

WORKING WITH TEEN VICTIMS OF DATING VIOLENCE



What Every Prosecutor Should Know Before Working With Teen Victims of Dating Violence.

WHAT DOES DATING VIOLENCE LOOK LIKE?

Teens experience the same types of abuse in relationships as adults – *physical abuse, emotional/verbal abuse, and sexual abuse*. In most cases, the abuse escalates over time, becoming more frequent and more severe.

Technology can play a significant role in dating violence. Cell phones, text messages, and social media can all become tools of power and control in the hands of an abusive partner.

Teens have the right to a safe and healthy relationship... free from violence and free from fear

WHAT IS DATING VIOLENCE?

Dating violence is a **pattern of abusive behaviors** used to exert **power and control** over a dating partner. The core of dating violence is power and control. Abusive words and actions are the tools that an abusive partner uses to gain and maintain power and control over his/her partner.

While the meaning of “**dating partner**” differs across generations and communities and the words used to describe intimate relationships change frequently, dating violence happens in all kinds of relationships – gay or straight, serious or casual, sexual or nonsexual, monogamous or non-monogamous, short-term or long-term.

WHO IS AFFECTED BY DATING VIOLENCE?

Youth of all ages, genders, and sexualities can experience abuse in a relationship. It cuts across all races, ethnicities, and socio-economic groups.

WORKING WITH TEEN ABUSERS

- If the suspect is a juvenile, make sure to file the case accordingly.
- If the suspect is of an appropriate age, consider either a fitness hearing to determine whether the suspect can be treated as an adult or direct filing on the suspect as an adult.
- Consider the nature of the conduct and the injury in determining appropriate charges.

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- Explain that you represent the state and are not the teen’s lawyer.
- Explain that your job is to protect the community and that you are required to prosecute crimes.
- Give the victim a chance during testimony to say that they are required to testify because of a subpoena. This may help a victim who is afraid of increased abuse because of their testimony.
- Speak first and directly to the youth, not to any accompanying adult. Educate yourself on your state’s minor consent laws so that you know when you must involve a teen’s parent and share that information with the teen.
- Walk through the entire court process with the teen, explaining the possible outcomes at every step.
- Explain the difference between criminal stay away orders and civil protection orders and, if appropriate, refer the teen to an attorney or advocate that can assist with a civil case.
- Do not make them feel guilty for feeling nervous or reluctant. Whenever possible, have the teen speak with a victim advocate before court.
- Visit the courtroom ahead of time, if possible, with the teen and explain the safety measures available in the courthouse.
- Keep the teen informed and updated on the progress of the case, especially the outcome of criminal charges.

TEN QUESTIONS EVERY PROSECUTOR SHOULD ASK TEEN VICTIMS OF DATING VIOLENCE

DOCUMENTING TECH ABUSE

Teens experiencing dating violence frequently report receiving threats, admissions of abuse, or controlling behavior in text messages or over the internet. Evidence of tech-based abuse can be invaluable for your case. Ask teen victims to preserve this evidence by:

- Printing out all emails that contain any evidence or information about the incident. Make sure the printout includes the sender, recipient, date, and time.
- Printing out text messages. If that's not possible, take a picture of the cell phone displaying the message and contact information.
- Printing screen shots of social media that contain evidence, such as admissions of abuse, threats of violence, or pictures of the victim that were not consented to. Remember to check both the victim's and the alleged perpetrator's sites.
- Recording voicemails onto a digital voice recorder and include the time/date stamp.

Suggest that the teen victim change any online passwords that may have been discovered by the perpetrator and monitor email accounts and social media closely.

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1. Has your (ex)boyfriend/girlfriend ever punched, kicked, strangled/choked, pinched, slapped, pushed or bitten you?
2. Has your (ex)boyfriend/girlfriend ever used a weapon to hurt you?
 - a. Does your (ex)boyfriend/girlfriend have access to weapons, such as guns or knives?
 - b. Has your (ex)boyfriend/girlfriend ever done any of the above to you while you were pregnant or with your child?
3. Has your (ex)boyfriend/girlfriend ever asked you to do something sexually that you felt uncomfortable doing?
 - a. Do they listen if you say you don't want to?
 - b. Have they ever used force to make you do something sexually you did not want to do?
4. Has your (ex)boyfriend/girlfriend ever threatened you or someone you know?
 - a. How did they make this threat? In-person? Over the phone? Online? Through another person (a family member or friend)?
 - b. Has your (ex)boyfriend/girlfriend ever contacted you in any way and said that they intended to harm you or made you feel afraid that they might hurt you?
5. Have you ever felt threatened by members of your (ex)boyfriend/girlfriend's friends, family members, or gang?
6. Has your (ex)boyfriend/girlfriend ever contacted you more than once either in person, over the phone, or through the internet when you did not want them to contact you or after you told them not to contact you?
 - a. Has your (ex)boyfriend/girlfriend followed you or shown up unexpectedly on more than one occasion when you did not want them to?
 - b. Has your (ex)boyfriend/girlfriend sent you unwanted gifts more than once?
7. Does your (ex)boyfriend/girlfriend use drugs or alcohol?
8. Has your (ex)boyfriend/girlfriend been violent outside of your relationship?
9. Have you already been to court?
 - a. Do you have a criminal stay away order or civil protection order?
 - b. Have you had a criminal stay away order or civil protection order in the past?
 - c. Did you work with a lawyer for your civil protection order case?
 - d. Do you wish to obtain either a stay away order or a civil protection order now?
10. If you want a criminal stay away order or civil protection order, do you have any children or family members who will also need to be protected by the order?
 - a. Was your child or any witness (family member or friend) present during the abuse?

BEING AN ALLY

The prosecutor is often one of the first people with whom victims of teen dating violence share their full stories. Teen victims need to feel that prosecutors take their experiences of abuse seriously. Teens depend a great deal on their peer group and are likely to share their experiences with one another. Taking the extra time to be supportive and

compassionate with teen victims will encourage more teens to seek out the help they need in the future.

REMEMBER: Even if you ultimately decide not to go forward with a case, it is important that those in the legal system do not minimize the violence or abuse that a teen has experienced.

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