

Interpersonal Processes Associated With Victim Recantation

(Abbreviated Version)

Amy E. Bonomi, PhD, MPH
Human Development and Family Studies
Research Consortium on Gender-Based Violence
Michigan State University
bonomi@msu.edu

Study Background

The Problem

- 25% of women experience domestic violence in their lifetime (*Tjaden & Thoennes, 2000: NIJ report*)
- For cases reaching the court system, 80% involve recanting victims (*Meier, 2006*)
- Victim participation not necessary, but participation strengthens prosecution

Existing Literature: Victims Recant Because They:

- Fear retaliation, due to the perpetrator's threats
- Are financially & emotionally connected to the perpetrator
- Believe the crime is not severe enough
- Are concerned about their children
- Are psychologically vulnerable
- Have disillusionment with the prosecution process and/or poor access to advocates

(Bennett et al., 1999; Dawson & Dinovitzer, 2001; Ellison, 2002; Goodman et al., 1999; Meier, 2006; Roberts et al., 2008; Zoellner et al., 2000)

Limitations of Existing Information

- Derived from case files & victim statements, which give only part of the picture
 - Recording bias
 - Recall bias
- How do recantation processes unfold, in real time, when victims have contact with their detained perpetrator?

Study Objectives

- To describe interpersonal processes associated with a victim's intention to recant, using telephone conversations between the victim & perpetrator
- To describe how couples constructed the recantation plan once it was clear that the victim intended to recant

Study Methods

Subjects

- 17 heterosexual couples, comprising detained male perpetrators & their recanting female victim
- Audio-taped telephone conversations during the pre-prosecution jail period (Seattle/King County)
 - Multiple conversations for each couple
- Subjects knew they were being recorded
 - State v. Modica: 164 Wash.2d. 186 P. 3d 1062, Wash. July 10, 2008 (NO. 79767-6).



King County Correctional Facility

Subjects

- Males charged with felony-level violence
 - Assault
 - Strangulation
 - Kidnapping
- Racial/ethnic representation
 - 5 African American couples
 - 4 Caucasian couples
 - 8 couples with mixed or unknown racial background

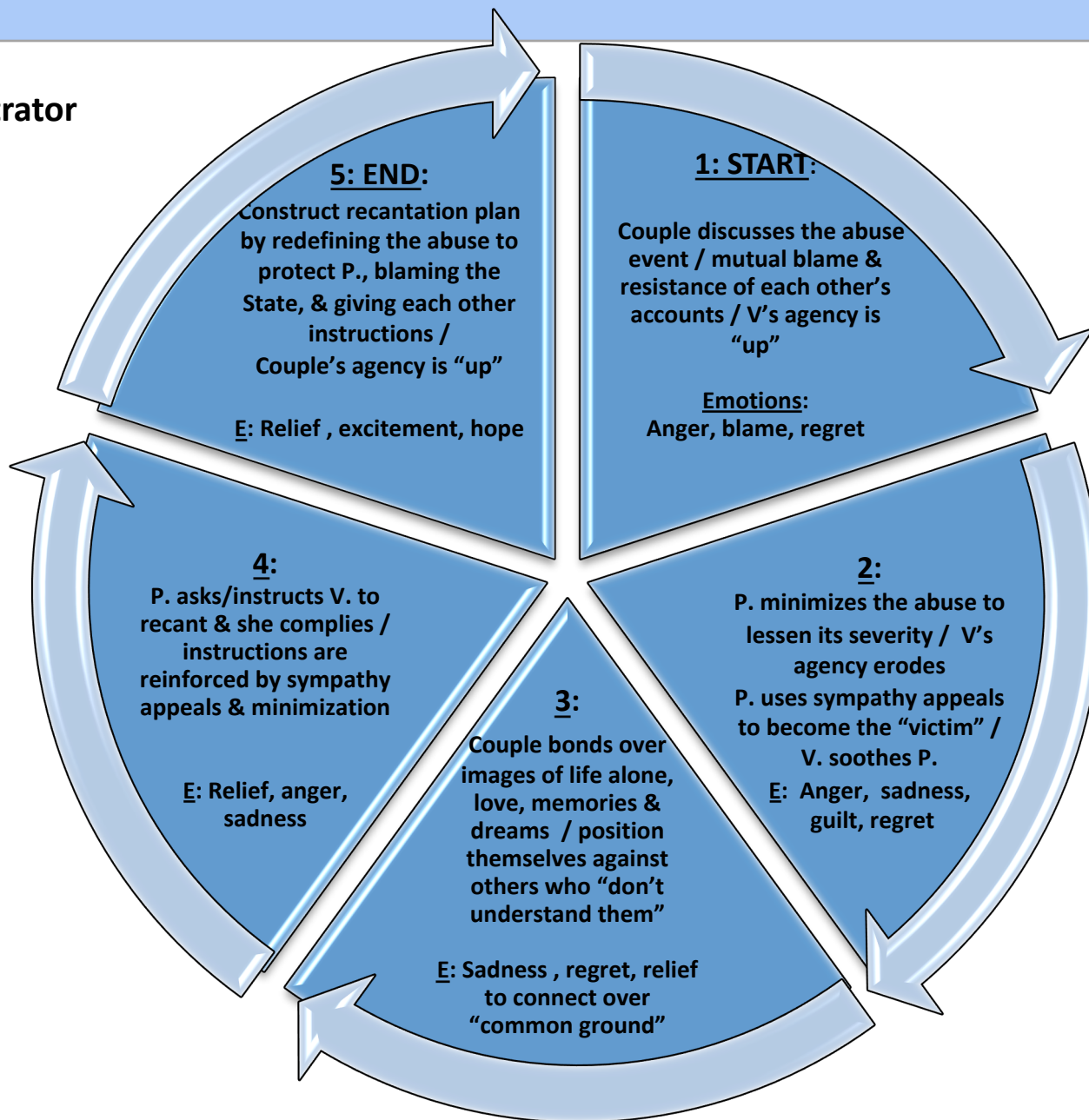
Why Are These Data Important?

- Calls occurred before prosecution over length of entire jail stay, so allowed us to hear detailed information about “how recantation happens”
- Demonstrate victim/witness tampering & no contact order violation
- Allow jurors & judges to hear what recantation is about (recanting victims signify an especially dangerous offender)

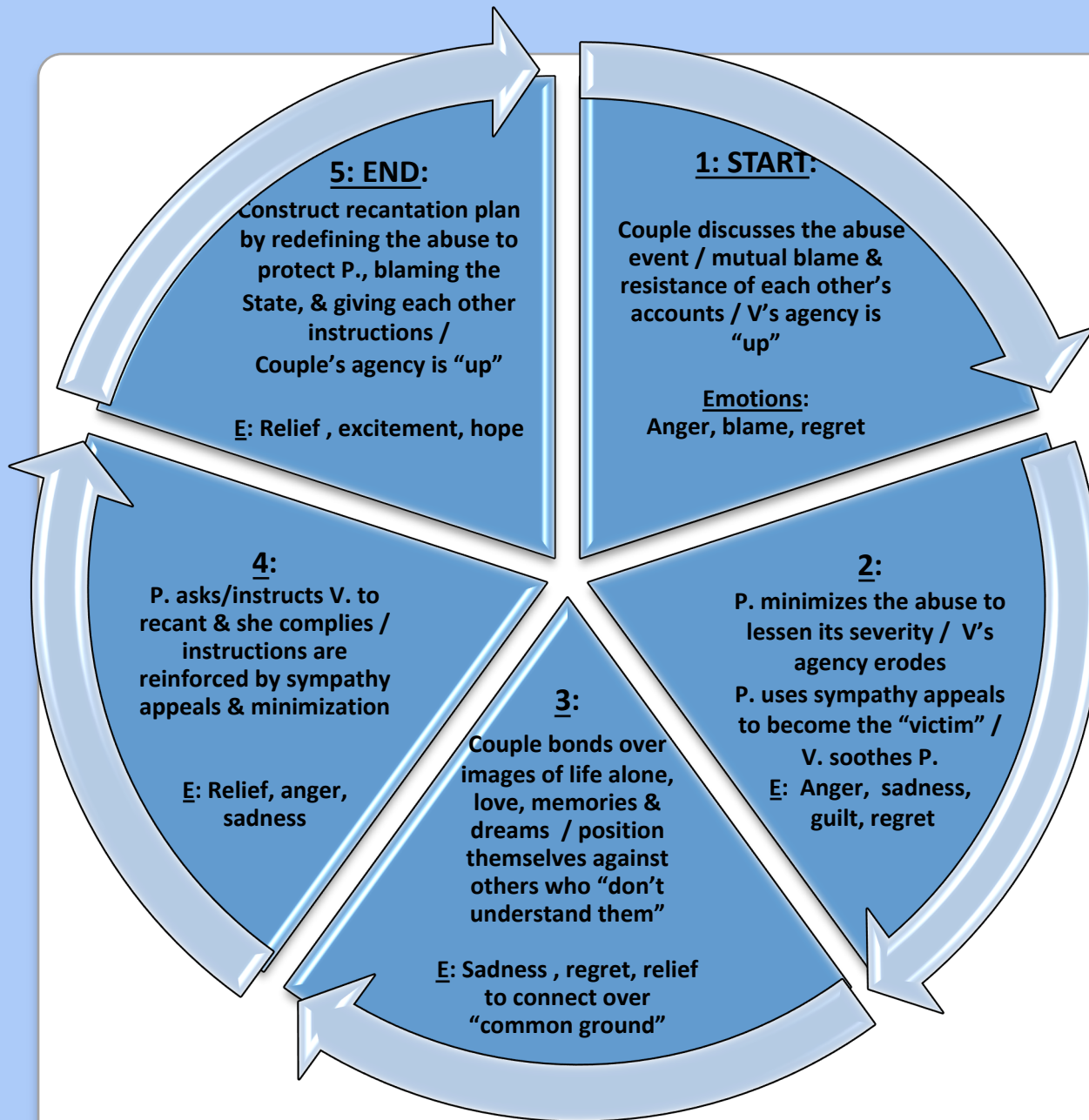


Study Results

P=Perpetrator
V=Victim



Stages 1 to 5 in More Detail



Stage 1:

Discuss abuse

Mutual blame

Resist each other's accounts

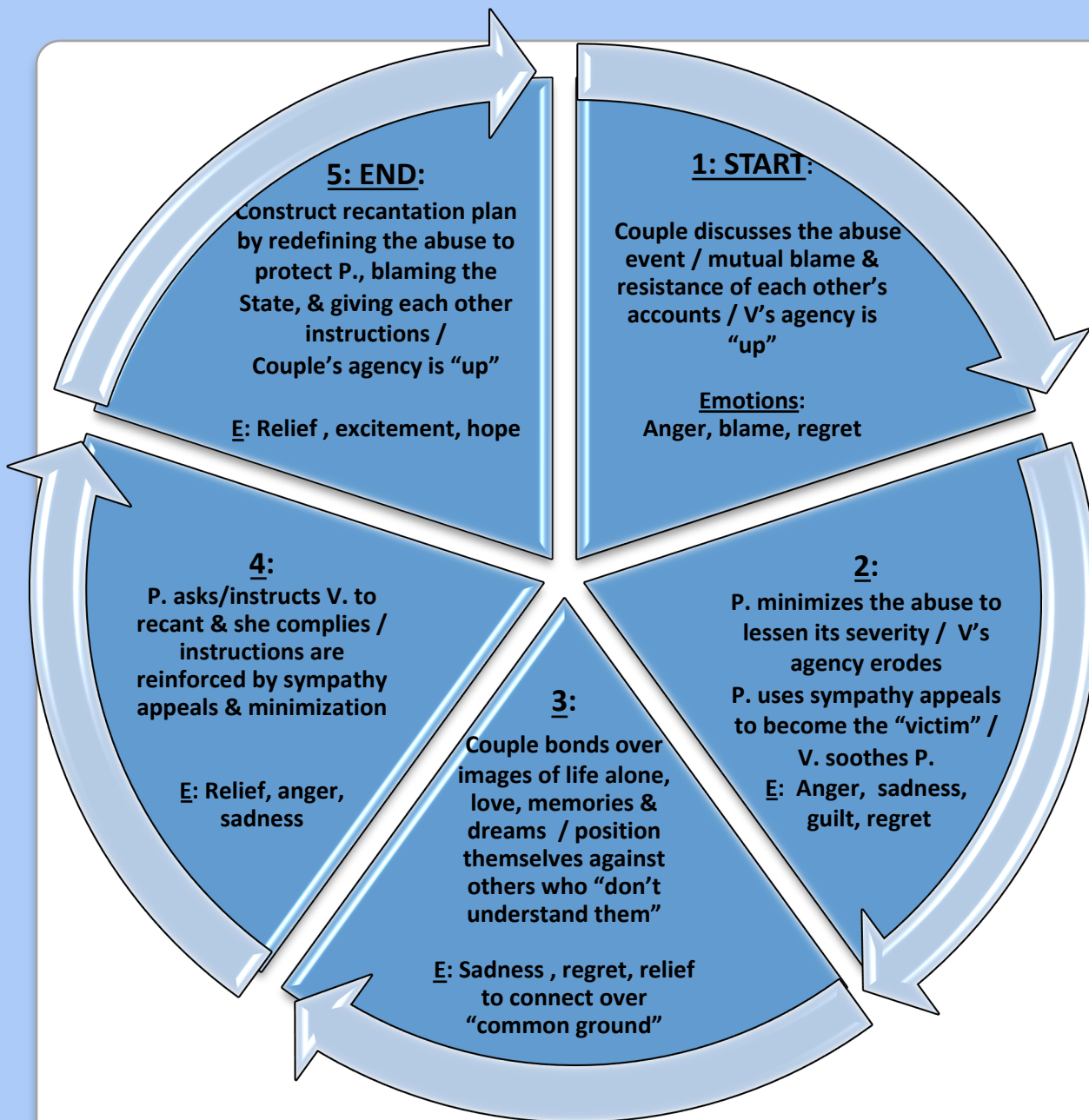
Victim's agency is "up"

Discussion of the Abuse Event

V: You basically socked me in my stomach a few times, you strangled me to the point I could not breathe and fell to the floor. You spit in my face three times and held me down ... the lacerations on my neck and the broken finger and the fact that you socked me so damn hard that I could not breathe and I basically have pains in my chest and my ribs even today ... I have been totally abused.

P: Do you realize that before anything happens, I just try to go and you don't allow that? I came in peace. I didn't say anything. You were drinking.

Abuse Event Audio-clip



Stage 2:

P. minimizes the abuse to "lessen its severity" / V's agency erodes

P. uses sympathy appeals to become "the victim" / V. soothes P.

Sympathy Appeals: “Suffering” from Intolerable Jail Conditions, Mental Illness, Life without Victim

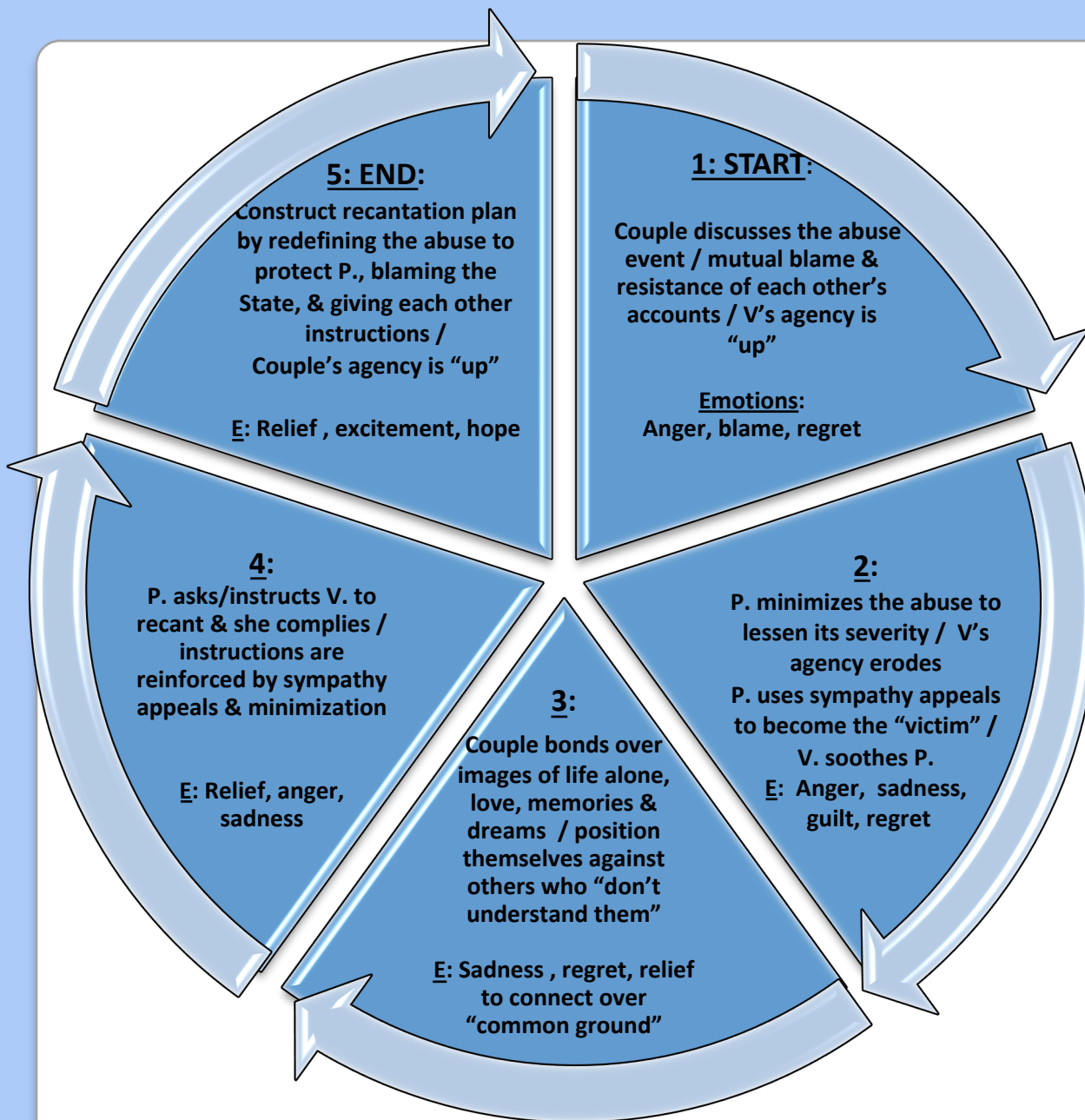
P: [Crying] You don't know how it feels. I just wanna' get out of here [repeats this numerous times]. I don't know if I can do another day here.

V: Why? What's so bad?

P: It's horrible. (The) people. I don't know if I should call you again or what.

V: Call me whenever you can ... whenever you feel like it.

Sympathy Appeal Audio-clip



Stage 3:

Couple invokes images of life alone

Bond over love, dreams & memories

Position themselves against others who "don't understand them"

Bonding Over Buddha

P: [Soft, gentle tone] Listen to me, this is your husband talking to you [image of connection to victim] ... the Buddha said we both need to listen to each other, right? ... That's really important to me because I'm hurting right now [sympathy appeal] ... I'm hurting because we don't listen to each other [mutual blame] ... but if we start listening to each other ... from this point on, I'd like to ask that we start acting like husband and wife [image of solid connection/bond].

V: OK, yes, we need to listen to each other.

I wish that you can visit me I really want to see your beautiful face and sexy body

Read Romans 13: 11-14

This is me starting to wake-up and realize that there is a better life for me and you not the one we had in darkness but in light.

Please don't give up on me I'm doing my best in here to get the perfect life for us so when I get out.

By the time you get this I will be reading 2 Nephi or I might be in Jacob.

I love you.

I Miss you

My beautiful wife

From your husband

Pray for us as I do.

Kiss for you

my lover

Don't give up on us I love you

Read Matthew 19: 3-9

Bonding over Dave Matthews

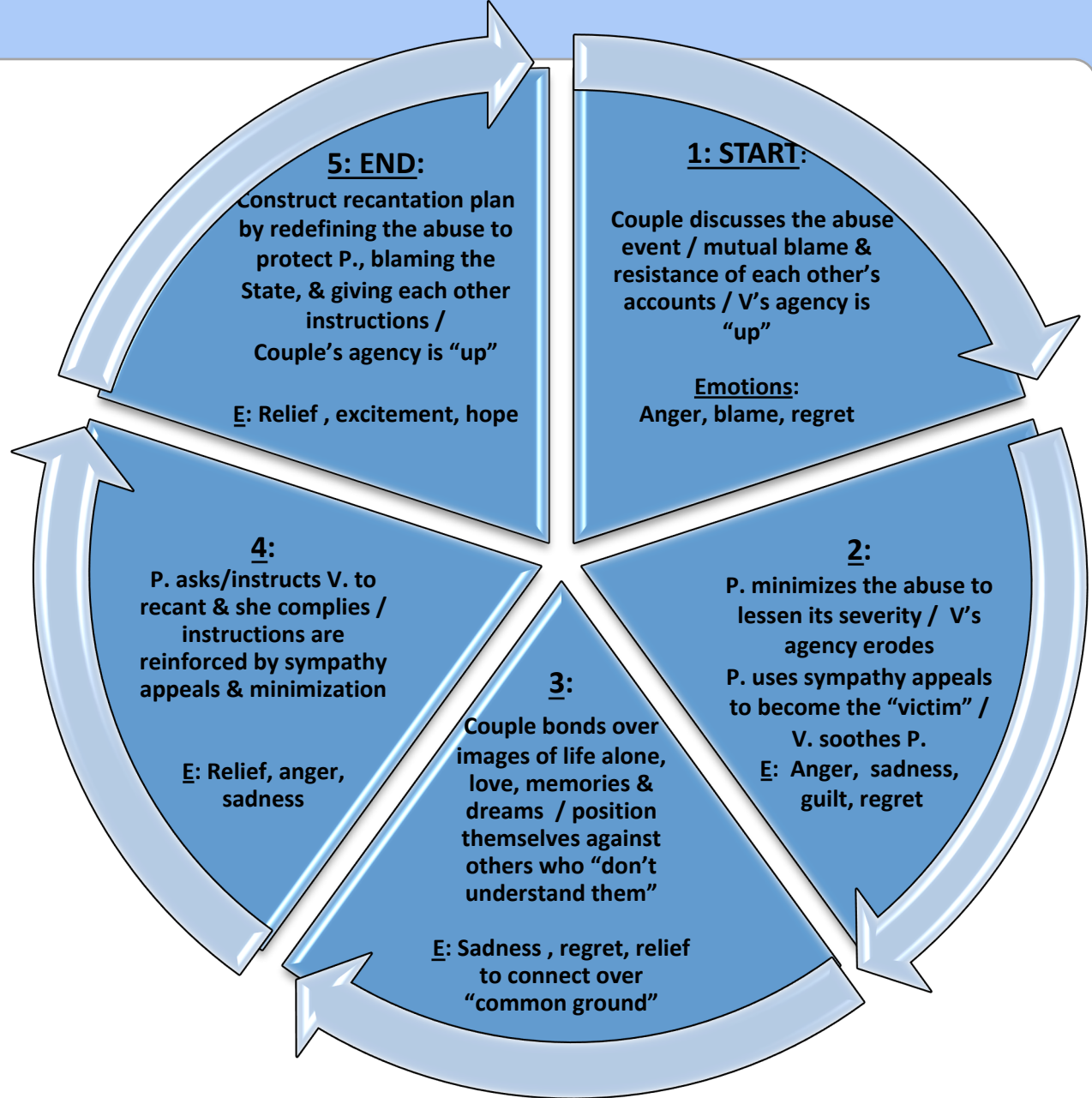


Stage 4:

**P. asks V. to
recant**

V. complies

**P's reinforces
instructions with
sympathy
appeals &
minimization**



Ask Her to Recant

P: You ... gotta' say ... what you wrote on, in the police report is a lie, that you're just mad at me 'cause you thought I was cheatin' on you with your cousin. If you say that--

V: [Laughs] Okay.

P: If you say that, they'll automatically let me go.

V: Okay.

P: Alright?

V: Uh-huh.

P: You know I love you? ... Cause like, you know, but they might give you five or ten days, but that's better than me doing sixty to ninety days.

V: Me?!

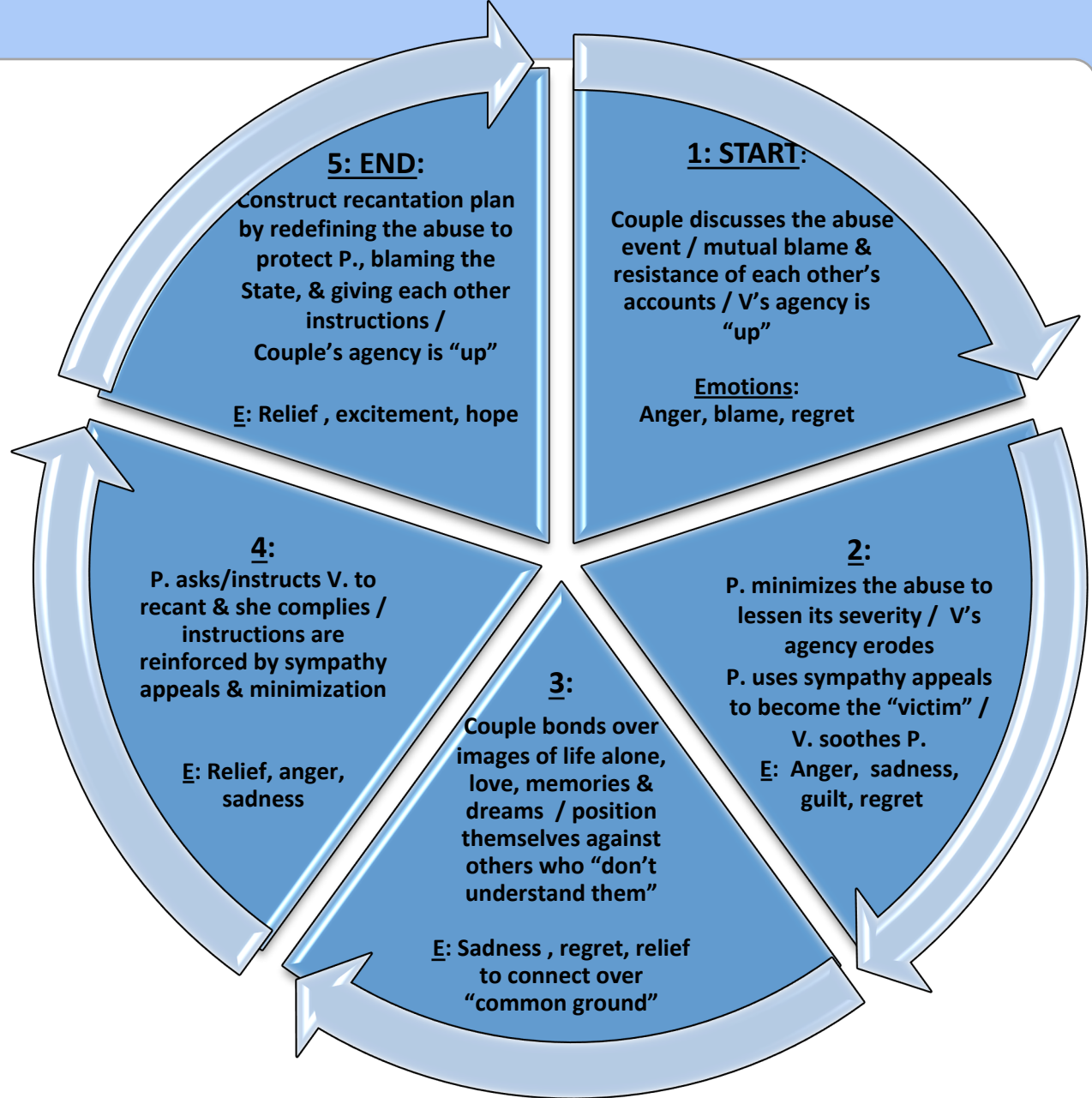
P: Yeah, but that's better than me doing sixty to ninety days ... babe, I just spent five days in the hole. You can't do five days for me?

Ask Her to Recant Audio-clip

Stage 5:

Couple constructs the plan:

- 1) Re-define the abuse to protect P.**
- 2) Blame the State**
- 3) Give each other instructions**



Blame the State

V: I told the judge we don't want it (the protection order) ... they're (the State) ruining people's lives. The domestic violence advocate called me ... she said the whole case is totally unfair ... I told her what happened and she said that no contact order is totally ... not fair because we didn't want it, we do not want it ... we want to be together ... we have children.

P: We'll blow her (the prosecutor) up (in court) tomorrow!

Instructions Audio-clip

Give Each Other Instructions

V: Be like, up front, be like “I was out of control drunk, I was in a blackout. I would not have, I would’ve never done something like that” ... you need to tell the judge that you do need (anger management) ... so he lets you the fuck out of there ...

Study Summary

- Recantation influenced by:
 - Perpetrators' sympathy appeals ("the tipping point") & minimization
 - Couple bonding over images of life alone, love, dreams & memories
- Constructing the recantation plan included:
 - Re-defining the abuse
 - Blaming the State
 - Giving each other instructions

How do our findings compare to other studies?

Compared to Prior Studies ...

- Financial concerns apparent but did not seem to motivate recantation
- Couples discussed children, but in only one couple did the couple's child serve as the "tipping point" for the victim recanting
- Disillusionment with the justice system (one couple)
 - *"You get a slap on your wrist, that's it, and you're out ..."*
- Threats (one couple)
 - *"If you go against me on this one, it's gonna' be the worst mistake you ever make in your whole life ..."*

Compared to Prior Studies ...

- Recantation influenced by coercion:
 - The process of coercion was subtle:
 - Sympathy appeals
 - Minimization
 - Perpetrator's "interest" in maintaining the relationship
- Emotional connection to the perpetrator also motivated victims to recant
- Victims had stronger resistance when they had social support (e.g., family members present) while talking to the perpetrator

Study Implications

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- Connect victims to trusted advocates who can help them defend against perpetrators' sophisticated emotional manipulations
- Prosecutors should redouble efforts in recanting cases to hold perpetrators accountable for their actions
- Train judges & jurors in the process behind victim recantation, including victims' vulnerabilities & strengths

Questions, Comments, Feedback?

Bonomi AE, Gangamma R, Locke CR, Katafiasz H, Martin D. “Meet me at the hill where we used to park:” Interpersonal processes associated with victim recantation. *Social Science and Medicine* 2011; 73:1054-1061.

VIOLENCE

Physical

**Using Coercion
& Threats**

Making and/or carrying out threats to do something to hurt her, threatening to leave her, to commit suicide, to report her to welfare, making her drop charges, making her do illegal things.

**Using
Intimidation**

Making her afraid by using looks, actions, gestures, smashing things, destroying her property, abusing pets, displaying weapons.

Sexual

**Using Emotional
Abuse**

Putting her down, making her feel bad about herself, calling her names, making her think she's crazy, playing mind games, humiliating her, making her feel guilty.

**POWER
&
CONTROL**

**Using
Economic
Abuse**

Preventing her from getting or keeping a job, making her ask for money, giving her an allowance, taking her money, not letting her know about or have access to family income.

Using Male Privilege

Treating her like a servant, making all the big decisions, acting like the "master of the castle," being the one to define men's and women's roles, societal privilege in general.

Using Isolation

Controlling what she does, who she sees and talks to, what she reads, where she goes, limiting her outside involvement, using jealousy to justify actions.

**Using
Children**

Making her feel guilty about the children, using the children to relay messages, using visitation to harass her, threatening to take the children away.

**Minimizing,
Denying &
Blaming**

Making light of the abuse and not taking her concerns about it seriously, saying the abuse didn't happen, shifting responsibility for abusive behavior, saying she caused it.

Physical

Sexual

VIOLENCE