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Police Response to Domestic Violence

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### Abstract

A graduate student completed research and facilitated discussion of police response to domestic violence. A review of literature covered a thorough definition of domestic violence and a historical perspective on the role of law enforcement in these types of cases. A survey was created, and administered to police officers to obtain their views, attitudes, knowledge, and perceptions on domestic violence. The topic of domestic violence and police response was explored through a feminist counseling perspective. A summary of the survey results was presented. Suggestions and recommendations for future research and practice were also discussed.

## Literature Review

### *Purpose/Objective*

The purpose of this research is to facilitate communication between the field of counseling and the field of criminal justice, with primary emphasis on police officers assisting victims of domestic violence. A communication gap seems to exist between these very different schools of thought. It is hoped that the results will call greater attention to the emotional needs of victims at their first point of contact with police officers on a community response level. The goal of this thesis is to enhance the services available to victims of domestic violence from their first point of contact, often law enforcement personnel responding to their crisis call, to those that serve, assist and support victims through a variety of treatment and educational options. Calling awareness to the emotional needs of victims, first responders should assist in the prevention of victims being “revictimized” by the domestic incident they were involved in.

### *Outline/prep the reader*

This literature review provides a definition of domestic violence. The prevalence of this problem is outlined and supported by numerous statistics. The history of domestic violence will also be explored. This researcher presents social movements and governmental policies and regulations that have created awareness and education around the issue of domestic violence. Another area explored in this review is the police response to victims of domestic violence over time. Providing victims with supportive availability of resources at the point of their initial contact, in many cases, the law enforcement personnel responding to the scene of an incident is crucial. Assisting

victims of domestic violence through the feminist approach to therapy is also covered in the review of literature.

### *Defining Domestic Violence*

Domestic violence affects many, it knows no boundaries. Domestic violence encompasses people of all races, ethnicities, creeds, colors, religions, socioeconomic status, ages, gender, and sexuality, physical and mental abilities. Domestic violence happens regardless of socio-economic status, race, ethnicity, age, education, employment status, physical ableness, marital status, or childhood history (Finding Safety and Support: Domestic Violence Brochure, 1996). Abuse is any attempt to gain power or control over another person using physical, emotional, or other tactics (The Power and Control Wheel, Domestic Abuse Intervention Project, Duluch, Minnesota)(Appendix A). Men, who more often use violence, do so in order to obtain and maintain power and control over others (Walker, 1999). In general, batterers believe that they have the right to enforce their will on their female partners. It is this belief, coupled with society's tolerance of domestic violence, that is at the root of domestic violence (Finding Safety and Support: Domestic Violence Brochure, 1996). A woman who's been abused does not fit neatly into any stereotypes of personality, culture, or socioeconomic status (Jackson, 2003). According to the Encyclopedia Britannica, domestic violence is defined as a social and legal concept that, in the broadest sense, refers to any abuse that takes place among people living in the same household, although the term is often used specifically to refer to assaults upon women by their male partners. Violence against women has been well established as a universal phenomenon (Nayak, Bryne, Martin, & Abraham, 2003). Recent reports (Garcia-Moreno, 2000; World Health Organization,



1997) estimate that one of every three women around the globe has experienced violence in an intimate relationship at some point in her life (Nayak, Bryne, Martin, & Abraham, 2003). Often times the terms spousal assault and partner abuse are used synonymously with the words domestic violence. For too long the term domestic violence has been used as a “soft” term which suggests it emerges in an intimate context that is private and somehow less threatening, less brutal, than the violence that takes place outside the home. This is not so, since more women are beaten and murdered in the home than on the outside (hooks, 2000). On the average, more than three women are murdered by their husbands or boyfriends everyday (Bureau of Justice Crime Data Brief, 2003). Generally speaking it is assumed that domestic violence is an act in which the perpetrator or suspect is often male and the victim is often female. For the purpose of this research, the victims will be referred to as women. It is important to recognize that anyone, at anytime could become a victim to domestic violence.

Domestic violence is a social problem of alarming proportions (Gortner, Jacobson, Berns, & Gottman, 1997). The issue of domestic violence has shifted from an issue of the home to a societal, even global phenomenon. Twenty years ago, no one recognized wife assault as a social problem (Dutton & Golant, 1995). The effects of domestic violence no longer impact the abuser and the abused, instead the topic of domestic violence has permeated into many other areas of society. Research is being done on how domestic violence impacts more than the victims, it has expanded to measure the effects on children and extended family members. A study conducted by, McDonald Et Al. (2006), suggests that approximately 15.5 million American children live in dual-parent households in which intimate partner violence has occurred within the

past year, with approximately 7 million living in households in which severe partner violence has occurred. Adult domestic violence is one of the most serious public health issues and criminal justice issues facing women today (Finding Safety and Support: Domestic Violence Brochure, 1996). During these past 20 years, advocacy and intervention for battered women and their families has been expanded to include changes in the legal and mental health systems to better accommodate the complexities of domestic violence (Walker, 1999). The impact of domestic violence has influenced community resources such as social services, health care providers, and the criminal justice system. Even though emergency room physicians, primary care doctors, and mental health professionals frequently encounter women who have been battered, it often goes undiagnosed and undetected (Gortner, Jacobson, Berns, & Gottman, 1997). Even though there is a great deal of evidence that domestic violence is occurring, it can be assumed that a lot of the abuse goes unreported by victims due to feelings of embarrassment and fear. Family violence, also referred to as domestic violence, spousal assault, and partner abuse, incurs an estimated cost in the United States ranging from 5 to 10 billion dollars annually in terms of medical treatment, police and court costs, shelters and foster care, sick leave, absenteeism, and nonproductivity (Teske, 1995). A female victim of domestic violence may potentially endure secondary victimization from many sources (Hattendorf & Tollerud, 1997). The need to identify and assist victims of domestic violence will remain an issue as long as society is not violence free (Samuelson & Campbell, 2005). Most communities claim to help female victims of violence. Yet, many women find the response reinforces the pain (Hattendorf & Tollerud, 1997).

### *Feminist Movement*

By far one of the most wide spread positive interventions of contemporary feminist movement remains the effort to create and sustain greater cultural awareness of domestic violence as well as the changes that must happen in our thinking and action if we are to see its end (hooks, 2000). Calling public awareness to the issue of domestic violence is a relatively new focus/movement. The social concerns around the issue of domestic violence have a relatively short history. Since the 1970's when public awareness of violence against women increased largely due to the dedicated efforts of advocates for battered women, society has responded to violence occurring in intimate relationships (Cho & Wilke, 2005). The feminist movement has contributed greatly to the many obstacles women have faced and continue to face over the course of history. Although there has been an abundance of important research regarding the facts of domestic violence, we still know surprisingly little about the course of domestic violence, and even less about effective treatments for battering (Gortner, Jacobson, Berns, & Gottman, 1997). Clearly, in many contexts in our society, masculinity is linked with violence. Within fraternities, and within the police force, rigid definitions of masculine and feminine, devaluation of women, and emphasis on physical prowess contribute to an acceptance of some forms of male violence and male dominance over women (Daniels, etl, 1997). A basic feminist critique of American society is that domination of major institutions by a male patriarchy reinforced male domination in the family (Sherman, 1992).

To gain an understanding of the meaning of the term feminism, it must be defined. Very simply defined, feminism is a social movement whose goal is raising the status of women (hooks, 2000). From a historical perspective the feminist movement is

grouped into three waves. Second wave feminists began to challenge the standard societal gender norms, while third wave feminists go even further to explore the issues of gender and sexuality at an even more in depth level. Domestic violence is still a major problem in the United States that stems from the traditional gender dominance hierarchy (Castillo, 1997). An unequal distribution of power and blurring of boundaries is typically seen in abusive situations. This pattern is also demonstrated in patriarchal relationships (Hattendorf & Tollerud, 1997). Over the course of history a system of hierarchy has been established in the foundation of our society. These dominance hierarchies are sources of continuing conflict and emotional pain that influence personality development in the United States for both the dominant and the dominated (Castillo, 1997). According to many academics and the popular press, American society traditionally has repressed the issue of domestic violence and ignored the needs of battered women (Charles & Richman, 1999). The increased attention to the complex circumstances of domestic violence can be attributed to numerous factors over the course of time. The feminist movement as a whole has catapulted women's issues into mainstream society.

### *Government Policies*

Many countries have passed new laws that treat domestic violence, child abuse, and other forms of abuse in the family and against women as a crime, assuming responsibility for the rehabilitation of both the victim (usually but not always women and children) and the offenders (usually but not always men) (Walker, 1999). The government began to implement polices to address the issues on national, state, and local levels.

The National Coalition Against Domestic Violence is a grassroots organization that was create by a number of women, advocates, in 1978, hoping to unite on issues of

abuse against women. The mission of the National Coalition of Domestic Violence is to organize for collective power by advancing transformative work, thinking and leadership of communities and individuals working to end the violence in our lives

([www.ncadv.org](http://www.ncadv.org)).

The Family Protection and Domestic Violence Intervention Act of 1994 was passed in the state of New York with the purpose of better assisting victims of domestic violence.

In conjunction with the feminist social movement, awareness and education on the issue of domestic violence have become more prevalent in our culture. Beginning in the 1980's, many individual states actively addressed domestic violence through legal reforms including defining domestic violence as a crime, pro- or mandated arrest policies, expanding the definition of intimate partners to include cohabiting couples and same sex couples, and introducing civil protection orders (Burt, Dyer, Newmark, Norris, & Harrell, 1996). In 1994, the Violence Against Women Act (VAWA), Title IV of the Violent Crime Control and Law Enforcement Act of 1994, provided extensive funds to local, state, and Indian tribal governments to develop and strengthen post-law enforcement and prosecution strategies to combat violence against women (Dunham & Alpert). Legal reforms at the state level led to federal legislation, the VAWA of 1994, which was designed to improve interstate criminal justice interventions and social services for victims (Cho & Wilke, 2005). The acronym VAWA stands for: Violence Against Women Act. As a federal legislation VAWA has been established to assist in the overall reduction and intervention of incidents of domestic violence. The VAWA consolidates almost all of states' legal reforms responding to domestic violence and was expected to

effectively facilitate and strengthen existing state policies to reduce and intervene in domestic violence. The VAWA does this through grants, education, and training programs, and pro-arrest policies (Cho & Wilke, 2005). The specific areas covered by VAWA are the following: safe streets for women, safe homes for women, equal justice for women in the courts, stalker and domestic violence reduction, protection for battered immigrant women and children and provisions to strengthen existing laws. Some research shows that VAWA is cost effective and beneficial to public policy. According to Cho & Wilke, VAWA has significantly strengthened victims involvement with criminal justice authorities such as prosecutors and court officials. Other contributions of VAWA, such as the increase discussion and awareness of domestic violence can not be accurately or concretely measured.

#### *The Role of Law Enforcement in Domestic Violence Cases*

The role of law enforcement in the problem of domestic violence has been the focus of heightened research activity by a wide range of disciplines (criminology, criminal justice, psychology, sociology, epidemiology, and public health) (Van Hasselt & Malcolm, 2005). Each discipline studying the problem uses different terms to describe domestic violence, further complicating the ability to compare one study with another (Walker, 1999). There appears to be great differences in data collection by the professionals in the psychological field and the professionals in the legal field. The legal profession makes distinctions among different kinds of assaults, often using the intent of the actor as the defining criteria, whereas advocates and psychologists often use the actual impact on the victims as the defining criteria (Walker, 1999). There has been much deliberation surrounding the legal definition of the term domestic violence. In some

jurisdictions, “domestic” violence is also the term used for community street and barroom fights (Walker, 1999). It is evident that each discipline or school of thought, and even different legal jurisdictions have uniquely different perceptions of domestic violence. Each discipline tends to view the problem from its own lens. Those who are concerned with helping victims overcome any psychological or physical effects from the violence prefer data dealing with the victims’ experiences as these data give more relevant information to guide treatment planning than do the strict legal definitions that are crucial when dealing with the criminal justice system’s ability to prosecute and hold the batterer accountable for the past violence (Walker, 1999). A more collaborative approach seems necessary between those working on behalf of the victim providing treatment and those that enforce and protect individual rights in the criminal justice system.

The more recent attention given to the interaction between police officers and victims of domestic violence suggests looking more closely at their interactions. Police are the gate-keepers of the law enforcement and criminal justice systems (Daniels, etl,1997). This increased attention is attributable to a number of factors beginning with the historical function of police officers as “first responders” to disparate forms of violence in the home. Indeed, a significant proportion of “calls for service” received by police agencies involve aggression directed toward an intimate partner (Van Hasselt & Malcom, 2005). According to Sherman, domestic assault is the single most frequent form of violence that police encounter, more common than all other forms of violence combined (1992). The legal system has traditionally tolerated female spouse abuse rather than treat it as a crime. Police response is consistently less than adequate (Hattendorf & Tollerud, 1997). Over time the approach to which police respond to victims of domestic

violence has shifted and is continuing to evolve. Prior to 1966, no U.S. police department provided training on domestic disturbances, and only a handful had written policies or procedures on the subject (Hendricks, 1991). In the 1970's, police responses appeared to be grounded in a reluctance to intervene in "domestics". These "domestics" were viewed as private matters occurring within the home rather than "real crime work." In the 1980's, the implementation of legal and policy changes created a more punitive, and structured approach holistically within the criminal justice system. Laws against domestic violence are widely under enforced (Sherman, 1992). For most victims of domestic violence, the first contact they encounter with respect to our criminal justice system, is the police officer that is dispatched to their call for assistance. According to Hendricks (1991), family disturbances account for between 15 and 40% of all calls received by all police departments nationwide; the police, therefore, play a crucial role in determining how a domestic disturbance is resolved. Domestic violence typically occurs during the weekend evenings when others calls-including substance abuse related offenses such as drunk driving, bar fights, gang incidents, loud parties, crimes including breaking and entering, robberies and certain other assaults-put major organizational demands on police time (Dunham & Alpert, 2001). Domestic violence calls pose unique challenges to responding officers. Generally speaking, police officers responding to calls of domestic violence tend to be more time consuming due to the dynamics involved within the context of the relationship between the victim and the perpetrator. Another frequent frustration of police officers responding to domestics is the low number of prosecutions and the large number of cases getting dismissed entirely. The inconsistent follow through often leaves officers feeling as though their efforts and response are not



effective, in fact, in many instances their presence could be summed up as meaningless. No one knows exactly how much domestic violence police encounter, largely because many officers still fail to define and record such incidents as crimes (Sherman, 1992).

### *Feminist Therapy*

Psychotherapeutic interventions for abused women should focus on individual counseling rather than marital counseling, with empowerment as a primary goal. Feminist counseling may offer the best approach to avoid secondary victimization, which occurs when those in a caregiving role blame the victim instead of offering support (Hattendorf & Tollerud, 1997). Feminist therapy does not have a single founder (Corey, 2005), numerous scholars and schools of thought contribute to the ideals of feminist therapy. The feminist approach to therapy is eclectic in nature, taking into consideration social constructs, ideals from a variety of counseling practices, and a historical prospective of the obstacles and struggles faced by women and members of any minority group. The following individuals could be considered pioneers in the creation of feminist therapy: Jean Baker Miller, Carolyn Zerbe Enns, Olivia Espin, and Laura Brown. The primary focus, or foundation of feminist therapy calls attention to gender and power within a client/counselor relationship. Because gender politics are imbedded in the fabric of American society, they influence how we see our selves as girls and boys and as women and men throughout the course of our lives (Corey, 2005). According to Greenspan (1983), feminist therapy may include any theoretical approach or strategy that can be used to challenge rigid traditional roles. Empowerment is achieved by affirming the female's right to personal feelings, needs and assertive action (Greenspan, 1983). Those identifying and practicing ideals of feminist therapy focus on the environmental

influences that an individual endures as part of a life long process. Feminist therapy believes that the individual is effected by multiple systems of oppression over the course of their life.

Feminist therapy stresses the importance of establishing a sound client/counselor relationship that is open in communication and founded on equality among both parties. Assessment must be done through a shared dialogue in which the client is considered to be her or his own best expert. This dialogue includes an understanding of the personal, cultural, social, and political aspects of the client's distress (Evans, Kincade, Marbley, and Seem). It is encouraged that a client takes an active role in the therapeutic relationship.

#### *Offering support*

One of the greatest challenges for helping professionals who wish to ensure safety for women who are threatened is, first, simply to recognizing the need, and second, knowing what questions to ask. Sometimes knowing what not to do is as important as knowing what to do (Jackson, 2003). Psychology needs to seek more thorough knowledge of how battering affects survivors behaviorally, psychologically, and socially. The profession must develop a better understanding of PTSD and domestic violence, including why some women survivors develop PTSD and others do not, and how personality factors influence the development of PTSD (Morrell, and Rubin, 2001).

#### *Community Resources*

A number of local resources exist to call awareness, attention, and hopefully an end to domestic violence. Rochester/Monroe County Domestic Violence Consortium is a group of individuals that meet on a regular basis with representatives from a number of agencies

and organizations that express interest in calling awareness and attention to the issue of domestic violence in the Rochester/Monroe County area. The consortium is committed to the elimination of domestic violence through a coordinated community response that promotes safety for victims and their families; ensures batterer accountability; and fosters community awareness (Rochester/Monroe County Domestic Violence Consortium, Resource Directory, 2005). The Domestic Violence Consortium of Rochester/Monroe County has been in existence since 1982. The resource directory can be used as an educational tool because it contains illustrations of the Power and Control Wheels in heterosexual and gay, lesbian, transgender, and bisexual relationships, as well as an equality wheel. The Domestic Violence Consortium outlines a number of area service providers under the following headings: advocacy services, batterer intervention programs, children's services, civil and criminal legal assistance, medical, Monroe County services, courts, law enforcement agencies administrative offices, and a sector titles other services. Employees from each of these organizations are working to call an end to domestic violence from a victim's standpoint.

## Method

### *Purpose of Research Project*

This project was created with the intent to facilitate communication between the Officers of the Rochester Police Department, other service providers, and victims of domestic violence within the Rochester Community. A survey was created to measure the knowledge and attitudes of police officers working with domestic violence victims. After reviewing the literature, there is evidence that there is a need to suggest alternative ways to better service the victims of domestic violence in the Rochester community.

### *Setting*

The graduate student conducting this project administered a survey to full time police officers of the Rochester Police Department. The surveys were distributed during the police officers roll call. The survey was issued to two random groups of police officers. The survey was given to police officers in the third platoon at the West Side Office, and also given to police officers of the second platoon from the East Side Office of the Rochester Police Department.

### *Procedures*

The graduate student conducting this project created a survey which was given to two randomly selected groups of full time police officers working for the Rochester Police Department. The graduate student conducting this project composed a letter to her immediate supervisor, Patricia Huntington-Sigel, of the Rochester Police Department requesting permission to administer a survey to full time police officers during their roll call. The graduate student's supervisor followed her chain of command in seeking approval for the completion of this graduate students project.

*Participants*

Participation in this project has been reserved to full time police officers of the Rochester Police Department. The police officers chosen to partake in the completion of the survey were from two randomly selected platoons, one from the East Side Office, and the other from the West Side Office. The sample size of police officers for this project is 46 full time police officers.

*Measurement/Instrument*

The survey used was administered to the Rochester Police Officers was created by the graduate student to gather information from police officers working with victims of domestic violence. The survey contains very limited information about the participants. The graduate student conducting this project limited the demographic information to the participant's gender and duration of time on the job. The graduate student conducting this survey would like to compare the results of the questions based on gender to see if the attitudes differ between male and female police officers. In addition to the gender of the police officers being requested, the graduate student conducting this survey believes that the amount of time a police officer has been on the job would be relevant when analyzing the data that was collected. In addition to the two previously discussed questions regarding the participant's demographic information, the survey contains a total of 5 questions and the final statement allows for the police officers to provide comments or feedback if they wish. It is estimated that it will take each participant approximately 5 minutes to complete and return the survey to the student before leaving the roll call room to start their shift.

## Results

As previously discussed in the methods section, the graduate student conducting this project distributed a survey to two groups of full time police officers of the Rochester Police Department. The corresponding survey is noted as Appendix B. The participants of the survey were asked to provide limited demographic information, including their gender, and duration of law enforcement experience. The survey also asked 5 qualitative questions about police knowledge, perceptions, and reactions to their response for calls of service centered on issues of domestic violence or family offenses. The final item on the survey allowed for the police officers to contribute any comments or feedback on the topic of police response to domestic violence.

### *Gender*

The total number of participants in this survey was 46. Forty-one of the 46 or 89.13% of the participants identified themselves as males. Of the 46 participants, four , or 8.69% identified themselves as female. One person, or 2.17% of the participants identified themselves as transsexual.

### *Duration of Law Enforcement Experience*

The survey contained a question asking the participants to provide the duration of their law enforcement experience. The duration of law enforcement experience ranged from two months on the job to thirty years on the job. In reviewing the data, the mean or the average duration of law enforcement experience of all participants is 8.93 years.

*Survey Question Number 1: What is the most challenging aspect when responding to a family trouble?*

The first question on the survey asked the police officers to report what the most challenging aspect is for them when responding to a family trouble. All but one of the participants provided a response to this question. A number of themes emerged as the police officers provided answers to this question: finding out the truth, safety of all parties involved, the level of intense emotion, and responding to the same location, with the same parties time and time again.

Numerous police officers voiced concerns about determining the facts of each individual family trouble call to which they respond. Sorting out the events and determining who the primary aggressor in each incident is paramount. There was much concern presented about trusting that both parties are telling the truth and often having to sort some embellishments that both victims and suspects conjure in the chaos of the domestic dispute. One respondent stated that the most challenging aspect of responding to a family trouble and/or domestic violence is over dramatization. Many police officers described the scene as having a great deal of uncertainty for all parties (the responding officer, the victims, and the suspects) fueled by emotion. The fear of the unknown surfaced as a concern of the police officers answering the survey. Police officers must be prepared for a wide range of possible reactions by the victim and the suspect as they respond to the scene of a domestic incident. Maintaining order and control of a situation is another concern for the police officers responding to this survey. A number of officers reported calming down the parties and de-escalating the screaming and yelling between parties as challenging.

Another predominant theme of the responding officers that posed a challenge to their response to family troubles is a pattern seems to have emerged where they are

responding to the same location, involving the same parties over and over again. Police officers have expressed concern about having to respond to call with the expectation of solving a problem in a short time frame that often time has been festering between parties for an extensive amount of time. Some police officers felt the expectation to provide a quick fix for parties that have a lengthy history of domestic violence or other underlying issues. Some officers have reported they are expected to solve others problems because they, the caller, either choose not to solve there own problems or they may be lacking the skills to provide a more long term solution. One police officer commented that police officers are viewed more as counselors than police. A few police officers mentioned that the use of alcohol by parties involved at the scene of a domestic adds another layer of obstacles for a responding police officer to sort through. Two police officers expressed concern for the effects domestic violence may have on children witnessing this type of behavior. One police officer believes that family troubles are the most violent type of calls in which officers' respond. Extreme anger, availability to weapons and a fight in progress were all listed as concerns as police officers respond to a family trouble. The police officers answering this question presented a variety of obstacles that they may endure when they are dispatched to a family trouble.

*Survey Question Number 2: When is the last time you received training (in service, academy, ect.) on domestic violence?*

The second question asked on the survey, asked the police officers to recall the last time they received training, in service, academy, ect, on the topic of domestic violence. The most general response received by the police officers in respect to this question is the training they received in the academy. Another pattern that emerged in



response to this question was that many police officers could not recall the last time they received training on the issue of domestic violence and reported vaguely by saying several years ago, or years ago. One police officer stated that the most intense training on the topic of domestic violence was during the academy, but from time to time training is presented during roll call. Presenting the responses this question posed a unique challenge because the last time a police officer received training on domestic violence needs to be correlated to the amount of time they have had on the job. The availability of training on the topic of domestic violence to police officers is an area of concern due to the wide range of law enforcement experience of the police officers that completed this survey.

*Survey Question Number 3: Who is eligible for family court?*

The third question the graduate student conducting this survey asked the police officers to respond to, asked who is eligible for family court. The majority of the respondents answered by stating a combination of the following: family members, children in common, husband/wife, blood relatives, and juveniles. One police officer answered that New York State recognized domestic relationships meet the criteria or eligibility requirements of family court. One police officer wrote that they believed that anyone is eligible for family court, but women are given preference. The second most common response is everyone or anyone is eligible for family court. Another common theme that emerged by the police officers response to this question was domestic offenses or domestic relationships are believed to meet the eligibility requirements of family court.

*Survey Question Number 4: Are you aware that local law enforcement agencies definition of domestic violence is more inclusive than the eligibility requirements of family court?*

Question number four of the survey administered to the police officers, asked if they were aware that the local law enforcement agencies definition of domestic violence is more inclusive than the eligibility requirements of family court. Of the 46 participants, 45.65%, or 21 answered yes, that they were aware that the local law enforcement agencies definition of domestic violence is more inclusive than the family courts definition of domestic violence. Two participants provided more in depth responses. One police officer stated that the Rochester Police Department includes many other relationships as “domestic” than the court. One stated that their department includes sex partners even when family court does not. Twenty-two police officers stated that they did not know that local law enforcement agencies definition of domestic violence was more inclusive than the eligibility requirements of family court. The 22 police officers or 47.83% that answered no to this question provided limited responses. One police officer said no, but I’m not surprised. Three of the 46 participants or 6.52% choose not to answer this question at all.

*Survey Question Number 5: What is your reaction to the new Domestic Incident Report?*

The fifth question the police officers were asked to respond to on the survey was to provide their reaction to the new domestic incident report. The most common theme that emerged in the police officers response to this question is that the domestic incident report is too long and very time consuming. Some police officers claim that there are too many questions, many of which are too detailed in nature. A number of police officers

described the domestic incident report as cumbersome, repetitive, and a duplication of paperwork. Some police officers believe that the information collected on the domestic incident report is the same information that is collected and documented on a crime report. One police officer believes that the completion of a domestic incident report is a waste of time, and if the victim doesn't want someone arrested, then there is no need for paperwork to be done. Three police officers stated that the domestic incident report was ok. One police officer felt that the domestic incident report doesn't assist in solving the problem, stating that it seems useless, that the information is done just for reporting, but no services are coming out of it. One police officer simply stated that paper doesn't help domestics. Another police officers reaction to the domestic incident report is similar to the previous respondent, stated that often times the report doesn't go anywhere, however, documentation may be helpful in the long run. Three police officers also reported that the domestic incident report was good. One police officer described the domestic incident form as an excellent way of keeping track of patterns, offenders and victims. Two police officers shared that paperwork is part of the job. Four of the participants choose not to answer this question, while one wrote that they don't really have an opinion on this question.

*Survey Question Number 6: Please feel free to add any additional comments or feedback.*

The final item on the survey allowed the police officers to provide any additional comments or feedback they would like offer, if any. Thirteen police officers provided additional information. The police officers provided a variety of comments. A few police officers commented on orders of protection and how they are being issued and utilized. One police officer stated that orders of protection need to be given to those who

truly need it. One person commented that orders of protection are being used as “go away” tools. Another police officer mentioned that too many people use the police for domestic drama as opposed to those that really need the help. One police officer stated that domestic disputes are stressful sometimes because there are many times when the police don’t need to be there or when there is nothing we can do. Another officer believes that people need to make more of an effort to solve their own problems; they made their choices to get into the relationship they should make the choice to leave.

## Discussion

As previously reported, the results of the survey provide and suggest some patterns in the police officers responses to each of the questions. It is important to also take into consideration the limited demographic information that was asked of each police officer as well. Each question will be discussed in depth, illustrate possible implications for counseling, if any, and recommendations for future research. In addition to the specific questions asked on the survey, the demographic responses will also be addressed.

### *Gender*

The majority of the participants in this survey were male. The number of male responses overwhelmingly out numbered the number of female police officers responses. The under-representation of female police officers is important to recognize when looking at the officers response to domestic violence. The law enforcement community consists mostly of men; this is evident in the sample size represented through this survey. In the male dominated field of law enforcement, in a world that is already considered patriarchal, poses a unique question to the way police officers may be responding to domestic violence calls based on their gender. Castillo (1997) suggested that domestic violence is still a major problem in the United States that stems from the traditional gender dominance hierarchy. Castillo's statement is important to keep in mind as the answer to each question is explored more in depth. It is very interesting that a gender imbalance is present in the law enforcement community and in the victims of domestic violence. Mostly male police officers are responding to predominately female victims of domestic violence. One respondent to the survey identified themselves as transsexual.

While this sample size is clearly limited herein, seeming, over-representation of males over females and transsexuals suggests the need for a more diversified police force.

#### *Duration of Law Enforcement Experience*

The second demographic information asked of the police officers participating in this survey asked them to provide their duration of law enforcement experience. The police officers that participated in this survey have a rather large range of on the job experience. The police officers law enforcement experience range from as little as two months, to one person that stated they were on the job for 30 years. The sample provided a variety of newer police officers to those that are more seasoned and experienced, allowing for unique perspectives on the topic of domestic violence. The participants duration of law enforcement experience is also important to the question about police officer training on domestic violence, which will be covered more in depth in the questions to follow.

*Survey Question Number 1: What is the most challenging aspect when responding to a family trouble?*

Forty-five of the forty-six participants responded to the first question on the survey asking what the most challenging aspect is for a police officer when responding to a family trouble. This question evoked a variety of responses. The large number and variety of responses suggests that police officers are being dispatched to a rather large volume of calls in which the police department identifies as family troubles or domestics. Hendricks, states that family disturbances account for 15-40% of the calls received by all police departments (1991). One theme emerged in the police officers responses that are unique because they have not even responded to the call and they are reacting to what

could be upon their arrival on scene. Approximately four police officers expressed an uncertainty about not knowing what to expect as they are in route to a domestic/family trouble. This “fear of the unknown” suggests that police officers must remain alert and prepared for a wide range of circumstances. Two police officers commented on the possibility of parties being under the influence of alcohol creating another challenge or obstacle, while another two police officers expressed concern about weapons and fights in progress, one of these two participants stated that they believe domestics are typically the most violent calls received by the police. The most predominant theme that developed from the survey results is the ability to sort out the facts of what truly happened when they arrive on scene of a call. Determining the truth seems to pose a challenge to responding officers because parties may make things up or embellish their stories. With determination of the truth or validity of a call, comes the identification of each parties role in the family trouble/domestic dispute. Determining the primary or main aggressor was voiced as a concern by a number of respondents. As police officers are responding to calls for service the majority are determined with finding the truth and collecting the facts that the emotional component involved with the victims and suspects pose an additional challenge. The results suggest that this emotional response of component is a hindrance as police officers try to figure out the factual information of each incident. One respondent stated that they are viewed more as “counselors” than police. A number of police officers claim that calmed the parties down is very difficult, most people are emotionally driven to the point that they are yelling and screaming that redirecting either party poses a unique challenge to any responding officer. The results suggest that most police officers are more concerned with sorting out the facts than the

emotional component. The emotional component is another obstacle for them to overcome as they step into a chaotic scene in which often times the people involved have a lengthy relationship history. A few police officers provided insight about the perceived expectation that it's the police officers job to create a resolution or solve a family trouble or domestic dispute in a matter of moments when the disagreement between parties is often longstanding. Another concern voiced by the police officers involved in this survey was being dispatched to the same location, with the same parties, over and over again. The inconsistency in follow through on the victims in these domestic disturbances, suggests that officers are becoming somewhat desensitized due to the low number of prosecutions. A few respondents stated that people make minimal if any effort in solving their own problems and turn to the police as somewhat of a quick fix, and that some people have learned to manipulate the system to work to their advantage.

*Survey Question Number 2: When is the last time you received any training ( in service, academy, ect.) on domestic violence?*

The second question that the police officers were asked to answer is focused on the training they have received on the topic of domestic violence. The most common response police officers gave to this question was that the last time they received training was in the police academy. The second most common response to this question was that the police officers were unable to recall the last time they received training on the topic of domestic violence. Analyzing the responses to this question posed more of a challenge than the student conducting this project anticipated. Many police officers responded with a numerical figure that was difficult to put into perspective because there was no constant variable in which each individual's response could be measured against. For example,



oneis that a police officer that was on the job for only a year and a half and a police officer that has been on the job for nine years, both responded with having had their last training on domestic violence while in the police academy. Nine years of on the job experience without and type of follow up training on such a routine call seems as though there is a lack of appreciation for education and current training and trends. Of the forty-six police officers that responded to this survey question, it has been years, some in excess of ten years since they have had any type of on the job training or in service training on the topic of domestic violence. One respondent did state that the police academy provided the most in depth training on the topic of domestic violence, but on occasion training has been touched upon during roll call. The responses the police officers provided around the training on issues of domestic violence is disturbing to me. Police officers seem to be lacking significant training on how to handle family troubles or domestic disputes. If 15-40% of the calls for service are centered around family disturbances, why is there not more emphasis placed on training police officers on this topic? The student conducting this survey would suggest that the training the police officers are currently receiving is not adequately presenting or consistently presenting training in an on-going manner would be suggested. This lack of training raises a great deal of concern because family troubles are the type of calls in which police officers are responding to most frequently. The concept of domestic violence has evolved a great deal in the role law enforcement plays. A number of the participants in this survey stated that it has been years since they have received any type of training on domestic violence, this is alarming because it was in the 1980's when legal policies began to change on how domestics were handled, and some of the respondents listed that they have 30 years of

law enforcement experience with little if any in service training on how the police response has or should have progressed over time. It suggested that training be mandated on a continual basis for all police officers either annually or biannually to assist in supporting the police officers to assist with the high volume of calls for service that are considered to be family troubles or domestics.

*Survey Question Number 3: Who is eligible for family court?*

The third survey question asked the police officers to answer who is eligible for family court. Many of the respondents answered this question with partially correct answers. A number of people stated that anyone or everyone is eligible for family court. This response is vague, but for the purpose of this research, it is also inaccurate. The eligibility requirements of family court are as follows: blood relatives, married, or once married couples and parties with children in common. Surprisingly only one person responded with a response that encompassed all three of the eligibility criteria that were listed previously as a requirement of family court. The police officers lack of knowledge about family court eligibility criteria is alarming. Education on family court procedures is also suggested in both the police academy, and additionally on a annual or biannual basis as a “refresher” course. A majority of the police officers responding to this question provided partially accurate responses to this question. Most police officers stated that family members, spouses, juveniles, and blood relatives are eligible. There were approximately 8 police officers that stated that domestic partners or live-in partners are eligible for family court. This seems to be a major misconception. Many victims are being misinformed about the eligibility requirements of family court. Many victims are being told inaccurate information by police officers and at times being referred to family

court when they do not meet the appropriate criteria for services. One respondent stated that anyone is eligible for family court, but women are given preference. This police officers response resembles a gender bias remark. It may be perceived by this respondent that women receive some sort of preference by the family court system, however the majority of victims of domestics are women and this has been proven repeatedly by the statistics of domestic violence.

*Survey Question Number 4: Are you aware that local law enforcements definition of domestic violence is more inclusive that the eligibility requirements of family court?*

Question number four of the survey asks if the police officers were aware that local law enforcement agencies definition of domestic violence is more inclusive than that of the eligibility requirements of family court. The results given by the police officers responding to this question were very close. Three people chose not to respond to this question, leading this graduate student to infer that those specific police officers did not know the answer to that question. Twenty-one police officers responded with an answer of yes while twenty-two responded with no for an answer. This question was placed immediately following the question about family court eligibility requirements to illustrate that what each individual department may consider to be a domestic, or require that a domestic incident report be completed, does not guarantee that the parties involved are eligible for family court. Two police officers provided brief explanations when they answered this question with a yes. One police officer stated that sex partners are included in the departments definition of a domestic, but family court does not. Another police officer stated that the Rochester Police Department includes many other relationships as

“domestic” than the court. What the Rochester Police Department considers as domestic are shown in Appendix C, the Domestic Incident Report.

*Survey Question Number 5: What is your reaction to the Domestic Incident Report?*

The fifth survey question asked the police officers to give their reaction to the new Domestic Incident Reports. A few themes presented themselves as the police officers responses to this question were analyzed. Many police officers felt that the information collected on a Domestic Incident Report is too detailed and time consuming to complete. The police officers used a variety of mostly negative adjectives to describe the Domestic Incident Reports. Some police officers described the Domestic Incident Reports as cumbersome, a waste of time, too detailed, repetitive, and as having too many questions. A great deal of the same information is required on a Domestic Incident Report as there is on the more common report used by police officers, known as a Crime Report. Some police officers felt that paperwork is simply part of the job, but questioned the purpose of the Domestic Incident Reports. It seems as though the police officers are suggesting that the completion of a Domestic Incident Report is not a productive use of their time. Fewer police officers were in favor or indifferent in their reaction to the Domestic Incident Report, than those questioning its purpose or that may be all together opposed to it. Some of the negativity surrounding the completion of these forms could come from the variety of responses that police officers listed as their most challenging aspect when responding to family troubles. The completion of the Domestic Incident Reports may become more favorable in the eyes of the police officers if more follow through occurred with having the suspects arrested. The literature suggests that police officers experience some level of frustration because of the low number of domestic

cases that get prosecuted or get dismissed from the legal system at the first court appearance. Many police officers voiced their opinions about having to respond to the same location, with the same victim/suspect relationship time and time again. It is suggested that police officers may get desensitized to the domestics they respond to repeatedly. As police officers get frustrated by responding to the same location multiple times, many calls for service may simply not get documented on Domestic Incident Reports because they don't seem to act as a catalyst for change in individual parties making changes in their relationships. The attitude suggested by the majority of the police officers was "why should I document a domestic separately, when it does not amount to anything?" Police officers seem to be purpose driven individuals: one would conclude that frustration is a result because the documented Domestic Incident Reports do not seem to produce, or even suggest, positive results in the police officers' opinions. One police officer wrote in the area provided for comments and feedback that officers shouldn't have to complete crime reports with the domestic incident reports because it is too time consuming and officers do not always fill them out because of the time involved. The police officers are called to resolve a problem, and when a victim is not able to or does not remove themselves from a situation this tends to create frustration for the responding officer, especially when they have been dispatched to the same location multiple times, and completing an additional form does not seem to do anything to better the situations at hand.

*Survey Question Number 6: Please feel free to add any additional comments or feedback.*

The final item on the survey allowed the police officers to voice any feedback or thoughts on the topic of domestic violence. Thirteen police officers wrote down

additional information on their attitudes and perceptions of police response to domestic violence. There was such variety in the responses given, however many of the responses could have fit for other previously discussed questions.

A few comments stand out from the information that was already discussed in previous questions. One police officer stated that they are so new, and that they don't have major experience. This comment suggests that this specific individual was hesitant in their responses because of their lack of law enforcement experience. The administration of orders of protection was commented on by a few police officers. One police officer stated that orders of protection seem to be used as "go away" tools. In correlation to the previous police officers comment, one police officer stated that orders of protection need to be given to those who truly need it. These two comments suggest the orders of protection are not being utilized to their full potential.

The survey results may act as a catalyst for change in the way the Rochester Police Department respond to calls for service involving domestic relationships. It is important to recognize that it may take a great deal of time before changes can be implemented, but the analysis of the data collected by this sample of police officers may suggest or promote improvements for police officers responding to calls for service and for victims and suspects that are initiating contact with law enforcement for assistance.

### *Limitations*

While reviewing the data, some limitations to the research surfaced. It is important to recognize the sample used is only a small number of voices of police officers within the Rochester Police Department. The most challenging question to draw conclusions from in terms of correlating data is because the way in which the question

about training was presented. Most police officers stated they last received training on domestic violence while in the academy or they simply reported a time, usually years had passed, making it difficult provide a truly accurate portrayal of just how long some police officers have been on the job without having any additional training on domestic violence. One major obstacle in creating a survey on police response to domestic violence is the language used among the “cop culture” and the general public. Much consideration was used in the wording of each question.

The title of this thesis project is Police Response to Domestic Violence; however, the very first question listed on the survey is a prime example of how the language differs for police officers than the general public: police officers do not respond to domestic violence calls. Legally speaking, police officers are dispatched to “family troubles.” The term family trouble encompasses a variety of relationships; spouses, parents, children, siblings, blood relatives of any kind, boyfriend/girlfriend, and same sex relationships. The New York State Law does not recognize domestic violence as a crime. An individual can not be charged with domestic violence; instead, police officers call the section of the law pertaining to these types of “incidents” as family offenses. A number of crimes are considered to be family offenses. The police officers are guided by the New York State Penal Law, Family Offenses when responding to a family trouble. In addition to the legal guidelines, the police officers must consider the relationship between parties to determine if the offense is a criminal offense with a domestic relationship.

#### *Implications for counseling*

A number of implications for counseling can be drawn from the services victims are receiving based on the police officers response to the survey. As previously

discussed, language is an obstacle for those in professions other than law enforcement. The police officers responses infer a great deal of frustration as they perform their jobs. Counselors should be educated on the topic of domestic violence to act as an advocate for victims they may be working with. Counselors should also be aware of the limitations of the law surrounding domestic violence cases. Education and being informed about services available to victims of domestic violence should be a priority of counselors. Counselors should be aware of the limitations and frustrations police officers have as they perform their jobs, to the best of their ability, although it was previously discussed that their training on the issue of domestic violence is certainly lacking. The purpose of this survey was to create more awareness around the initial contact, and entry into the criminal justice system, from a victims perspective with police officers usually as their first contact. Creating a coordinated response needs to start with the first responders, in most cases police officers arriving to the scene, informing, teaching, and educating police officers seems like a relatively simple solution, but many things need to be taken into consideration. The disproportioned gender bias both within the law enforcement community, and in the victims, is all encompassed within a patriarchal society. Change on this issue of police response to domestic violence has been progressive, but it still has a great deal of room for improvement. The implementation of Domestic Incident Reports, may prove to be more effective if police officers completed them on a more consistent, or regular basis.

### *Conclusion*

In closing, the information collected through the already existing literature and through the police officer's responses to the survey illustrates the need for improvements



on a number of levels. A key objective of this project was to facilitate communication from a police officers perspective to better assist the needs of victims of domestic violence at the point of entry through the long process of the criminal justice system and other community resources. A collective response with the victim's needs at the center should be the priority of police officers at the point of entry to the counselor or any other service provider that may be assisting a victim during their time of crisis.

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Appendix A

Appendix B

Please complete the following questions to the best of your ability.

Demographics:

Gender: \_\_\_\_\_

Section: \_\_\_\_\_

Duration of Law Enforcement Experience: \_\_\_\_\_

1. What is the most challenging aspect when responding to a family trouble?
2. When is the last time you received training (in service, academy, ect.) on domestic violence?
3. Who is eligible for family court?
4. Are you aware that local law enforcement agencies definition of domestic violence is more inclusive than the eligibility requirements of family court?
5. What is your reaction to the new Domestic Incident Report?
6. Please feel free to add any additional comments or feedback, you may use the back if necessary. Thank you for your time!



