



Strengthening Relationships between Couples to Respond to Domestic Violence: a Commentary on Policy Changes Needed to Support this Evolution

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Accepted: 15 May 2022 / Published online: 7 June 2022
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Abstract

Broad calls to narrow the role of police in American society have begun to include arguments to reduce the carceral responding to intimate partner violence (IPV) and add a stronger social response. The field's improved understanding of lethality risk assessment; better classification of offender risk by past involvement with general violence or family only violence; and positive findings from trials of relationship strengthening interventions as couples counseling, restorative justice practices, and mediation, call for exploring relationship-strengthening approaches to complement more carceral approaches. Yet, a half century of adherence to traditional IPV service approaches that have steered away from relationship strengthening has generated an array of procedures and policies that need to change before the IPV services field can broaden and become more responsive. These changes are likely to be more fitting across racial and cultural groups and more suited for those seeking to improve relationship safety. This paper reviews these trends and considers legislative remedies that would facilitate the emergence of additional safe, empowering, relationship-responsive, trauma sensitive additions to IPV services.

Keywords IPV · Relationship strengthening · Couples · Policy · Mediation · Counseling · Dispute resolution

Recent calls to find alternatives to excessive use of police force, a key plank of the racial reckoning and equity movement, are resonating in intimate partner violence (IPV) services. The current value of our police-centered responses to domestic violence via 911 calls, responses that typically bring armed police with a mandate to arrest those who have used violence, has been disputed in the legal community (Goodmark, 2021) and among leaders in the sexual assault and domestic violence state coalition via the “Moment of Truth” (2020) declaration. This call for alternatives comes at a time when the pandemic has put great pressure on domestic violence shelters (Tolan, 2020). Additionally, advances in risk assessments for subsequent severe violence and promising interventions emerging to safely strengthen low-level violent relationships, call for a rapid response to ensuring that public policy is ready to allow testing of additional non-residential,

non-carceral IPV services. This commentary asserts the importance of expanding use of relationship strengthening interventions as additional ways to respond to IPV, and the need to modify current policies, programs, and practices that dominate the IPV service sector to facilitate this development. The relationship strengthening interventions we address in this commentary share common features. They are all voluntary and allow for intimate partners using violence and experiencing violence to work on achieving a safe relationship under structured intervention protocols after initial safety assessments and with assurances of ongoing safety monitoring.

The laws and policies on the books reflect a forceful and narrow view of IPV that harkens back to the 1970s. The *Moment of Truth* letter recognized that the historic response to IPV has had a heavy reliance on carceral responses and repeatedly failed Black, Indigenous, and people of color (BIPOC) survivors, leaders, organizations, and movements by investing significantly in false solutions and in the criminal legal system, despite knowing that the many survivors do not want to engage with it and are often re-traumatized by it. This message builds on earlier arguments by Potter (2008), Ritchie (2012), Kim (2019), and Messing et al. (2017) that

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VAWA, and derivative state policies, were too focused on carceral approaches at the expense of the interests of BIPOC women and men. Support for the value of trying to maintain a relationship—if the level of safety can be improved by helping their partner overcome the use of violence—is also found in the voices of women who have been victims of violence (e.g., Cravens et al., 2015). The recognition by leaders from many rural state coalitions that have been leaders in the development of a standard of acceptable practices with regard to what is expected (e.g., mandatory arrest policies and batterer’s intervention programs), what is fundable, and what is not acceptable as practice within the IPV service sector. The argument that we need a less traumatizing, more empowering, less carceral set of social responses to effectively respond to IPV, in general, is not new (Goodmark, 2018a, b; Mills, 2009). Although the “Moment of Truth” letter does not include any mention of whether the current models and policy framework for responding to IPV are also generally unsuited for White women, the letter’s recognition that we need further development of alternative approaches could not be clearer. Further, recent research has begun to show that historic ways of understanding of IPV have the potential to obscure or negate vital protective and risk factors for LGBTQ specific perpetrators and survivors alike (Cannon & Buttell, 2020). “Avoiding the Justice System,” sometimes by getting other forms of professional help, is a not uncommon and often helpful strategy for women survivors of IPV (Hanson et al., 2021). This all suggests the need for corresponding policy, system, and workforce development to support the development of supplemental efforts.

The timeliness of reviewing the current set of policies, programs, and practices that dominate the IPV Service sector also arises from three additional developments. The first is the growing recognition of the high levels of incarceration in the US; recognition of the damage this does to individuals, families, and communities; and the broad support for smart decarceration (Epperson & Pettus-Davis, 2017). Clearer documentation of the “protection order to prison” pipeline, especially for people of color, has gained greater recognition as well (Belknap & Grant, 2021; Durfee & Goodmark, 2021).

Calls for the appropriateness of “Defunding the Police” are controversial but there is considerable interest on the part of police and human services advocates in re-assigning activities that the police are not essential for, or especially well trained for, to other entities. These include calls for ending police involvement in schools, in traffic stops, in child welfare investigations, and in mental health services crisis response. The emergence of an array of federal and local policy developments to equip a national system of Mobile Crisis Response to address behavioral health problems, is a key part of this effort. These mobile response programs are likely to be staffed by a cross-trained, and interdisciplinary, human services workforce that is skilled in home-visiting to address crises. The development

of such a workforce offers considerable promise for expanding options for supplementary approaches to IPV services.

The second key element that aligns with our call for this moment to change is the growing social science evidence that what we are doing is not helping and that alternatives may be quite promising. Part of this is the substantial evidence that the standard Batterer’s Intervention Programs (BIPS) are prone to high attrition (especially among men of color, Priester et al., 2019), often do not prevent recidivism, fail to address underlying trauma, often lack the support and confidence of the courts (Aaron & Beaulaurier, 2016; Voith et al., 2018; 2021). Although BIPS could be considered to have equivocal results (Cheng et al., 2019), an impressive array of studies are also showing that BIPS, alone, are not as good as, or are no better than, alternative interventions like BIP plus cognitive behavior therapy (Nesset et al., 2020), and restorative justice practices (Mills et al., 2013). We certainly agree that BIPS that are trauma-informed may improve their success but that is just one additional way to meet the call to tailor services to the needs of the couples experiencing violence (Butters et al., 2021).

Further, the research evaluating relationship strengthening interventions is gradually mounting. These interventions are ones that prevent or de-escalate conflict through practice of such methods as social problem solving, exploring the antecedents to conflict, emotion regulation, power and resource sharing, and successful management of intimacy and jealousy. We offer a brief, review, here, of the promise of couples counseling, dispute resolution and mediation, although other methods (e.g., focusing on shared parenting, Stover et al., 2020) and more comprehensive reviews are rapidly emerging (e.g., Bermea & VanBergen, 2022).

Results of rigorous clinical studies of couples counseling for carefully screened couples involved with IPV are quite positive (Babcock et al., 2019; Bennett et al., 2020) as are the preliminary evaluations of restorative practices (Pennell et al., 2020). Also auspicious are new studies that include couples using violence who completed online relationship education programs that had significant, strong effects in decreasing behavioral health problems and IPV (e.g., Spencer et al., 2021). Information gleaned from research on divorce mediation with couples who use violence also offers promise (Rossi et al., 2020; Holtzworth-Munroe et al., 2021). Similarly auspicious are findings from online relationship education programs with couples using violence (Roddy et al., 2021; Spencer et al., 2021).

The kernels of relationship strengthening interventions have now received some rigorous evaluation. When used under controlled conditions the results are promising. This is not to say that these methods have been sufficiently submitted to effectiveness trials. We have little understanding of how these methods would work out if brought to scale and combined with risk assessments and other efforts to offer these interventions to the couples who could most safely and effectively use them.

Fourth, the epidemiology of domestic violence and assessment of dangerousness continue to develop and clarify that some violent relationships are less likely to become dangerously violent than others (Graham et al., 2021; Messing, 2019). Certainly we now know, contrary to Pagelow's (1981) famous dictum that "almost all researchers agree that batterings escalate in frequency and intensity" (p. 45), that domestic violence does not uniformly get more intense and dangerous (Connelly et al., 2006; Parker et al., 2020; Verbruggen et al., 2020; Walker et al., 2013, 2017). Instead, a substantial portion of IPV is situational or low-level violence (Johnson, 2010; Karystianis et al., 2019), and that severity levels of violence are likely to be quite stable (Taylor et al., 2021). We have also growing evidence that the course of continuing violence is different for those who have had a history of violent criminal arrests than for those who have only used violence within families (Taylor et al., 2021). Yet, *family only* violent men are about half of all perpetrators (Pettersson & Strand, 2020) and are more likely to productively engage in currently available treatments (Priester et al., 2019).

Yet, research in our field has, so far, identified few truly sentinel characteristics of couples that experience violence, can safely proceed to work on their relationship, and do not need police intervention (Graham et al., 2021; Messing et al., 2021a, b; Matias et al., 2020). Nonetheless, we think that this should be a goal of what researchers and program evaluators accomplish. The time seems right for a surge of intervention research to better understand how to employ alternatives and supplements to law enforcement responses for those who have low lethality risk. This research should give priority to the wishes of victims of IPV—many of whom wish to safely maintain their relationships. We believe that giving more attention and resources to building interventions to support healthy relationships are in keeping with Kulkarni's (2019) call for moving the IPV field forward by expanding survivor's roles/input, strengthening funding streams and organizational commitment to anti-oppressive, survivor defined, trauma-informed services; forging cross-sector advocacy relationships, and knowledge building.

Continued growth in research and understanding is only part of what is needed for the field to evolve. More exploration of new intervention methods can be achieved and promising interventions can be scaled up and tested if policy and funding barriers are cleared. The IPV services research field, as modest as it is, has enough research to go on to suggest the viability of further testing of relationship strengthening interventions—specifically, couples counseling, restorative practices, and mediation. Yet, this will take a concerted effort to achieve—beginning with an understanding of what will limit success (Barth et al., 2022). This includes the refinement of existing policies to encourage and support an expansion of relationship strengthening interventions.

Building Healthy Relationships in the Intimate Partner Violence Policy Landscape

Expanding options for broadly developing and offering relationship strengthening services requires policy change—change essential to open up options for innovation, for funding of services to interrupt the trajectory of relationship violence, and to strengthen implementation and outcome research on domestic violence services. The remainder of this paper offers a policy analysis fundamental to addressing the major federal agencies and programs that now provide support (or act as barriers) for these needed functions.

The federal agencies that fund domestic violence services, and a touch of research, are the National Institute of Justice (NIJ) and the Department of Health and Human Services (DHHS). Under NIJ sit the funding for NIJ Research and the Office on Violence Against Women (which funds VAWA along with a smaller contribution from DHHS). Under VAWA is the STOP (Services, Training, Officers, and Prosecutors) program which was first funded in 1994 and has been re-authorized and amended in 2005 and 2013 and is up for re-authorization in 2021. The Department of Justice has also funded VOCA (Victims of Crime Act) since 1984, under the Office for Victims of Crime. VOCA supports a broad array of programs and services that focus on helping victims in the immediate aftermath of crime and continuing to support them as they rebuild their lives. The U.S. DHHS, since 1984, has administered a domestic violence program, the Family Violence Prevention and Services Program (FVPSP). The FVPSP administers \$130 M in funding through grant programs to states and territories, Tribes, and coalitions; national resource centers and specialized services for abused parents and their children demonstrations; and a national domestic violence hotline (U.S. DHHS, State Domestic Violence Coalitions, <https://www.acf.hhs.gov/fysb/programs/family-violence-prevention-services/programs/state-dv>). The CDC, another part of DHHS with the most holistic view of the commonality of violent relationships (Wilkins et al., 2014), also funds domestic violence services re their DELTA Program, which operates through competitive grants to 9 states (CA, DE, MI, NC, PA, RI TN AL OH). The awarded amounts have been quite modest in the range of \$400,000 per award—certainly not enough to rigorously evaluate these programs (CDC Grand Funding Profile, 2021; <https://fundingprofiles.cdc.gov/>).

Overall, a substantial portion of funding for DV services is sent down to states to distribute as they see fit—sometimes they then administer their own competition for service grants. States and local jurisdictions also put in their own tax revenues to provide services and agencies (many

of them NGOs) stretch these funds further via philanthropic development. Although it is difficult to determine exactly what the proportion of funds are that are distributed through the state Domestic Violence Coalitions vs. those that are funded via demonstration projects from the federal or state government, we expect that the demonstration projects are much smaller. The research and evaluation component of these demonstration projects is also, typically, modest. Service development and testing is not a priority.

Within the US DHHS, NIH's behemoth granting mechanism does not have an Institute devoted to domestic violence or a strong funding profile among its existing Institutes. The Health Resources and Services Administration (HRSA, 2017) has an IPV strategy which focuses on training of health care workers about IPV and includes research goals to understand and address trauma and IPV.

Research on domestic violence is, principally, funded by the Department of Justice. NIJ funds competitive research and evaluation projects to support the development of objective and independent knowledge and validated tools to reduce violence against women, to promote justice for victims of crime, and to enhance criminal justice responses. They seek to conduct research and evaluation projects examining a broad range of topics, including the crimes of domestic and family violence, homicide, intimate partner and dating violence, rape, sexual assault, stalking, and sex trafficking, along with the associated *criminal justice system response, procedures, and policies* (italics added for emphasis), <https://nij.ojp.gov/funding/opportunities/o-nij-2021-45009>.

The remainder of this article addresses the specific federal and state regulations that are likely to impinge on the expansion of relationship strengthening approaches to safely resolving IPV that is unlikely to have high injury or lethality risk. Suggested modifications are proposed in order to advance the possibility that a set of less carceral and more empowering interventions can gain the support, usage, and evaluation needed to fully understand which violent couples they might assist.

Federal Grant Programs

In addressing intimate partner violence, domestic violence, and violence against women, the Federal Government enacted legislation to provide direct and indirect support for organizations that administer services that prevent violence and support victims. Such legislation includes the Violence Against Women Act, Victims of Crime Act, and the Family Violence Prevention & Services Act. These acts codify grant programs into the United States Code, establishing funding regulations through law, and. Create federal agencies to oversee who qualifies for funding and the implementation of the grant programs.

While every agency has the ultimate goal of ending domestic violence, each has its own mission, rules, and regulations in achieving this objective. Some federal agencies implement discretionary grant programs and provide direct funding to service organizations that work with domestic violence victims and survivors. Most agencies provide funding directly to the states and grant the states the discretion to determine which service organizations qualify for funding. This granting of discretion by the states still arguably requires adherence to the original legislative language—almost none of which supports or encourages the funding of relationship strengthening programs.

Federal and state resources have, typically, not been used to encourage or evaluate relationship strengthening strategies. Legislation almost never mentions these strategies as an option for funding and may rule them out. Couples-based interventions and restorative justice and mediation programs have, historically, been especially controversial in the field of domestic violence. Despite accumulating evidence supporting such programs, federal agencies have not opened their program announcements to more robustly support the further testing of programs that provide healthy-relationship-building interventions in fear such programs will jeopardize victim safety. As research demonstrates, programs that focus on healthy relationship building and interrupting the trajectory of violence have promise in reducing the likelihood of future IPV perpetration.

Three Key Federal Policies re IPV Services and Research Funding

Each federal agency provides different legal barriers in obtaining funding for couples-based interventions as well as various potential avenues in securing funds. This section examines each program's barriers and opportunities for funding.

Violence against Women Act (VAWA) In 1994, and reauthorized in 2005, 2013, and 2022, Congress passed the Violence Against Women Act to expand juridical tools to combat violence against women. After its passage, Congress created the Office on Violence Against Women (OVW) to implement the VAWA legislation. OVW awards discretionary funding to local, state, and tribal governments, non-profit organizations, community-based organizations, secondary schools, institutions for higher education, and state and tribal coalitions (OVW Grants and Programs, 2019). Specifically, these grants are used to develop effective responses to violence against women through direct services, crisis intervention, transitional housing, legal assistance, court improvement, and training for law enforcement and courts (Office on Violence Against Women, 2021). The direct services component might be used to fund relationship strengthening approaches.

Through the four “formula” programs, OVW provides funding directly to states and territories, which are then responsible for distributing funds to service providers. In 2018, OVC distributed \$153,631,637 million to the states (FY 2020 Congressional Submission, 2019, p.9). While VAWA grants the states discretion in distributing funds, the federal legislation and regulations specify how the states distribute funds through four programs (Grant Programs to End Violence Against Women, 2016).

The STOP formula grant program allows funds to be used to enhance “the capacity of local communities to *develop and strengthen effective law enforcement and prosecution strategies* to combat violent crimes against women and to develop and strengthen *victim services* in cases involving violent crime against women” (Grant Programs to End Violence Against Women, 2016, p.1). States and territories must allocate STOP funds in compliance with the Violence Against Women Act, codified in 28 C.F.R. sections 90.1–90.67. Specifically, the state must allocate at least 25% of funds to law enforcement, 25% to prosecutors, 30% to victim services, 5% to state and local courts, and 15% for discretionary distribution determined by the state (Violence Against Women Act, 34 U.S.C.S. § 10446, 2022). This leaves no discretion to include relationship strengthening programming unless *victim services* are more explicitly defined to also include work on relationships with partners. This explanation could be provided in the guidance “victim services may include relationship strengthening services that stop violence.”

In regard to victim services, the OVW emphasizes improving the delivery of services to underserved populations. However, the program places a strong emphasis on collaboration between victim services and law enforcement (OVW Fiscal Year 2021 STOP Formula Grant Program Solicitation, 2021, p.3). Therefore, service providers that aim to disassociate from law enforcement may encounter roadblocks to funding. VAWA defines “victim services provider” as a “nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking” (Violence Against Women Act, 34 U.S.C.S. § 12291, 2022). In order to solidify relationship strengthening practices in law, the code should include “relationship strengthening and trauma based services with a documented history of effective violence reduction” to the definition. Furthermore, the STOP program should deemphasize the importance of collaboration between victim services and prosecution by indicating that this collaboration is not *required*.

Congress included provisions encouraging restorative practices in cases of domestic violence in the 2022 version of the Violence Against Women’s Act. However, the Act creates a substantial barrier for programs that aim to build healthy relationships to stop the trajectory of violence among couples experiencing low levels of violence in their relationship and seeking to maintain their relationships. Nonetheless, the restorative practices established in VAWA emphasize that the practices are meant to enforce offender accountability rather than supporting the strengthening of relationships. Specifically, the Code of Federal Regulations states that “grant funds may not be used to support activities that compromise victim safety and recovery” (Violence Against Women Act, 28 C.F.R. § 90.24, 2022). Ultimately, the regulations assert the purpose of the STOP Program is to enhance victim safety and offender accountability, thus states may not distribute funds to programs that compromise victim safety. (This is often understood to mean that STOP does not support interventions unless they require separation of the offender and victim—this should be clarified as allowing work with offenders and victims, together, as part of evidence-supported interventions.)

The OVW grant solicitation enumerates various practices and procedures that jeopardize victim safety each year. The 2022 solicitation explains that “OVW does not fund activities that jeopardize victims safety, deter or prevent physical or emotional healing for victims, or allow offenders to escape responsibility for their actions” (FY 2022 Solicitation Companion Guide, 2022, p.17). The Solicitation states that “procedures or policies that require victims to take certain actions (e.g., participate in couples counseling or mediation...) to receive services” qualify as jeopardizing victim safety (FY 2022 Solicitation Companion Guide, 2022, p.17). The discretionary grant programs label “couples counseling, family counseling, or any other joint victim-offender counseling as routine or required response to sexual assault, domestic violence, [and] dating violence” as jeopardizing victim safety (FY 2022 Solicitation Companion Guide, 2022, p.18). However, the Federal Regulations and the Solicitation do not explicitly ban all forms of couples counseling. The OVW stresses it is programs that “required” couples counseling that will not receive funding. Still, the language serves as a substantial barrier for programs providing healthy relationship-building interventions as an option.

While the language of VAWA creates legal barriers, other language expressed in the Solicitation may provide limited opportunities for healthy relationship programs to receive funding. The 2022 OVW Solicitation Guide offers further guidance on relationship strengthening interventions under the discretionary grant program focused on “engaging men and boys as allies.” The Solicitation guide states that additional activities that compromise victim safety include:

[M]ediation, restorative justice, circle discussions, or similar practices in cases of domestic violence,... except where the practice is voluntary for the victim and there is screening for victimization, there is informed consent on part of the victim, the practitioners involved have appropriate training on victimization issues, and the process includes ongoing safety planning for victims with flexibilities such as having the victim and offender physically separated (FY 2022 Solicitation Companion Guide, 2022, p.18).

While still limiting, this language suggests that certain programs that offer couples counseling may qualify if the program conforms to certain safeguards and guidelines to ensure victim safety defined in VAWA. Currently, this language only pertains to the “engaging men and boys as allies” discretionary grant program. Therefore, in upcoming solicitation guides, OVW should update the solicitation to allow couples counseling in all grant programs.

States must follow OVW’s guidelines when distributing funds. Therefore, states must interpret the Solicitation Guide’s language and determine whether to ban all couple-based programs from funding. The Solicitation asserts that funds may not support programs that require victims to participate in counseling, and funds may not be used for couples counseling as a routine or required response to domestic violence. The use of the “required” language demonstrates VAWA is concerned with requiring victim participation and establishing victim participation as the “go-to” intervention. Future solicitation guides should specifically address couples counseling interventions and separate the programs from the “jeopardizing victim safety” definition. By providing clear guidelines and support for programs that strengthen relationships, states can distribute the discretionary funds provided by the STOP Program to building healthy relationship programs. VAWA’s statute does not legally define which types of programs jeopardize victim safety in the federal regulations, so updating future solicitation guides to provide avenues for couple-based interventions to receive funding may serve as an achievable avenue to funding. OVW currently does not ban couples counseling or other relationship strengthening approaches; however, the Federal Regulations’ current language and the 2022 Solicitation Guide leave programs and the states to cleverly interpret the guidelines to determine whether a program qualifies for eligibility.

Victims of Crimes Act The Office for Victims of Crime (OVC) is committed to promoting justice and healing for all victims of crime. Congress charged OVC with administering the Crime Victims Fund, which supports programs and services that help victims affected by crime and aid victims in rebuilding their lives. VOCA formula grants are awarded to every state, the District of Columbia, the U.S. Virgin

Islands, Guam, and Puerto Rico (What We Do, 2020). States competitively award VOCA funds to local community-based organizations that provide services directly to victims. Direct assistance includes crisis counseling, telephone and onsite information and referrals, criminal justice support and advocacy, shelter, therapy, and additional assistance (Formula Grants, 2020). Importantly, funds may also be used to develop new programs that address emerging needs and gaps in services. In 2020, OVC awarded almost 2.7 billion dollars in grant awards (Funding and Awards, 2020).

Each state has a State Administering Agency (SAA) which has the discretion to determine which organizations will receive funds; the programs still must meet the requirements codified in the Victims of Crime Act, 34 U.S.C. § 20,103 (Victims of Crime Act, 28 C.F.R. § 94.120, 2021). Eligible programs must be operated by a public agency or a non-profit organization. The program must demonstrate a record of providing effective services to victims of crime and receive financial support from sources other than VOCA. The program must use volunteers in providing the services (this requirement can be waived). Also, programs must promote coordinated public and private efforts to aid crime victims within the community and assist recipients in seeking crime compensation benefits. Lastly, the program may not discriminate against victims because they disagree with how the State is prosecuting the criminal case (Victims of Crime Act, 34 U.S.C.S. § 20103, 2021).

According to VOCA’s regulations, restorative justice practices are eligible for funding (Victims of Crime Act, 28 C.F.R. § 90.120, 2021). Therefore, states may allocate VOCA funds to support programs that allow crime victims to meet with perpetrators. Like VAWA, victims must request or voluntarily agree to these meetings, and the program may allow the victim to withdraw from the program at any point. The VOCA regulations also specify that programs that engage in restorative justice practices must have an anticipated beneficial or therapeutic value to crime victims. The regulations state that, at a minimum, the following should be considered: the safety and security of the victim, the proceedings for ensuring the participation of the victim and offenders are voluntary, the nature of the meeting is clear, the provision of appropriate support and accompaniment for the victim, appropriate debriefing opportunities for the victim after the meeting, and appropriate credentials of the facilitators (Victims of Crime Act, 28 C.F.R. § 94.120, 2021). Therefore, programs that follow the necessary safeguards may potentially receive funding through VOCA.

While VOCA’s large scope supports victims of any crime, the Act explicitly provides funding to victims of intimate partner violence. The Victims of Crime Act instructs that the chief executive in charge of distributing funds shall certify that priority be given to eligible crime victim assistance programs providing assistance to victims of sexual assault,

spousal abuse, or child abuse (Victims of Crime Act, 34 U.S.C.S. § 20103, 2021). VOCA does not explicitly mention relationship strengthening interventions in the statute, but VOCA's receptiveness to restorative justice practices may suggest that programs aimed at building healthy relationships to end the trajectory of violence could qualify for funding. While VOCA applies to all crime victims, the Act should include language and guidelines geared explicitly toward relationship strengthening as an intervention option in combating intimate partner violence. Currently, programs can follow the framework and regulations provided in the Act to satisfy the eligibility requirements.

VOCA's funding framework may serve as a substantial barrier in achieving funding for programs that practice building healthy relationships. VOCA grants states the discretion to determine which direct services may obtain funding. Because couples counseling is controversial in the domestic violence field, states that ban the practice in the state legal code or state agencies that disagree with the practice will not allocate funding to the intervention. SAAs serve as the gatekeepers and can prevent programs from obtaining substantial funding from a valuable source. VOCA should establish guidelines that enable programs to offer healthy relationship strengthening programs.

Family Violence Prevention & Services act The Family Violence Prevention & Services ACT (FVPSA) supports services aimed at reducing domestic violence cases and helping domestic violence victims and survivors throughout the United States (Family Violence Prevention and Services Improvement Act of, 2019). FVPSA and VAWA are the “primary vehicles” for federal support to combat and respond to domestic violence (Family Violence Prevention and Services Improvement Act of 2019, 2019). FVPSA provides grants to states, tribal governments and territories, and funds the National Domestic Violence Hotline. Like VOCA and VAWA, the FVPSA delivers funds directly to state and territory domestic violence coalitions, which are dedicated to addressing domestic violence needs and technical assistance and training programs (Family Violence Prevention and Services Act (FVPSA), 2019). In 2019, the FVPSA distributed \$180 million to combating IPV. Specifically, the FVPSA allocated \$10.3 million to the National Domestic Violence Hotline, \$164.5 million to shelters and services, and \$5.5 million to support the CDC's DELTA Impact program. Congress improved the Act in 2019 to increase funding, expand support to culturally specific programs, and invest in prevention programs (Family Violence Prevention and Services Act (FVPSA), 2019).

The Act establishes that all states shall receive grants to prevent incidents of family violence, domestic violence, and dating violence (Family Violence Prevention and Services Act, 42 U.S.C.S. § 10406, 2021). State coalitions award funding to shelters, supportive services, and programs that

help increase access to community-based programs for victims of intimate partner violence (Learn about FVPSA n.d.). Due to the states' discretion, state law and coalition rules govern which programs receive funding. FVPSA instructs states that eligible programs include local public agencies and non-profit private organizations. Mirroring VOCA and VAWA, FVPSA states that all supportive services that receive funding must be voluntary (Family Violence Prevention and Services Act, 42 U.S.C.S. § 10412(b), 2021). Like the other federal programs, the discretion awarded to states can serve as a legal barrier for programs that practice building healthy relationships as the state may bar programs from receiving funding due to state law or coalition policy.

More so than VAWA and VOCA, FVPSA stresses the importance of prevention services, and therefore, recommends states provide funding to programs aimed at preventing future instances of IPV. FVPSA brings evidence-informed, community-based prevention initiatives to communities throughout the United States. To develop successful prevention services, FVPSA authorizes states to provide grants to conduct effective prevention practices, especially aimed at serving culturally specific or underserved communities (Family Violence Prevention and Services Improvement Act of 2019, 2019). Also, FVPSA helps fund the CDC's DELTA Impact Program, “which provides competitive funds to design, test, and evaluate innovative domestic violence and dating prevention models” (About OVC, 2020, <https://www.cdc.gov/violenceprevention/intimatepartnerviolence/delta/impact/index.html>). The DELTA Impact program awards funds to nine states' domestic violence coalitions. The CDC instructs the coalitions to implement proven IPV prevention approaches, provided in the CDC's intimate partner and prevention technical package. The CDC includes couples counseling programs in their technical package. The Guide includes a select group of strategies to help states implement effective practices to prevent IPV (Niolon et al., 2017). This is the most explicit acknowledgement of relationship building programs that we found, although the focus remains on prevention not intervention.

On March 23, 2021, Congresswoman Lucy McBath of Georgia re-introduced a bill proposing amendments to the FVPSA. Importantly, the Bill has put forth language stressing the importance of healthy relationship building, serving as a significant potential avenue to funding. Specifically, proposed Section 10414 states that the Secretary of the program shall enter into “cooperative agreements” with qualified State, territorial, and Tribal domestic violence coalitions “to test, evaluate, or scale up innovative family violence, domestic violence, or dating violence prevention strategies and models.” (Family Violence and Services Improvement Act of 2021, H.R. 2119, 117 Cong, 2021–2022). Providers who are awarded grants shall use the funds to establish,

operate, and maintain implementation and evaluation of coordinated community response to reduce risk factors for violence while “promot[ing] positive development and healthy relationships and communities.” (Family Violence and Services Improvement Act of 2021, H.R. 2119, 117 Cong, 2021–2022). Also, FVPSA reserves money to operate a twenty-four-hour national, toll-free hotline to provide information and assistance to victims of family violence, domestic violence, and dating violence. (Family Violence Prevention and Services Act, 42 U.S.C.S. § 10412(b), 2021). Additionally, the Bill amends the section governing the hotline to include language regarding “healthy relationships,” specifically proposing hotline operators provide information about healthy relationships to callers (Family Violence and Services Improvement Act of 2021, H.R. 2119, 117 Cong, 2021–2022). The Bill passed the House and has been introduced to the Senate where it was passed to the Committee on Health, Education, Labor, and Pensions—it is awaiting further action. This Bill has the potential to open up important avenues for couples counseling providers to receive funding.

Recommendations to Amend Federal Programs to Support Relationship Strengthening Programs

The federal grant programs give the states the discretion to determine which programs receive funding. Depending on a state’s policies, this allocation method may serve as a barrier to programs that strengthen healthy relationships. Therefore, the Federal Government should create more opportunities for direct services to apply directly to the grant program to receive funding. By creating discretionary grant programs, the federal office in charge of administering funds can create program parameters and eligibility guidelines, thus qualified direct service providers can circumvent the states and apply directly to the federal agency. Like VAWA, federal agencies can create themed discretionary grants that specifically fund programs that provide healthy relationship-building services that focus on ending the trajectory of violence. Using evidence-based methods, discretionary grant programs should create clear and informed guidelines that allow for couples counseling in the appropriate circumstances. Creating more federal avenues for direct service providers to receive funding streamlines the funding process and reduces local barriers.

The Federal Government should amend regulations and legislation to include language that clearly supports programs that provide couples counseling to prevent and stop IPV. The 2021–2022 FVPSA Bill demonstrates that the Federal Government has contemplated “healthy relationship” language and illustrates how the language can be implemented. Part of the Bill intended to grant the National Domestic Violence Hotline operators the power to provide

information about healthy relationships to callers. The Legislators behind this Bill intended to update provisions and definitions to ensure access to services reflect evolving practices to “provide uniform guidance to those working to end domestic violence” (McBath, Moore, Cole, and Katko Introduce Bipartisan Legislation to Prevent Domestic Violence, 2019). The language recognizing the importance of fostering healthy relationships between couples experiencing IPV, the Federal Government could advance these efforts, although this will depend on passage and the uniform guidance provided.

Amending federal legislation on domestic violence can take years. Nonetheless, federal agencies could currently amend agency materials, such as solicitation guides, to include couples counseling. For example, in future solicitations, VAWA could include opportunities for expanding what we can do and learn regarding couples-based. Ultimately, the Federal Government should implement the necessary language to pave the way for relationship strengthening practices to receive meaningful funding. Building off the current language already provided, the solicitation should state: “mediation, restorative, justice, circle discussions, couples counseling, or similar practices in cases of domestic violence serve as an appropriate intervention where the practice is voluntary, there is informed consent on the part of the victim, a risk assessment has been made, the treatment may not be a required response to domestic violence.” Such a modification allows for programs to receive funding for couples counseling while implementing safeguards and required procedures to ensure the safety of the victim.

Healthy Relationship Strengthening and State Policy

State policies often do not allow for the use or funding of relationship strengthening interventions. When they do, the requirements are typically very strict and do not provide opportunities for demonstration projects or other efforts to better understand the potential for these interventions.

Healthy relationship program barriers and opportunities for funding vary, modestly, state by state. Some states ban funding programs that provide couples counseling in domestic violence cases through state statutes. Colorado, in the state code, permits restorative justice practices. However, the state does not allow for restorative justice practices in “crimes where the underlying factual basis involves domestic violence” (Colo. Rev. Stat. § 18-1.3-204, 2021). In fact, the Colorado Domestic Violence Offender Management Board (DVOMB) published a white paper expressing their opposition against couples counseling (Public Safety Considerations and Policy Implications with Restorative Justice in Domestic Violence Cases [PDF], 2020). West Virginia also provides substantial legal barriers for healthy relationship

programs. The West Virginia Benchbook (2012), a resource for West Virginia magistrates and judges, expresses that couples therapy is not appropriate in domestic violence cases. The West Virginia Benchbook (2019) does not even mention the practice. Other states ban the practice more informally by discouraging funding to healthy relationship programs. For example, Alabama's state agency in charge of allocating VOCA funds will not fund any restorative justice intervention programs from federal funds. Any funds the state agency receives must be used to provide services to victims, not offenders (Hassan, 2021).

Allowing States At least a handful of states allow for couples counseling if the program satisfies specific guidelines and implements particular safeguards. Examples include Arizona, Minnesota, Utah, and . Arizona and Utah both allow couples counseling after the offender completes a period of offender-only treatment (Mills et al., 2019). Both Minnesota and Oklahoma include guidelines pertaining to couples counseling in the state code. Minnesota statute, § 518B.02 establishes that programs must have written policies forbidding program staff from offering or referring couples counseling until the offender has completed a domestic abuse counseling program or educational program for a minimum number of court-ordered sessions. Furthermore, the counselor must “reasonably believe that violence, intimidation, and coercion have ceased and the victim feels safe to participate” (Minn. Stat. § 518B.02, 2021). Oklahoma statute, § 644, states that couples counseling and marital counseling may not serve as the sole form of counseling or treatment in domestic violence cases. Couples counseling may be implemented in addition to a domestic violence treatment plan. A licensed professional must determine that the offender will no longer perpetrate violence. If the professional still feels the offender may continue inflicting violence, the professional may order the offender to complete other forms of counseling like substance abuse programs or mental health programs (Okla. Stat. § 21-644, 2021). Although both states allow for couples counseling, the statutes greatly restrict when couples counseling may be used.

Additional Avenues for States to Support Relationship Strengthening Programs

Due to the controversies surrounding relationship strengthening interventions, states approach the intervention differently, creating a patchwork of different barriers and opportunities. A model code regarding healthy relationship-building programs should be drafted to guide states in implementing or amending legislation surrounding couples counseling. The model code should incorporate language that promotes healthy relationship programs that prevent the trajectory of violence.

In addition the code should specify that services must be culturally appropriate and respectful of and responsive to the practices, beliefs, and needs of diverse clientele (consistent with SAMHSA's CCBHCs and Cultural Competence,” U.S. DHHS, SAMSHA, 2020). This should help minimize the politicization of these programs. Importantly, the model code should incorporate appropriate and clear guidelines developed from evidence-based methods to ensure program safety and efficacy. States should implement risk assessment manuals as well as include explicit procedural requirements.

An example of evidence-based methods include the implementation of risk assessment protocols. States should establish domestic violence risk and needs assessment manuals in order to successfully identify risk factors that should be considered when working with domestic violence offenders. Although Colorado does not allow for couples counseling in domestic violence settings, the DVOMB developed a risk assessment manual that assesses the risk for future intimate partner violence for offenders completing treatment. The assessment is used for treatment planning and treatment plan reviews (Domestic Violence Risk and Needs Assessment (DVRNA) [PDF], 2016). Classifying offenders using an assessment method will identify which couples will benefit from couples counseling while excluding offenders that may jeopardize victim safety. State codes can incorporate risk assessments into statute by allowing certain couples and offenders to participate while banning more serious classified offenders, serving as a safeguard. Too little evidence has been generated on the integration of risk assessments that might point to the potential of relationship strengthening—rather than carceral interventions—as the first option. Yet, we do know that many of the demonstration projects cited above have included “screening” and have had good safety records.

The DVRNA is composed of fourteen domains of risk most predictive of future violence. The domains reflect thorough and evidence-based research. The assessment tool assigns offenders a total score based on risk, and practitioners place the offender in one of the threat categories—low, moderate, or high. Offenders are scored based on domain risk items: prior domestic violence related to incidents, behavioral health issues, suicidal/homicidal tendencies, use and/or threatened use of weapons, criminal history, obsession with the victim, the victim's safety concerns, violence and/or threatened violence toward members including child abuse, attitudes that support or condone spousal assault, prior completed or non-completed domestic violence treatment, whether the victim was separated from the offender within the previous six months, unemployment, and involvement with people who have pro-criminal influence. After examining these comprehensive risk domains, the offender is ranked (Domestic Violence Risk and Needs Assessment (DVRNA) [PDF], 2016). States may allow offenders who

fall into low or moderate categories to participate in couples counseling while screening out offenders who fall into high-intensity categories. Creating and implementing a risk assessment measure would provide states a safeguard to ensure couples counseling does not jeopardize the victim's safety.

States that currently allow couples counseling as an intervention for domestic violence cases oblige different requirements before couples can partake in couples counseling. For example, Oklahoma and Minnesota require that after an offender complete domestic violence treatment, a licensed professional must deem the perpetrator no longer evaluates as a perpetrator of domestic violence. This requirement is too limiting and will prevent many couples from receiving treatment. Appropriate requirements include appropriate risk assessments, intake interviewing, licensed professionals to provide the counseling, the program must provide a record of providing effective services to domestic violence victims, the participation must be voluntary, and informed consent on behalf of the victim. Ultimately, states need to amend or enact legislation that allows for couples counseling in appropriate situations.

Recommended State Statutory Language We propose that a state model statute could use language like the following to allow funding for relationship strengthening programs.

- A) A program for couples counseling, family and marital counseling, or other relationship strengthening programs aimed at ending the trajectory of violence may be offered for the treatment of domestic abuse. Domestic violence perpetrators and victims must first complete a risk assessment. Couples using and experiencing violence would be eligible for family and marital counseling and other evidence-informed relationship strengthening interventions pursuant to the conclusion of the following process.
- B) After a risk assessment has been made, and the couple falls into the qualified categories, a victim assistance program providing couples counseling or family and marital counseling is eligible if--
 - a. Licensed professionals provide treatment
 - b. Such program or agency must demonstrate partnership with a program with a record of providing effective services to domestic violence victims requires licensed
 - c. The participation is voluntary
 - d. The victim provides informed consent
 - e. Flexibilities are in place to allow separation of the victim and perpetrator.
 - f. The treatment is not a required response to domestic violence
- C) A program for relationship strengthening interventions aimed at ending the trajectory of violence must be culturally appropriate and respectful of and responsive to the practices, beliefs, and needs of diverse clientele.

Conclusions

Nearly 50 years have passed since the Rainbow Retreat to shelter battered women beaten by alcoholic husbands (Tierney, 1982). Much has changed in our language. We now recognize the significant amount of violence between same-sex couples, and concerns have shifted from too little police involvement in resolving domestic incidents to worries that the involvement of law enforcement may be a barrier to successful resolution and, even, a safety danger. Yet, many elements of our theory and intervention remain static and are raising concerns about the fit between the dominant approaches designed in the last century and what is needed in this one.

Some legacy misunderstandings from the last century are related to the commonly held belief that violence typically, and almost inevitably, accelerates from low levels to high levels. This is the lesson to be readily taken from those who are studied in domestic violence shelters. Yet, in prospective studies taken from women in other settings, reports that violence has ceased are common (e.g., Connelly et al., 2006). Escalation of violence appears to be far more common among serious or prolific offenders and not characteristic of all abusive relationships (Boxall & Lawler, 2021).

We also have new evidence that among couples who break up because of intimate partner violence, they desist from violence in their new relationships—suggesting that the opportunity for improved relationships may have been latent in their violent relationship (Halpern-Meekin & Turney, 2018). Although violent relationships also result from individual characteristics and larger social forces there is some evidence that altered dyadic relationships are keys to desistance (Giordano et al., 2015; Shortt et al., 2012).

Even when that risk of additional violence exists, Messing et al. (2021a, b) find that women, who have already moved into DV shelters, have very complicated reasons not to seek a Protective Order and that the decision is especially complex when the couple has children in common because of legal ties between minor children and their parents. This can be particularly salient for marginalized survivors who value keeping the family together (Palmer et al., 2016) or who fear that they may be treated unfairly by the legal system (Messing et al., 2015). Hanson et al. (2021) found that women who were living with their partners were unlikely to find talking with a professional, making a safety plan, or leaving home as helpful. Many women, especially those in higher decisional conflict, found none of the current safety

options to be helpful. We also now understand that the court may order continuing contact between children and the abusive partner so that their relationship with the abusive partner may have to continue to implement court orders and can be difficult to manage (Miller & Manzer, 2021). Given that couples that divorce, following IPV, have high rates of post-divorce contact with the courts (Davidson & Beck, 2017), participating in relationship strengthening interventions, even when co-habitation has ended, can be a benefit to all family members.

Another part of the field's legacy is that relationship building is only for prevention of IPV (for young couples) rather than for couples already engaged in violent acts toward each other. Thus, strengthening relationships is only mentioned in federal legislation focused on prevention. Research reviewed above indicates that there is significant benefit available from counseling, mediation, and restorative practices for carefully screened couples. Also, inhibiting innovation and service improvement are the traditions and beliefs that the causes of IPV are, primarily, power and control and that these prevent explicit bi-directional relationship building. The field seems to be gradually moving away from a singular reliance on this approach and embracing an empowerment focus, considering the diversity of needs of women and their families, and honoring the calls for help from those who do not want to be involved with law enforcement and want an alternative way to address their circumstances (Kulkarni, 2019). This leaves our field in need of additional dyadic and whole family approaches to meet the diversity of needs.

Although the outcomes of conventional Batterer Intervention Programs have not been robust, these may have some benefit. Additional research is needed to discover how to best integrate some of the fundamental concepts of BIPS with CBT, Couples Counseling, mediation, and dispute resolution. We do have some evidence that men involved with mid-level violence, as operationalized by the Colorado PEI model, get little benefit from BIP completion. Perhaps this is a group that could be further studied to understand ways that relationship strengthening interventions might improve outcomes. More generally, the field needs to match violent subtypes to the best social interventions and to further test the sensitivity of different screening approaches (Rossi et al., 2020; Holtzworth-Munroe et al., 2021).

Systematic reviews, cited above, offer considerable evidence that relationship strengthening approaches including couples counseling. Yet, we also recognize that these trials were built upon a chassis of evidence-based couples counseling and rigorous risk assessment and screening. The human services field will need to expand the availability of practitioners skilled in these methods and with an understanding of IPV. Developing the workforce to expand opportunities for couples using violence will take considerable

investment from federal and state resources and much curriculum and training development.

This analysis has just touched on the many needed developments in research to support practice that scrutinizes risk assessment strategies and further explains antecedents of violence desistance and acceleration. These areas of investigation, at least, need to be expanded to best ensure that safety is not compromised. Information about individuals using and experiencing violence also needs to be better analyzed within and across existing databases to better understand the longer-term outcomes. Recent advances in data security can tip the balance between the risks of information failures to victims toward the accumulation of greater knowledge about the course of IPV and the impact of interventions upon that course. With the ramping up of new research infrastructure, studies need to be done on differences between desistance rates for those who use violence against their partners as part of a general pattern of violence as contrasted with those who are only violent in family relationships. Even though we recognize that there are no instruments that can, alone, reliably distinguish between couples engaged in situational violence and those in terrorist violence (Alexander et al., 2021), assessments that include standard instruments and other factors should provide a basis for further development in identifying couples with the most promise of relationship strengthening and safety.

This all begins with recognition of the importance of policy and program changes to achieve national goals of greater racial and gender equity. Following close behind are the policy changes we have proposed in order to allow for, financially support, skillfully deliver, and legally frame the evolution of services that strengthen relationships to interrupt trajectories of partner violence.

Acknowledgments The authors thank the Network Leads for the Grand Challenges for Social Work on Building Healthy Relationships to End Violence for many stimulating discussions leading to this paper and Leigh Goodmark for her scholarship, mentoring, and a helpful pre-review.

Funding Funding was provided by the University of Maryland School of Social Work Faculty Research Support Fund

Declarations

Conflict of Interest The authors attest that there are no conflicts of interest.

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