

DOMESTIC VIOLENCE/ STALKING EXPERT TESTIMONY

I. Laying the Foundation

A. Occupation

1. What is your occupation?
 - a. How long have you been employed in that capacity?
 - b. Describe the responsibilities of your position?
 - c. Do you supervise? How many?
 - d. Do you train staff?
 - e. What services does your program offer?
 - f. Are your services solely for victims of abuse?
 - g. Are your services solely for women?
 - h. How long has this program been in existence in the Fulton County Solicitor's Office?
 - i. How many persons are served by this program yearly?
 - j. How many of the clients served have you had direct contact with?
 - k. What is the nature of that contact?
 - l. Do you maintain statistics of the clients served?
 - m. What is the purpose of these statistics?
 - n. What kind of information do you maintain?

B. Previous Occupation

1. What was your previous occupation?
 - a. What were your responsibilities there?
 - b. How long did you perform those duties?
 - c. Did you have direct contact with victims of domestic violence/ stalking?
 - d. How many victims of domestic violence/ stalking did you work with there?
2. Have you had any other relevant job experience with domestic violence/ stalking victims?

C. Education

D. Professional Affiliations

1. Do you belong to any professional affiliations in the area of domestic violence/ stalking?
2. What is the nature and purpose of those affiliations?
3. Do you belong to any County, State or National organizations which specifically address domestic violence/stalking issues?
4. What is the purpose of these organizations?

E. Training

1. Do you regularly attend State or National Conferences on domestic violence/ stalking?
2. Who sponsors these conferences?
3. What is the purpose of such conferences?
4. Have you conducted any trainings yourself in the area of domestic violence?

5. For whom did you conduct the trainings?
6. For what purpose were the trainings designed?
7. How many attended the trainings?
8. How often do you conduct such trainings?

F. Previous Expert Testimony

1. Have you testified previously in court on domestic violence/ stalking issues?
2. How many times?
3. In what jurisdictions?
4. On how many of those occasions were you declared an expert by the Court?

At this time, Your Honor, I would ask the Court to declare the witness an expert in the field of domestic violence/ battered women/ stalking.

II. Introductory questions

A. Myths of Domestic Violence

1. Define Domestic Violence for the jury.
2. How widespread is domestic violence?
3. Based on your training and experience, how familiar is the public with the issue of domestic violence?
4. What are some common misconceptions?
5. Based on your training and experience, what do most people believe about an individual who remains in an abusive relationship?
6. Based on your experience, do most victims of domestic violence talk about their experiences freely?

III. Effects of Domestic Violence

A. Cycle of violence

1. Have you observed a pattern to domestic violence?
2. Are you familiar with the term “the Cycle of Violence”
3. Would you explain the Cycle of violence?

Ask to approach the witness, after having shown State’s exhibit No ____ (cycle of violence) to defense.

4. Please look at what has been previously marked and identified as State’s Exhibit _____, Would this exhibit assist you in explaining the cycle to the jury?
5. Please explain to the jury the cycle of violence.
6. Have you personally observed this cycle and its effects on victims?
7. How do victims commonly react at each step in the cycle?
8. Does the violence always repeat? Does the violence escalate?

B. Power and Control Wheel

1. Are you familiar with the Power and Control Wheel?
2. What is that?
3. Have you personally observed this in your work with victims of domestic violence?
4. What is the effect on victims?

C. Battered Woman Syndrome

1. What is the “Battered Woman’s Syndrome”?
 2. In your experience, how do most battered women react to being a victim of domestic violence?
 3. Is it common for them to return to an abusive relationship? Why?
 4. What about movement from one abusive relationship to another? Why?
 5. Why don’t victims of domestic violence leave the abuser?
- D. Are you familiar with the term “Post Traumatic Stress Disorder?” Please explain the term.
- E. What does the term Learned Helplessness mean?
- F. Are you familiar with the term “Hostage Syndrome” or “Stockholm Syndrome?” Please explain the term.
- G. Are you familiar with the terms “flat voice,” “piecemeal memory,” “flashbacks?” Please relate these terms to your experiences with domestic violence victims.

IV. Hypothetical Question

- A. Now please assume the following facts: (describe the facts in evidence from the testimony of the police officer, the victim, and the witnesses.)
- B. In your opinion, are these facts consistent with someone who has experienced domestic violence?
- C. Now assuming the circumstances that I just described, where would you place the victim in the cycle of violence.

V. Specific Facts of the Case

A. Specific types of victims

1. Does the cycle of violence apply only to persons who are married?
2. Does this apply to gay relationships?
3. Does this apply to people who are dating/ formerly married, living together, children together?
4. Does this apply to persons of all religions, racial backgrounds, economic statuses?
5. ETC.

B. Perplexing Victim Demeanor

1. Assume the following facts: Describe the victim’s perplexing demeanor when the police arrived or on the stand (angry and argumentative or flat, unemotional response, etc).
2. Are these facts consistent with someone who has experienced the level of violence I have described?
3. If your victim is very hesitant, shaky on the stand:
Is it common or unusual for abused women to be frightened to describe the acts of violence? Why?

C. Victim Minimizing the Level of Violence

1. From your experience, is it common for victims to minimize the violence they have experienced?
2. Why is this so?

3. Have you personally observed victims having difficulty relating the actual facts of the violence?
 4. Why is this so?
 5. How does the minimizing relate to the cycle of violence?
 6. If the victim continues in the relationship with the abuser, does that have an affect on her ability to remember the level of the abuse or the details of the abuse?
- D. Denial and Reluctance to Testify
1. From your experience, is it common for a victim of domestic violence to completely deny the incident? Why?
 2. Is it common for a victim of domestic violence to be reluctant to testify at trial? Why?
 3. From your experience, do victims often deny the incident of violence as time passes? Why?
 4. How does that relate to the cycle of violence?
- E. Victim Continues to Live With or Have a Relationship With the Batterer
1. Have you ever had experience with victims of domestic violence who continue to live with the abuser?
 2. Have you had experience with victims of domestic violence who continue to have a relationship with the abuser even though they have experienced violence in the relationship?
 3. Would it be unusual for a woman to stay in a relationship after experiencing the level of abuse I have described?
- F. One incident of Violence
1. From your experience, have you encountered women who have experienced one incident of physical abuse?
 2. Must the violence be on-going to have an emotional impact on the victim?
 3. Please relate your answer to the Power and Control Wheel.
 4. Would the victim also be likely to minimize the level of violence, be reluctant to testify, deny the incident? Please explain.
- G. Invited Restraining Order Violations
1. In your work have you encountered battered women who have obtained domestic violence restraining orders against their abuser, then made arrangements for visits or other contact that were in violation of the court order?
 2. Have these women explained their reasons to you?
 3. What were they?
 4. Based on your experience, please explain these reasons.
- VI. Stalking Issues
- A. What do most people in the public believe about stalking?
 - B. In your experience, does stalking follow any kind of pattern?
 - C. Why?
 - D. Are there risk factors that you look for in determining danger to a victim?

- E. How do victims of stalking usually react to stalking behaviors?
- F. What are victims of stalking usually told to do by police or others from the criminal justice system?
- G.

VII. Knowledge of Present Case

- A. Have you interviewed the victim in this case?
- B. Have you reviewed the police report in this case?
- C. Have you met the victim in this case?
- D. Did you charge a fee for your testimony today?
- E. Your testimony today is based on your education and experience working with domestic violence victims, is that correct?