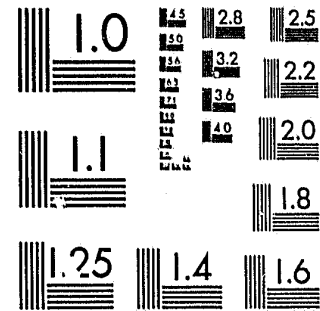


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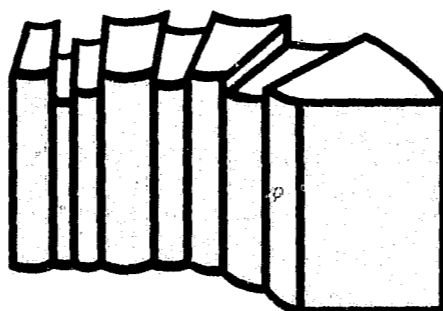
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Books in Brief

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All They Can Do . . . Police Response to Battered Women's Complaints

Introduction and methodology

The Chicago Law Enforcement Study Group conducted a study in Chicago and its suburbs examining the criminal justice system response to battered women and proposing some solutions to the problem of domestic violence.

Nonstructured indepth interviews were held with police patrol officers and supervisors at 6 sites, with 9 victims who had no police contact and 29 victims who had contacted police. No site had a predominantly minority population. Also interviewed were directors and staff members from all major service programs for battered women in the metropolitan area, and from 20 additional agencies dealing with victims.

In general, interview responses confirmed previous findings that inter-spousal battery is underreported, that police attitudes color interactions with

victims, and that court response and police training are factors contributing to problems in police responses to domestic violence. The study presents major findings along with their implications, after which it addresses specific findings of interview questions. Finally, it recommends future action for police officers, the courts, and social service agencies. A description of the respondent populations precedes these discussions.

The survey respondents

The majority of responding officers were married white males. They ranged in age from 24 to 52, and had been on the force from 2 to 21 years. Of 38 victims, 65 percent were white, 27 percent were black, 1 was Hispanic, and 1 was an American Indian. The majority of the victims were in their 20's, had been married 1 to 5 years, and had 1 to 3 children.

Highlights of survey findings

Seriousness of the crime

The victim interviews unequivocally indicate that the women usually were victims of past violence, often over a period of years, before they called the police. The interviews also show that the lack of records on the frequency of these crimes is, in large part, a result of the police tendency to treat the complaints, and the events leading to them, as temporary and minor.

The Illinois Domestic Violence Act (IDVA) passed in 1982 recognizes family violence as a serious crime. The interview data, gathered before this act, indicate a wide divergence of opinion about when police should take an active intervention role. For example, some women were very demanding that police protect their rights; however, the more common response from victims was one of apology, uncertainty, and embarrassment that others were bothered with their private problems.

Categorizing domestic violence in the general, less serious, class of domestic disturbances may minimize the potential dangerousness of domestic violence and may also affect the formal

Summarized from *All They Can Do . . . Police Response to Battered Women's Complaints* by D. Reed, S. Fischer, G. Kaufman Kantor, and K. Karales with permission of the Chicago Law Enforcement Study Group, 1983.

All They Can Do . . . is available from the Chicago Law Enforcement Study Group, 109 North Dearborn Street, Suite 303, Chicago, IL 60602. The price is \$8.50; it is free to press but they must pay a postage and handling fee of \$1.50.

and informal training of police and their strategies for dealing with domestic altercations.

Police discretionary response; lack of policy

The information about police practice obtained from police officers, victims, and service providers suggests that many officers routinely act in ways contrary to the needs of victims and outside the intention, if not the letter, of the law. Data also revealed a number of police discretionary judgments that resulted in objectionable practices. Some of these include the tendency to avoid arrest in favor of mediation or separation, even when arrest is directly requested by the victim, and making judgments of innocence or guilt based on the characteristics of the victim and offender, or beliefs that sometimes violence may be justified.

Findings also indicate a lack of departmental policies for handling domestic violence, difficulties with evidence-gathering procedures, and neglect of proper documentation of abuse incidents. A surprising finding was police officers' lack of knowledge of resources for the battered woman, and a low rate of referrals even when police had such knowledge.

Prosecutor/court role

During the study, the role of prosecutors and courts was continually cited as a factor limiting police involvement. Two principal issues were voiced: women will not follow through on complaints, and the courts refuse to hear complaints. One of the glaring problems in the courts' handling of cases concerns the sentencing of convicted offenders. Because of the economic consequences of incarcerating a person on whom the family is dependent for its livelihood, the most likely sentence is a small fine and/or supervision.

Specific findings of survey questions

Roots of the problem

Among factors police viewed as contributing to domestic violence were minority and/or low-income status,

economic problems, and alcohol abuse by one or both partners. Infidelity and daily frustrations were viewed as contributing factors by fewer than one-third of the officers. About 20 percent of the officers suggested that women caused at least some of the abuse.

The victim interviews corroborate police impressions that economic factors are central issues in domestic violence, both as triggers of violence and in maintaining the abusive relationship. The women's accounts of abusive incidents also highlight the contribution of traditional attitudes concerning male and female roles and socialization patterns that legitimate violence, and point to economic and psychological stresses associated with parenthood in triggering abuse.

Police comments suggest that some officers saw the woman as the initiator of the violence and felt that the beating was justified if the woman had provoked her husband's anger. Not surprisingly, victims complained that police sided with the batterer, and police sexism was a commonly expressed concern.

Perceptions of danger and seriousness

Many police officers and victims view violent domestic conflicts as dangerous and very serious. Determinants of officers' perceptions may include prior exposure to domestic violence through work, the unpredictability of the event and of partners' responses to police intervention, and the presence of weapons in heightening the danger. However, some police view domestic violence calls as social work; the descriptions of abuse given by victims convey a far more harrowing picture of domestic violence than that detailed by many police respondents.

A principal finding is that victims were uncertain about the kind of behavior that could be termed serious and about the legitimacy of their complaints. For victims, definition of serious abuse may be influenced by such factors as media exposure, presence of weapons, individual experience with violence, readiness to leave a situation, and a sense that there is threat to life.

The varieties of police response, victim expectations, and police policies

In handling domestic violence incidents, police usually use a mixture of specific alternative responses. Most responses are unique; there is no uniform procedure followed by all officers.

Victims' expectations of police response. Victims' expectations are conditioned by their physical and emotional state at the time of police contact, knowledge of the criminal justice system, and the nature of their relationship with the batterer. The majority of victims hoped the police could remove the batterer from the home, at least temporarily.

Departmental policies, training, procedures, and records. Only one of the police departments studied has a general policy statement for "battered females." One other department provided guidelines for domestic crisis intervention which included detailed safety procedures and mediation techniques. All officers receive 12 hours of crisis intervention training—while this training seems uniform, the information and direction it provides was probably not emphasized in routine police practice. Although recording incidents of domestic violence as a distinct category is required by law, only two of the six departments isolated domestic violence from other categories.

Alternative nonarrest responses. Mediation is most often used as an initial response. Victims reported that about 10 percent of police used mediation as the sole strategy. The appropriateness of mediation has been questioned, however, and battered women and their advocates cite the inconsistency of applying crisis intervention techniques in a situation involving criminal activity and the danger of future abuse of the victim after the police leave.

Separation of the offender from the household was the most frequent substantial police action, although some victims found separation ineffective because the batterer returned after the police left. Police used separation when they were unwilling to arrest or were unsure of their arrest power but felt that some action was necessary. Both police and victims indicated that

appropriate police referrals are infrequent, and for the most part police seemed unaware of the availability of shelters and related services.

The arrest option. Police and victim data indicate that there is a great deal of discretion in the arrest decision. While some officers require signed complaints, others require physical evidence of abuse, and still others feel both are necessary. Some officers are unsure of their arrest power, claiming they cannot sign the complaint if they have not witnessed the abuse, while others set arbitrary standards for sufficient evidence to arrest.

Low bail was viewed as a factor limiting the effectiveness of arrest as a response to domestic violence. As the offender can return to continue abuse, arrest provides only a temporary solution. Economic dependency and the possible effects of prosecution on the security of the family were viewed as issues by both police and victims. Police felt that court attitudes limit the effects of police-initiated arrests and the courts generally treat domestic violence offenders with leniency.

The perspective of service providers

Over 30 agencies in Chicago and its suburbs were contacted because broad public access to their services is dependent upon police referrals and because of their special perspective on the police-victim interaction process.

Agency-police interactions. Generally, the agencies reported positive or neutral relationships with police departments in their districts. However, most wished for greater communication and were concerned by the lack of referrals. Some staff felt police command-level officers were the key to gaining the cooperation of patrol officers.

Agency perceptions—general. Agency impressions of clients' experiences with police were generally negative. Although each staff member clearly stated that police responses differ within the same department, and that some officers have gone out of their way for victims, they felt that police were more often reported to be insensitive and unhelpful to clients.

According to many staff, most police officers see themselves as control agents rather than social agents and feel uncomfortable in the social agent role. Service providers also felt that women's lack of information about the law, their rights, the rights of the batterer, and the police officers' responsibilities cause confusion and distress with respect to both a woman's handling of her situation and her relations with the police. Some agency personnel stated that police reflect the values of a society that has long condoned violence in the home, while some suggested that violence may be present in the homes of law enforcement officers.

Victim perceptions. Victims' impressions of the agency experience were generally positive. Women most frequently contacted a general counseling program in their initial attempts to reach out, although many also utilized police and shelters. Counseling agencies were often effective in helping women to clarify problems in their lives, although seemingly less effective in reaching the abusers.

Agency perceptions—battered women in wealthy classes. Staff members suggested that higher income families not only would be least likely to go to the police, but also have resources for purchasing private support. One shelter director indicated that, while wealthier women frequently called for information, they were more likely to remain anonymous and showed greater embarrassment and denial.

Recommendations

On the basis of data gathered in their survey, the Chicago Law Enforcement Study Group formulated practical suggestions for police, the courts, and service providers, some of which appear below.

For police

- Adopt an explicit policy for application to interspousal violence or persons in a close relationship.
- File battery charges against abusers whenever there is evidence that physical contact has taken place to which the victim objects.

- File assault charges against abusers when the victim charges that threats of violence have been made.
 - Use mediation only when the altercation is primarily verbal and where there is no evidence of physical battery or a history of prior abuse.
 - Bring bail amounts and procedures in line with those used in other serious offenses where there is a danger of recurrent offenses.
 - Develop evidence-gathering procedures in kit form similar to that which has been available for rape cases so that if and when the case comes to court, the woman's and the State's case can be made.
 - Institute training and systematic review by supervisory police personnel to ensure that all persons involved in domestic violence are referred for appropriate services, in addition to whatever legal action is taken.
 - Remove children to a safe place when appropriate.
 - Develop and provide to all victims a written document summarizing the legal options, procedures, and social services available to victims of domestic violence as provided for under the IDVA.
- ##### **For courts**
- Impose stronger sentences on offenders and establish more serious consequences for violation of court orders.
 - Order counseling for batterers on a routine basis with clearly stated consequences should the offender fail to participate.
 - Treat domestic violence cases as the health- and life-threatening situations they are.
- ##### **For service providers**
- Mount public information campaigns to inform citizens of their rights as domestic violence victims.
 - Develop more shelters, counseling, and advocacy programs for victims.
 - Develop treatment programs for batterers.
 - Initiate programs for children of battered spouses.

Sources on this topic:

Center for Women Policy Studies
2000 P Street NW., Suite 508
Washington, DC 20036
(202) 872-1770
[Sells publications; responds to telephone inquiries on specific topics; publishes quarterly journal.]

National Coalition Against Domestic Violence
1500 Massachusetts Avenue NW., Suite 35
Washington, DC 20005
(202) 347-7017
[Has film loan library; provides bibliographic and statistical information; in future will provide listing of shelters for women.]

National Criminal Justice Reference Service
P.O. Box 6000
Rockville, MD 20850
(301) 251-5500
(800) 851-3420
[Distributes selected documents related to topic; performs custom searches of data base; subject specialists make referrals; has reading room.]

Police Foundation
1001 22nd Street NW., Suite 200
Washington, DC 20037
(202) 833-1460
[Responds to telephone inquiries related to topic; provides publications.]

Further readings:

Hearing on Domestic Violence. NCJ 93932. Hearing before the House Subcommittee on Select Education held in Washington, D.C., June 23, 1983. 271 p. Availability: House Subcommittee on Selection Education, 617 House Annex #1, Washington, DC 20515.

Responding to Spouse Abuse and Wife Beating: A Guide for Police. NCJ 71079. By N. Loving. Sponsored by the Law Enforcement Assistance Administration. 1980. 219 p. Availability: Police Executive Research Forum, 2300 M Street NW., Suite 910, Washington, DC 20037. \$6.00 plus \$1.50 postage and handling.

"The Minneapolis Domestic Violence Experiment," *Police Foundation Reports.* NCJ 91812. By L. Sherman and R. Berk, Police Foundation. Sponsored by the National Institute of Justice, 1984. 8 p. Availability: Police Foundation, 1001 22nd Street NW., Suite 200, Washington, DC 20037. (202) 833-1460.

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