animal
- Depriving victims of necessary physical accommodations
- Withholding or destroying assistive devices such as wheelchairs
- Financial exploitation
- Using the disability to shame, humiliate, or justify the abuse
- Threat of abandonment
- Deliberately ignoring personal care and hygiene

Risk of Lethality

Femicide continues to be a serious problem in the United States, and among women who are killed, around 40% of their deaths were perpetrated by their intimate partners compared to only 4% of men who are killed by their intimate partners.

Without any sort of intervention, abuse tends to escalate. While not all abusers kill, and there are no perfect predictors of time and place, research has revealed some patterns of escalation in domestic violence. The use of risk assessment tools by multidisciplinary parties such as law enforcement and medical workers who are in contact with survivors is recommended to protect vulnerable survivors of IPV from homicidal injury (Williams et al., 2022).



Numerous studies have been conducted to identify behaviors that increase the risk of femicide by an intimate partner. Of all of the risk factors, a history of nonfatal strangulation is the highest predictor of future attempted or completed homicide.

Risk factors for domestic violence homicide by a male perpetrator include:

- Previous nonfatal strangulation (seven times more likely to occur)
- Access to a firearm (five times more likely to occur)
- Previous threats with a weapon
- Previous rape of the victim
- Previous threats to harm the victim
- Previous stalking of the victim (Spencer, 2020)

HOMICIDE-SUICIDE

IPV has been identified as a precipitating factor for 4.5% of suicides in the United States. Another 6.1% of suicides occur when a family member kills a domestic partner or other family member and then dies by suicide. Homicide followed by suicide events almost always involve male perpetrators (95%–97%) (Kafka et al., 2022).

INTIMATE PARTNER VIOLENCE AND GUNS

Nearly one million women currently living have either been shot or shot at by an intimate partner, and over 4.5 million have reported being threatened with a gun by an intimate partner. Guns in the hands of an abuser may physically injure or kill survivors and as a threat inflict emotional abuse (Everytown for Gun Safety, 2023).

Unlike federal law, **Kentucky state law does not:**

- Prohibit convicted domestic violence abusers or individuals who are subject to domestic violence protective orders from possessing guns
- Require that domestic violence abusers surrender firearms or ammunition
- Require courts to notify domestic abusers when they become disallowed from possession of firearms or ammunition under federal law
- Require that guns or ammunition be removed at the scene of a domestic violence incident
- Prohibit a person who is the subject of a restraining order for stalking from purchasing or possessing firearms

Kentucky state laws do allow some provisions to protect domestic violence victims from gun



violence:

- The Kentucky Justice and Public Safety Cabinet must make a reasonable effort to notify the person who obtained a domestic violence protective order if that person requested to be notified should the person subject to the order attempt to purchase a firearm. This requirement only applies if the person who sought the protective order requests such notification (KRS Ann. § 237.100[1], [2]).
- A court or agency may impose, as a condition of pretrial release, an order prohibiting the person from using or possessing a firearm. This pertains to persons who were charged with sexual violations or a domestic violence protective order (KRS Ann. § 431.064).
- Kentucky law may suspend a license to carry a concealed deadly weapon if the licensed person is subject to a domestic violence order or emergency protective order (KRS Ann. § 237.110[13][k]).
(Giffords Law Center, 2023)

Understanding Perpetrators and Victims

People outside of abusive relationships often wonder both why a perpetrator abuses and why a victim of abuse remains in such a relationship.

WHY PERPETRATORS ABUSE

Typically, abusers want power and control, and their various behaviors are intended to achieve that end.

Although an abuser's behavior may also arise from or be exacerbated by a mental illness, that is not usually the case; however, abusive behaviors may be complicated by substance abuse problems. Health professionals should be alert to any signs of these complicating factors when assessing high-risk individuals.

POWER AND CONTROL WHEEL

The iconic model known as the Power and Control Wheel was developed by the Domestic Abuse Intervention Project (2017) in Duluth, Minnesota, to depict the most common abusive behaviors or tactics experienced by victims of domestic violence. It is characterized by the pattern of actions that an abuser uses to intentionally control or dominate the intimate partner. These actions fall under eight primary categories:

1. Using coercion and threats
2. Using intimidation
3. Using emotional abuse
4. Using isolation



5. Minimizing, denying, and blaming
6. Using children
7. Using male privilege (potential socioeconomic advantages for persons of male gender)
8. Using economic abuse

(See also “Resources” at the end of this course.)

WHY VICTIMS STAY

Victims who stay with an abuser are often judged negatively by others who do not understand the complex problems these victims may face. To better understand these challenges, domestic violence researchers evaluated hundreds of posts from victims on social media and identified common reasons that victims stay in abusive relationships. The researchers also concluded that victims fear being judged by others and are more likely to respond positively to concern and compassion than to criticism and pressure.

- Distorted thoughts: Victims who are controlled and hurt become traumatized, resulting in confusion and self-blame.
- Damaged self-worth: Victims believe that they are worthless and deserve the abuse as a result of being treated badly.
- Fear: The threat of physical or emotional harm is traumatic and debilitating.
- Danger: In fact, leaving the relationship is the most dangerous time for a victim who is being abused.
- Wanting to be a “savior”: Some victims want to help their partners, continue to love them, and hope that they will change for the better.
- Children: Some victims sacrifice themselves to keep their children safe or express that they do not want their children to grow up without the other parent.
- Expectations and experience: Past experiences can distort the victim’s opinion of themselves or healthy relationships. Others feel pressured to remain in the relationship because of family values or religious beliefs. Cultural and social barriers may also preclude victims of thinking about leaving.
- Financial constraints: Many victims report an inability to provide for their children alone and that they cannot maintain employment because of abuse. Others suffer from financial abuse.
- Immigration status: Lacking legal status to remain in the country may be an impediment to those who are concerned about being deported.
- Lack of institutional support: Responses, such as from clergy or police, may not be helpful to stop the violence.



- Isolation: Abusers can separate victims from family and friends either physically or through emotional abuse.

Leaving an abusive situation is a process, and research shows it may take seven attempts to leave and return before a survivor leaves permanently (Cravens et al., 2015; Women Against Abuse, 2023).

ASSESSMENT, DOCUMENTATION, AND TREATMENT

Assessing for Signs and Symptoms

Every healthcare facility should screen patients routinely for potential domestic violence. The screening can be part of the intake interview or included as part of the written history. Patients should have the opportunity to respond to the questions in a confidential setting outside the presence of any person who is accompanying them.

Healthcare professionals should be alert for signs and symptoms that may be related to domestic violence:

- Poor physical health
- Depression and/or anxiety
- Trauma and posttraumatic stress disorder
- Feelings of guilt or shame
- Increased substance abuse
- Cardiac symptoms such as hypertension and chest pain
- Chronic disorders and chronic pain
- Gastrointestinal problems due to stress
- Reproductive problems
- Unsafe sexual behavior
- Low self-esteem
- Self-harm and suicide
- Inability to trust others
- Difficulty maintaining a job (ACOS, 2022)

Physical injuries associated with IPV are frequently identified as craniofacial or on the upper extremities and involve soft tissue or fractured bones. Multiple injuries, patterned injuries, and spinal cord injuries can also be emblematic of physical abuse. It is important for providers to be alert to the possibility of IPV when treating such injuries (Sun et al., 2023).



LACK OF PHYSICAL INJURY

It is important to remember that many victims of domestic violence may show no physical signs of injury at all. Nonfatal strangulation, which is a strong predictor of future homicide, may leave no marks. Sexual assault may result in no visible trauma. In fact, there may be no physical signs resulting from the top five predictors of lethality: threatening to use a weapon, threatening to kill the victim, constant jealousy, strangulation, and forced sex.

According to the National Center for Elder Abuse (n.d.), the most common signs and symptoms of physical abuse **among older adults** include:

- Bruises, black eyes
- Contusions, welts, rope marks, or signs of being restrained
- Lacerations, wounds, punctures
- Dental problems, broken eyeglasses
- Head injuries, internal bleeding
- Fractures, sprains, dislocations
- Pressure ulcers, untreated injuries
- Chronic pain
- Sexually transmitted infections
- Poor nutrition/poor hydration
- Over- or under-use of medications
- Sleep problems, sudden change of behavior
- Report of being hit
- Caregiver not allowing visitors to see the elder alone

STRANGULATION

Strangulation is one of the most lethal forms of domestic violence; unconsciousness may occur within 10 seconds and death within 4 minutes. Strangulation is also one of the best predictors for future homicide of victims of domestic violence. Yet strangulation was long overlooked in the medical literature, and this form of violence was not recognized as a felony in Kentucky until 2019 (Emery, 2019).

While victims of strangulation may have no visible injuries, the lack of oxygen during the assault can cause serious trauma to the brain and lead to death days, or even weeks, later. Strangulation can have a devastating psychological effect on victims in addition to a potentially fatal outcome, including death by suicide.



Signs and symptoms indicating possible strangulation include:

- Neck or throat pain
- Discomfort or difficulty swallowing or talking
- Vocal changes
- Shortness of breath
- Loss of consciousness
- Memory loss
- Dizziness
- Feeling faint
- Blurry vision
- Involuntary urination or defecation
- Tinnitus
- Linear abrasions
- Bruising on the upper neck, chin, or face
- Subconjunctival hemorrhage
- Conjunctivae petechia
- Neck swelling
- Neck tenderness upon palpation
(McCarthy, 2020)

(See also “Resources” at the end of this course.)

DANGER ASSESSMENT INSTRUMENT

The Danger Assessment Instrument is an excellent tool and has been used for over 25 years by health professionals, law enforcement, and advocates. The current version of this tool consists of 20 questions that the client may respond to with yes/no answers. The various questions are weighted for risk factors associated with intimate partner homicide. Some of the risk factors include past death threats, partner’s employment status, and partner’s access to a gun.

Culturally sensitive versions are now available to evaluate same-sex and immigrant relationships for lethality. The tool, including the abbreviated version (DA-5), is available online for certified professionals to download after they have completed a brief online training and post-test (Alliance for Hope, 2019).

(See also “Resources” at the end of this course.)



Physical Examination

Following an established procedure to examine patients who may be victims of abuse will ensure that no critical information is overlooked. In some clinical settings, the best option may be to escort the patient to the emergency department to conduct an exam.

During the physical examination, the clinician:

1. Asks the patient to change into an exam gown that will allow all areas of the body to be examined
2. Checks for injuries over the entire body and especially the face, throat, neck, chest, abdomen, and genitals
3. Notes patterned injuries such as bruises that resemble teeth marks, hand prints, belts, or cords; observes burns that are consistent with cigarette tips
4. Notes any pain or tenderness on palpation
5. Documents physical findings in detail and includes measurements, preferably using a report form specified for domestic violence exams
6. Photographs injuries, including long-distance, mid-range, and close-up perspectives; photographs each injury with and without a scale
7. Conducts a mental status exam
8. In patients who report strangulation, considers the use of imaging to rule out life-threatening injuries
9. Uses open, nonjudgmental questions regarding the mechanism of injury
10. **Does not** cut clothing or discard any potential evidence; always collects, preserves, and maintains chain of custody; stores all evidence in paper bags, with wet evidence placed inside a waterproof container and given to law enforcement for immediate processing (CCFMTC, 2014; TISP, 2019)

TRAUMA-INFORMED PRACTICE

When evaluating a patient who has potentially experienced a traumatic event, it is important to implement trauma-informed practices. Since a patient's history is unknown to the provider unless they have made a disclosure, it is best practice to always conduct exams in a trauma-informed manner and provide an environment of healing-centered engagement. The goals of trauma-informed care are to promote resilience and provide hope for healing.

The **five guiding principles** of trauma-informed practice are:

- **Safety:** Assurance of emotional and physical safety is of the utmost importance.



- **Trustworthiness:** The clinician must present clear boundaries and earn the patient's trust so that they feel safe enough to make disclosures.
- **Choice:** The patient must be given the ability to make active choices and have a sense of control over the environment.
- **Collaboration:** The relationship between the patient and provider is collaborative and individualized.
- **Empowerment:** The provider's approach helps the patient discover and implement their strengths.

(Integrative Life Center, 2021)

Documenting Suspected Domestic Violence

Accurate, thorough documentation of the patient's injuries is essential in cases of suspected abuse because it can serve as objective, third-party evidence useful in legal proceedings. For example, medical records can help victims obtain a restraining order or qualify for public housing, welfare, health and life insurance, and immigration relief.

A documentation form for mandated reporters, although not required, is helpful to prompt the clinician to include all the necessary information. The Kentucky Cabinet for Health and Human Services provides a form that can be downloaded from their website (see "Resources" at the end of this course).

DO'S AND DON'T'S OF DOCUMENTATION

Do

- Print or type legibly.
- Fill out forms completely.
- Document the time and date that the exam was done.
- Write down the name of the person who provided the history.
- Record statements exactly as they are given and by whom.
- Use quotation marks to document what the patient or caregiver said.
- If a copy is made, make sure it is complete, legible, and no parts are cut off.
- Rather than leaving a section blank, write "not done."
- Include your signature on each page.
- Complete any forms that are required by law.



Don't

- Don't leave sections of the form blank.
- Don't use correction fluid to make corrections.
- Don't use abbreviations.
- Don't write your own conclusions about findings.
- Don't use legal terms such as battery or assault.
- Don't complete the form if you did not collect the information yourself.

(SAFEta.org, 2022)

MANDATORY REPORTING/REFERRAL IN KENTUCKY

The purpose of the Kentucky mandatory reporting law KRS Chapter 209A, revised in 2017, is to identify victims of domestic and dating violence and to connect them to services. This law:

- Does **not** require that a clinician report all suspected domestic violence or abuse to authorities
- Includes a **mandatory information and referral provision** for victims with whom certain professionals have had a professional interaction
- Requires that the professional make a report to the police **if they are requested to do so** by the survivor

The aim is that by replacing the previous mandatory reporting requirement with a mandatory information and referral provision, victims will maintain the ability to control their own lives and be more likely to ask for help and receive the information they need to stay safe (Currens, 2017).

DUTY TO REPORT TO AUTHORITIES FOR MINORS, ADULTS WITH DISABILITIES, AND ON SCHOOL GROUNDS

Mandatory reporting to the Cabinet for Health and Family Services for suspected domestic violence and abuse is **required** in instances involving children under 18 years of age (KRS 260) or adults 18 years of age or older who are unable to protect themselves due to a disability, which may include the elderly (KRS 209).

Other laws, such as KRS 158.154/156, mandate that school personnel report felony assaults, sexual offenses, domestic/dating violence, kidnapping, crimes involving weapons, and drug offenses to law enforcement when these acts occur on school property even without the expressed wish or permission of the victim (RAINN, 2020b).



Who Must Report/Refer

Under Kentucky law, the duty to identify victims and provide them with resources or report to authorities pertains to the following professionals:

- Physician
- Osteopathic physician
- Coroner
- Medical examiner
- Medical resident
- Medical intern
- Chiropractor
- Nurse
- Dentist
- Optometrist
- Emergency medical technician or paramedic
- Licensed mental health professional or therapist
- Cabinet employee
- Childcare personnel
- Teacher, school personnel
- Ordained minister or the denominational equivalent
- Victim advocate
- Any organization or agency that employs any of these professionals
- Law enforcement officers

Duties of the Professional

The duties of the professional are to:

- Provide the victim with whom they have had a professional interaction with educational materials relating to domestic or dating violence. They must provide referrals and contact information so that the patient may access domestic violence programs, rape crisis centers, and protective orders.
- Make a report to law enforcement when the victim requests that they do so and gives permission for this to occur.



- Report to law enforcement if they believe that the death of a victim with whom they had professional interaction is related to domestic or dating violence.
- Report abuse of children and vulnerable adults to the Cabinet for Health and Family Services.

Making a Report

Any life-threatening situation should be reported to the police immediately by calling 911.

There are four ways to report domestic violence to the Cabinet for Health and Family Services:

1. By phone to the Child/Adult Abuse Hotline at 877-597-2331 or 800-752-6200
2. By fax to 502-595-0895
3. By email to intake.jsr@ky.gov
4. Online at <https://prdweb.chfs.ky.gov/ReportAbuse>, Monday–Friday from 8:00 a.m. to 4:30 p.m. Eastern Time

The state of Kentucky does not require that the report be made on a specific form, but a domestic violence/sexual assault documentation form is available online (see “Resources” at the end of this course).

Reporting Child Abuse

Any person who knows or has reasonable cause to believe that a child (minor under the age of 18) is neglected or abused, or that a child is a victim of human trafficking, is **required to make an immediate oral or written report** to the Cabinet for Health and Family Services, the Kentucky State Police, the child abuse hotline, or the Commonwealth or county attorney. If requested, a written report must be made in 48 hours. (See above for details on how to make a report.)

Professionals who have been designated as mandated reporters are required to make a written report in addition to an oral report.

Nonemergency reports may be made online at <https://prdweb.chfs.ky.gov/ReportAbuse>.

The mandate to report suspected domestic abuse for a child requires that there be a specific relationship between the victim and the abuser, who must be a parent, guardian, or be in a position of authority or special trust. Except, for any child who is suspected of being labor trafficked or involved in commercial sexual activities, no specific relationship with the abuser is required. Instances in which a person over the age of 21 is sexually abusing or exploiting a child under the age of 16 must also be reported to the Cabinet for Health and Family Services regardless of the presence of a specific relationship (KRS 600.020, 620.030, 620.050, 194A.540).



SPOUSAL ABUSE AND DEMENTIA

Healthcare workers may report spousal abuse to Adult Protective Services (APS) when a patient with dementia exhibits violent behavior, but if the violence is dementia-related and the client is receiving dementia care services, there may be nothing more that the APS worker can do. It may be prudent to attempt to have guns and other obvious weapons removed from the home or to notify the police.

Education and Referral Requirement

Healthcare professionals in Kentucky are **required by law** to assist victims by offering educational materials and contact information so that they may connect with local resources. This may include referrals to shelters or for legal assistance and information such as how to obtain a protective order. Since there may be a concern for a negative response if an abuser discovers educational materials and/or referral lists, it is recommended to provide a resource list in a discrete format (such as concealed in a small item that fits into a pocket or purse) for victims who may need it.

(See also “Domestic Violence Resources” below.)

TIPS FOR RESPONDING TO VICTIMS

- Listen and believe.
- Do not investigate if it is not your job to do so.
- Determine if reporting is required by law.
- Make the report immediately if required by law or requested by the victim.
- Respond in the safest way possible for the victim/safety planning/referrals.
- Identify resources for the victim and yourself.
- Continue to interact with the victim as normally as possible and provide support.
- Remember that reporting is often a beginning, not an end; victims often need more support and advocacy after a report is made.

(KCADV, n.d.-a)

Legal Consequences and Protections Related to Reporting

Kentucky law provides both legal consequences and legal protections in relation to reporting laws for domestic violence and abuse. These include:



- Anyone knowingly or wantonly violating the provisions of KRS 209.030(2) (reports of adult abuse, neglect, or exploitation) is guilty of a Class B misdemeanor.
- Any person who intentionally fails to report suspected child dependency, neglect, abuse, or human trafficking is guilty of a Class B misdemeanor for the first offense, a Class A misdemeanor for the second offense, and a Class D felony for each subsequent offense.
- Any person who knowingly makes a false report and does so with malice is guilty of a Class A misdemeanor.
- Anyone acting upon reasonable cause in the making of a report or acting in good faith shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any judicial proceeding resulting from such report or action.
- Any employee or designated agent of a children's advocacy center shall be immune from any civil liability arising from performance within the scope of the person's duties as provided in the statute. Any such person shall have the same immunity with respect to participation in any judicial proceeding.

CASE

A nurse in a busy OB/GYN practice notices multiple bruises in various stages of healing on her patient's legs during a routine prenatal visit. The nurse asks the patient what happened to her legs, and the patient states that her husband kicked her. The patient states she does not want to press charges. The nurse gives the patient a resource pamphlet on domestic violence, educates her about domestic violence services, and assures the patient that she does not have to go through this alone. Finally, the nurse asks the patient if she would like some privacy to call the helpline before leaving the office.

DOMESTIC VIOLENCE RESOURCES

It is the responsibility of all healthcare professionals to stay informed about resources such as shelters, mental health services, and programs for victims of domestic violence in their region.

ZeroV: Kentucky United Against Violence (formerly Kentucky Coalition Against Domestic Violence)

ZeroV coordinates the efforts of 15 regional domestic violence programs in Kentucky that offer shelter and comprehensive services and runs a certification program for all domestic violence program staff. These programs assist with legal information and resources, counseling and support groups, case management, safety planning, and programs to assist victims to become autonomous (KCADV, n.d.-b).

The ZeroV also collaborates with the Kentucky Association of Sexual Assault programs, schools, Children's Advocacy Centers, local professionals, and community groups to increase



understanding of domestic violence issues. ZeroV and its members have also worked to help pass legislation related to domestic violence, such as laws addressing warrantless arrest, emergency protective orders, mandated reporting, and marital rape.

The ZeroV website provides comprehensive information to the public and professionals about domestic violence prevention and resources, including:

- Training institute
- Legislative advocacy
- Housing programs
- Economic empowerment program
- Batterer intervention provider program
- Meaningful access for undocumented persons
- Referral information
- Protective orders information
- Risk minimization
- VINE (Victim Information and Notification Everyday, a notification system that alerts victims about a change in custody of an offender)
- Statistics
- Public assistance
- Publications
- Training materials
- Phone numbers

Safety Plans

A safety plan is something that an abuse victim can begin working on at any time. In a safety plan, the individual develops personalized and practical steps, both physical and psychological, to take while in the relationship, when planning to leave, and after leaving.

Although developing a safety plan may be beyond the scope or time constraints of most healthcare professionals, it is important that they are aware of the importance of such a plan and offer to refer patients to an individual or agency that can help them create one. A safety plan is intended to help a patient stay safe at all stages of the relationship. Nurses and other healthcare professionals should keep such forms and/or information available with other resources for domestic abuse victims.

Details on the elements of a safety plan, along with forms that a victim can use to create a plan, are available online. (See “Resources” at the end of this course.)



Protective Orders

In Kentucky, protective orders are issued under the civil law system. A protective order is a document that is signed by a judge and directs a specific person to stay away from the person who is seeking the protection in order to prevent additional acts of domestic violence, dating violence, sexual assault, or stalking.

The “petitioner” files for protection against the “respondent” and requests that the respondent have no contact (by phone, text, email, social media, or through friends or family) with the petitioner, children, or others who need protection. The respondent may also be required to stay away from the petitioner’s home, school, work, or other designated areas. The respondent is required to leave a shared home and stop the abuse.

There are two types of protective orders:

- **Domestic Violence Order:** This type of order may be filed by spouses, former spouses, parents, children, grandparents, and grandchildren. Couples who have lived together or who have children in common may also file for a domestic violence order.
- **Interpersonal Protective Order:** This type of protective order is for people who are in or were in a dating relationship, for people who have been stalked, and for people who have been sexually assaulted.

Both types of protective orders are available 24 hours a day, 365 days a year. During business hours they may be obtained in the circuit clerk’s office of the county where a petitioner lives or the county to which a petitioner has fled to escape abuse. During nonbusiness hours the petitioner may contact local law enforcement or a domestic violence program. The petitioner completes a form, which is reviewed by a judge. The petitioner is then contacted regarding a court hearing, and law enforcement serves paperwork to the respondent. A temporary or emergency protective order is issued until the court hearing and the respondent may be arrested if the order is violated in the interim.

Petitioners may register for VINE PO (Victim Information Notification Everyday Protective Order) by phone or online (see “Resources” at the end of this course) and will receive an email or phone call notification that the respondent has received the paperwork and the court date. After the hearing, the judge may grant a long-term order that may last for up to three years. The petitioner must file a request to extend the order. There are no fees charged to the petitioner for a protective order (KCADV, 2017).

Associated Protections for Victims

In 2017, KRS 383.300/302 was amended to create lease protections to tenants who hold a domestic violence–related protective order to terminate a lease with 30 days’ notice to landlords. The law allows such tenants to change the locks at their own expense if they notify the landlord



and provide them with a key. The law also allows landlords to bar abusers from the property and evict abusers based on orders of protection (KCADV, n.d.-c).

Crime Compensation Funds

The **Kentucky Claims Commission (KCC)** provides victims with crime compensation funds, assisting victims of violent crime who have no other resources to pay for the medical, funeral, counseling, dental, or other expenses resulting from the crime. Assistance also provides for lost wages of the victim or loss of support for someone dependent on the victim. The payments are made to either service providers or to claimants. The KCC aims to provide trauma-informed services to claimants, showing empathy during a traumatic period of their lives (KY PPC, n.d.).

SAMPLE COMMUNITY PUBLIC HEALTH SERVICES PROTOCOL FOR ADDRESSING DOMESTIC VIOLENCE

It is critical for each community to develop protocols that assist and support staff when caring for victims of domestic violence. A protocol enables the staff to respond to domestic violence in a comprehensive and consistent manner. Any protocol should include screening, identification/assessment, treatment, documentation, safety planning, discharge planning, and referrals.

A protocol can be comprehensive or brief, but it should adequately provide the staff with a blueprint for preparing for and responding effectively and efficiently to patients experiencing domestic violence. The minimal elements that should be included are:

1. **Definitions:** Include types of abuse and the persons who are covered by the protocol; elder abuse and child abuse may be addressed separately.
2. **Principles:** Include the institution's philosophy about and commitment to addressing domestic violence.
3. **Identification and assessment procedures:** Specify who is to conduct the assessment, the screening tools and procedures to be used, and how safety and confidentiality will be ensured.
4. **Intervention procedures:** Include interviewing strategies, safety assessment, planning, and discharge instructions. Addenda should address educational materials.
5. **State reporting requirements:** Clarify the law. Include reporting procedures and forms as required. Define who is responsible for making the report.
6. **Confidentiality:** Clarify privacy laws and ensure that the disclosure of health information serves to improve the health and safety of the victim.
7. **Collection of evidence and photographs:** Include procedures for collection, storage, and release of evidence; include procedures for taking photos and utilizing release forms.



8. **Medical record documentation:** Clarify what information is to be included in the medical record.
9. **Referral and follow-up:** Include instructions for resources, how to make referrals, domestic violence programs, and other community agencies. Update phone numbers regularly. Include instructions for victims to have at least one follow-up appointment.
10. **Staff education plan:** Describe ongoing training for all staff. (Futures Without Violence, 2023)

PREVENTION EFFORTS

Prevention of domestic violence and early identification and treatment of victims eliminates much pain and suffering for survivors and benefits all healthcare systems in the long run. Prevention is something everyone can participate in. Empowerment should be the guiding force behind victim advocacy and is something all healthcare professionals can promote. Remember to always:

- Respect confidentiality
- Believe and validate experiences
- Acknowledge injustice
- Respect autonomy
- Assist with safety planning

Communities also benefit from advocacy activities. Healthcare professionals may be able to do one or more of the following:

- Provide professional or community education about family violence
- Participate actively to develop and maintain community resources for prevention of domestic violence
- Participate actively to develop and maintain community resources for intervention in domestic violence situations
- Participate on a Domestic Violence Coordinating Council

CONCLUSION

Domestic violence in any form deprives those who are affected of their basic human rights. Children, who are the future of our society, are witnesses of this abuse and suffer irreparable damage from the exposure. Healthcare professionals can make a critical difference in ending this costly, destructive epidemic and interrupt the transmission of violence from generation to generation. By being alert to the possibility of domestic abuse in the life of every patient, healthcare professionals can identify, protect, and assist victims in resolving their situations.



To accomplish this goal, healthcare professionals must be informed and present for their patients. They need to collaborate with advocacy groups, community agencies, and law enforcement in order to be effective change agents.



RESOURCES

Danger Assessment Instrument

<https://www.dangerassessment.org/uploads/pdf/DAEnglish2010.pdf>

Domestic violence/sexual assault documentation form (KY CHFS)

<https://chfs.ky.gov/agencies/dph/dpqi/hcab/Documents/DVSA1domesticviolencesexualassault.doc>

Intimate partner violence resources (CDC)

<https://www.cdc.gov/violenceprevention/intimatepartnerviolence/resources.html>

National Domestic Violence Hotline

<https://www.thehotline.org>

800-799-SAFE (7233)

800-787-3224 (TTY)

Nursing Network on Violence Against Women International

<https://www.nnvawi.org>

Power and Control Wheel (Domestic Abuse Intervention Project)

<https://www.theduluthmodel.org/wp-content/uploads/2017/03/PowerandControl.pdf>

Rape, Abuse, and Incest National Network (RAINN)

<https://www.rainn.org>

800-656-HOPE (4673)

Sexual assault forensic-medical exam SAFE toolkit (KY Board of Nursing)

<https://kbn.ky.gov/General/Documents/sane-safe-toolkit.pdf>

Violence prevention (CDC)

<https://www.cdc.gov/ViolencePrevention>

What is a safety plan? (National Domestic Violence Hotline)

<https://www.thehotline.org/plan-for-safety/create-a-safety-plan/>

ZeroV: Kentucky United Against Violence (formerly Kentucky Coalition Against Domestic Violence)

<https://www.zerov.org>

502-209-5382



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TEST

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1. Which type of domestic violence is characterized by repeated and undesired attention that results in fear and concern in the victim for their own safety?
 - a. Stalking
 - b. Sexual violence
 - c. Physical violence
 - d. Psychological harm

2. For which reason is it impossible to know the actual number of incidents of domestic violence?
 - a. There are no domestic violence data collection systems in place.
 - b. Authorities believe that most of the violence takes place outside the home.
 - c. Shame, fear, and hopelessness prevent many victims from reporting the event.
 - d. Governmental agencies have failed to share domestic violence statistics.

3. Which fear may create a barrier to reporting abuse particularly among LGBTQI+ patients?
 - a. Losing access to one's bank accounts
 - b. Revealing their sexual orientation to others
 - c. Remaining in an abusive relationship
 - d. Feelings of shame, fear, and hopelessness

4. Which ongoing health problem is often encountered in domestic violence survivors?
 - a. Raynaud's disease
 - b. Polycystic ovarian syndrome
 - c. Headaches
 - d. Hiatal hernia

5. Which factor is categorized by the CDC as an **individual** risk factor for an abuser?
 - a. Desire for power and control
 - b. Poor social support
 - c. Overcrowded neighborhood
 - d. Cultural norms that support aggression

6. Which statement is **true** when assessing a victim of domestic violence?
 - a. Document the presence of children, because they are potential witnesses.
 - b. Interrogate the abuser to determine if their history matches the victim's account.
 - c. Ask the patient what they might have done to cause the violent incident.
 - d. Understand that there may be no visible trauma associated with certain acts.



7. Which practice does the clinician employ when documenting a visit with a patient who reports being a victim of domestic violence?
 - a. Writes the patient's own words in quotes
 - b. Includes the phrases *patient alleges* or *patient claims*
 - c. Uses conclusive terms such as *assault*, *battery*, or *domestic violence*
 - d. Adds the clinician's own conclusions about the cause for the patient's injuries

8. For which situation in Kentucky would making a report of suspected domestic violence be excluded?
 - a. In instances involving competent adults who do not request a report
 - b. For sexual offenses against adolescents under age 18 that occur at work
 - c. In instances involving disabled adults age 21 and over
 - d. For violence against elderly adults who are unable to protect themselves

9. Which statement is **true** about the protective order process in Kentucky?
 - a. A petitioner in a dating relationship may file for a Domestic Violence Order.
 - b. A petitioner may petition for a protective order only during normal business hours.
 - c. A Domestic Violence Order is granted for a period of three years and cannot be renewed.
 - d. An abuser who violates a protective order may be charged with a crime and face arrest.

10. Which type of assistance does the Kentucky Claims Commission provide for victims of violent crime who have no other financial resources?
 - a. Medical, dental, and counseling services related to the crime
 - b. Funds to purchase or repair a car in order to leave the area
 - c. Tuition assistance to enable the victim to obtain job training
 - d. Bail bonds for incarcerated victims

11. Which element is included in an evidence-based protocol for patients who are victims or perpetrators of domestic violence?
 - a. Screening procedures
 - b. Examination fee schedules
 - c. A designated medical director
 - d. A mission statement

