

POLICE INTERVENTION IN
DOMESTIC VIOLENCE

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Domestic Violence is not only one of law enforcement's biggest problems, but also a problem of today's society. For many years, people believed that domestic abuse was a private affair to be kept behind closed doors. Statistics show that domestic abuse is a serious crime that demands the communities and courts to intervene and help these victims who, for many different reasons, often will not help themselves.

Just how big of a problem is domestic violence for Law Enforcement? Is the role of the police officer to merely make the arrest, or is he required to wear the hat of social worker, counselor, mentor, etc? While society expects officers to effectively handle domestic violence calls, not all officers are trained to do so. Just as a supervisor must see that every officer is trained in firearms and defensive tactics, it is an equally important responsibility to see that his/her officers are properly trained to handle domestic violence calls. The goal of this paper is to give officers some form of training by educating them on the dynamics involved in domestic violence cases so they may be better prepared to handle the situation when responding to reports of domestic violence. I will begin by covering the definition and history of domestic violence, the façade of the batterer, the cycles of violence and the victims of violence. I will conclude by discussing how police intervention can help stop the cycles of violence.

Domestic Violence Defined

There is an abundance of evidence suggesting that the majority of victims of domestic abuse are females. Studies have shown that over 95% of all acts of domestic violence are committed by men against women (Gelles & Cornell, 1995), therefore for the purpose of

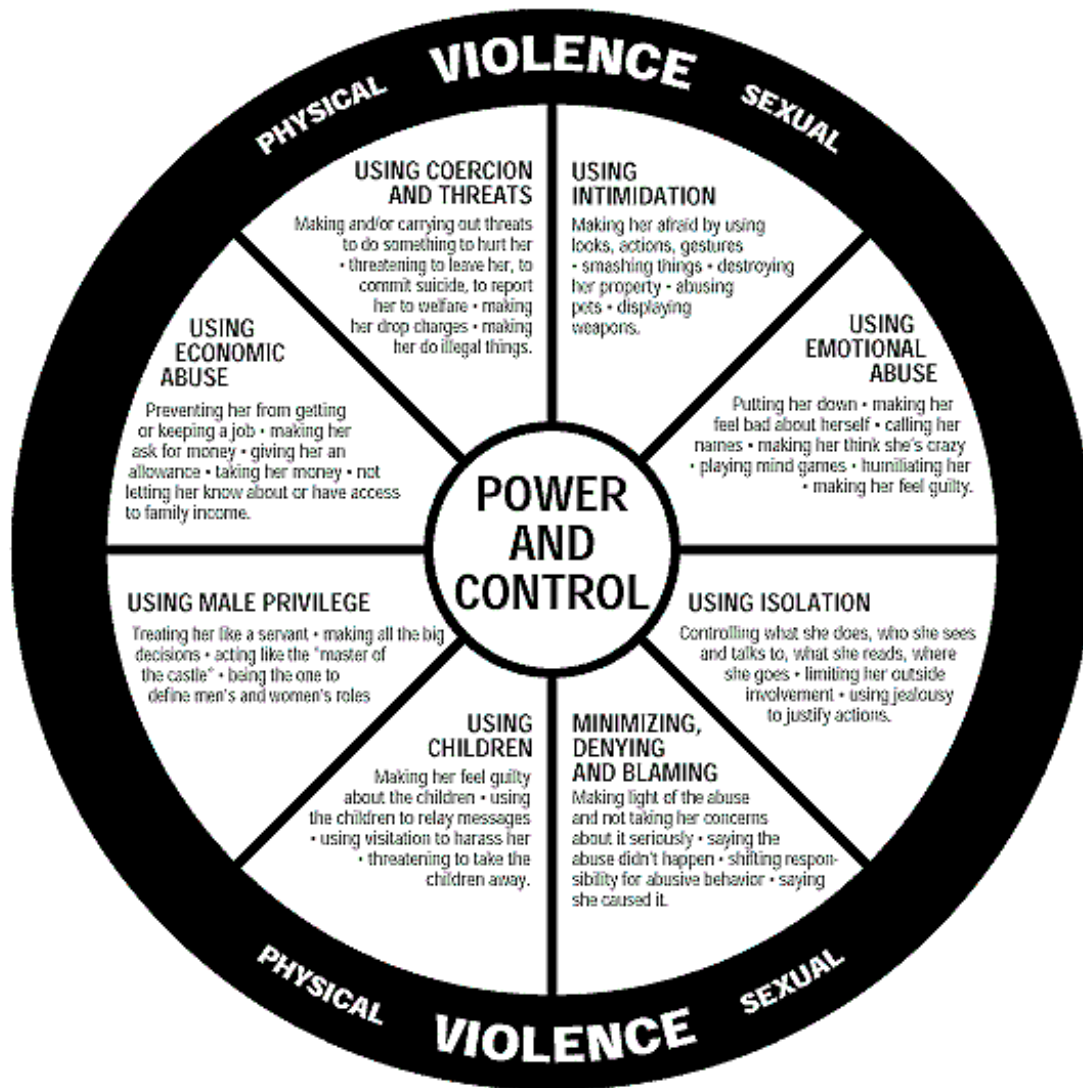
this paper, I will explore the issue of domestic violence with the adult female partner being the victim. The sad fact is domestic abuse does not discriminate against any person regardless of their age, race, religion, ethnical background, sexual orientation or social status.

Domestic Violence is defined as any physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members. For any act of violence to be considered “domestic” it must have taken place between “family or household members”. Young and Young (2004) define “family or household members” as “spouses, former spouses, parents and children, persons related by blood within the fourth degree of consanguinity, any children residing in the household, and persons who have or have had a child or children in common” (p. 47).

Domestic violence crimes are about power, control, domination and fear. Stewart (2004) explains this concept perfectly.

Batterers seek to gain and maintain power and control over their intimate partners by the use of actual and assumed power. One of the best ways to understand tactics that an abuser often uses is to look at the “Power and Control Wheel” developed by the Domestic Abuse Intervention Project in Deluth, Minnesota. The core of the wheel is divided into the following eight categories, which represent the psychological tactics and emotionally abusive behaviors used by batterers: (1) emotional, (2) intimidation, (3) coercion and threats, (4) economic, (5) male privilege, (6) using children, (7) isolation, and (8) minimizing, denying, blaming. Although many acts of psychological and emotional abuse do not violate state or federal law, they serve as a means for the batterer to establish control. Control is often enforced physically and sexually. (p. 48). (See Figure 1.)

Figure 1



www.ncdsv.org/images/Power_and_Control_wheel_ncdsv.pdf

With the exception of physical abuse, these categories of violence are invisible to the naked eye and may go unnoticed for many years.

When we hear the term domestic violence, most of our minds automatically picture a woman who has been physically beaten. I picture a childhood family friend. I watched this woman be beaten and attacked by her husband for fifteen years. As a child, I often found myself asking the questions; why is he hitting her, why doesn't she fight back, why does she stay in this relationship, and where are the police? I was taught if you were hurt or needed

help to call the police and they would rescue you. I waited for the police to come rescue my friend for years, but they never did. As I grew into my teenage years, I often thought that she got what she deserved if she didn't leave him. I couldn't feel sorry for a woman who chose to keep herself and her child in that type of relationship. Although I'm sure she suffered from many forms of domestic violence, the most apparent and obvious to me was the physical battery. I saw the results of her terror many times as she tried to cover the fresh bruises with layers of make-up. She would walk with a limp or hold her rib tight with her arm thinking no one would notice. Sometimes she would disappear for days at a time while other times she would send her daughter to stay with friends, even though they lived in the same small town. I remember one day in the late 1970's where I was playing with my friend at her house when her father came home from work. There was an immediate tension in the air as her mother sent us outside to play. Within minutes, we could hear yelling inside the house. My friend, who was barely 4 years old, started to cry because she knew what was happening inside. Her mother came running outside with her father chasing after her. She had blood on her lip and she was begging him not to hurt her anymore. This monster picked her up and slammed her onto the hood of her car causing a large dent. He picked her up again and slammed her onto the front windshield. The impact of her shoulder and ribs hitting the windshield caused it to shatter. He grabbed her by the hair and dragged her back into the house as we followed, begging him to let her go. She got away and ran around the bar in the kitchen. After several minutes of screaming back and forth at each other, he took a hot cast iron skillet out of the oven and hit her in the face with it. He grabbed her by the hair again and drug her down the hallway to their bedroom. I can't bear to imagine what he was going to do next. She kept trying to crawl away from him but he just kept pulling her back into the bedroom to continue the beating. He picked her up by the arms and slammed her into the

wall leaving the imprint of her upper body into the sheetrock. During what appeared to be this eternity of hell, my friend and I were crouched down hiding in the shadows. Her mother was screaming for him to stop. My friend showed me where her father kept his pistol. I took the gun and gave it to her mom when she fell into the hallway. She was able to get him out of the house that day, but suffered a broken collar bone, three broken ribs, a broken nose, lacerations to her face and shoulder and many small cuts and scrapes. She did not report it to the police. It ended up being eleven more years before she found the strength to leave him for good.

Not all forms of physical battery are as serious as just described; some are more serious. Physical battery can range from bruising to murder. It often begins with shoving or slapping but will escalate into more frequent and serious attacks as the relationship progresses. For example, the victim may be tied up, locked in a room, pushed, kicked, choked, burned, stabbed or shot. The victim will go through stages of confusion and denial. She will attempt to cover up her abuser's actions and will frequently be severely injured before coming face to face with her situation and deciding to leave.

Sexual abuse, which is often accompanied by physical battering, is when the victim is raped or forced to participate in any unwanted sexual activity. The victim may be forced to participate in unwanted sexual practices with her abusive partner. She may also be forced to participate in unwanted sexual acts with persons other than her abusive partner. She may be denied the right to protect herself from sexually transmitted diseases or pregnancy. The sexual parts of her body may be attacked or mutilated and she may be raped with foreign objects. If not doing so already, her abuser may be threatening to sexually abuse her child or children so she will sacrifice her own body to him thinking she is protecting her child from the sexual abuse.

Verbal abuse consists of negative comments to the victim. He will use a sarcastic tone and ridicule her by putting her down and constantly calling her names. He will insult her on everything she does. Nothing is ever good enough, she's not pretty enough or thin enough, the house isn't clean enough, his food isn't warm enough, she's not smart enough, etc. He will tell her she is worthless as a mother/lover/human being. He will tell her she doesn't deserve him and she should be thankful he puts up with her. He will threaten to harm her or her child and may threaten to kill or maim her pets. Eventually he will be able to intimidate her without uttering a single word. A simple facial expression or gesture will be enough to jerk her back in line. His constant abuse will lead her to believe she is a failure and she will start enforcing those negative traits into her own subconscious. She will fear that no other man will want her since she is such a failure. She will convince herself to stay in the relationship, because after all, "it's good some of the time".

Other types of abuse are psychological and emotional abuse. Either form of abuse may include verbal and non-verbal threats, control tactics, social isolation, destruction of property, harming of family pets, and deprivation of essential needs such as food, sleep, clothing, etc. The abuser may show signs of extreme jealousy and will deny privacy to the victim. He may accuse her of infidelity and demand she disrobe in front of him so he can inspect her body. If the abuser is out of the home, he may use seeing the children as an excuse to harass her. He may attempt to get to her by sending messages through the children or he may attempt to turn the children against her by constantly criticizing her to the children and telling them she does not love or want them.

Closely linked to psychological abuse is social abuse. In this type of relationship, the male asserts his power over the female by telling her when she can go out and who she can speak to. He may cut her off from her family and friends thereby severing any ties to support

she may have had. If she has been allowed to work, he may attempt to stop her from going to work, make her late for work or cause problems at her job. If he approves of her leaving the house, he may follow her or check the mileage on her car when she returns. She will be interrogated when she returns home and be held accountable for every minute of her time.

He will usually find fault with something she has done and the abuse may turn physical. She will eventually keep herself isolated from the outside world in an effort to avoid these consequences.

Economic abuse occurs when the male has total control over the finances. He usually will not allow the female to hold a job. If she does work, he will take her earnings and give her an allowance, which is usually less than adequate to cover the cost of her necessities. He will criticize her and call her an incompetent failure when she asks for more money to cover the household needs. She will be totally dependent on him for food, clothing and shelter. By keeping her without financial resources, she will feel that she has no way of supporting herself and her children, therefore she has no way out.

Without intervention, most cases of domestic violence will increase in frequency and severity. In nearly all cases of domestic violence, the victim will suffer from all of the forms of abuse listed above. Although verbal and emotional abuse isn't as obvious as the physical abuse, they are equally damaging to the victim.

Just how big of a problem is domestic abuse? A national crime victimization study by the United States Department of Justice (www.usdoj.gov) reported the following facts:

- Each year 1,500,000 women in the United States are raped or physically assaulted by their intimate partner.
- Because the number of victimizations far exceeds the number of victims, it is estimated that in the United States, there are 4.8 million intimate partner rapes and physical assaults against women annually.

Among women who report having been raped, physically assaulted, or stalked since they were 18 years old, 60% were victimized by a husband, co-habiting partner, a boyfriend or a date.

- More than 500,000 women have injuries requiring medical treatment each year that were inflicted upon them by intimate partners.
- The direct costs of medical treatment for battered women annually are estimated at \$1.8 billion.
- Each year, over 324,000 pregnant women are victims of intimate partner violence in the United States.
- Children under the age of 12 resided in 43% of the households in which domestic violence was reported between 1993 and 1998.
- About 4 in 10 inmates serving time in jail for intimate violence had a criminal justice status – on probation or parole or under a restraining order – at the time of the violent attack on the intimate.
- About 1 in 4 convicted violent offenders confined in local jails had committed their crime against an intimate; about 7% of state prisoners serving time for violence had an intimate victim.
- During 1997, about 69,000 out of an estimated 2,671,000 applications for the purchase of a handgun were rejected because they failed the presale background check. Domestic violence convictions accounted for over 9% of the rejections, and domestic violence restraining orders, 2%.

In the book *Refuge*, Stewart (2004) reported the following facts:

- Approximately 2000 American women are murdered each year by intimates.

- Nearly half of all men who abuse their female partners also abuse their children.

Children who witness their mothers abuse often take on delinquent and violent behavior.

- 80% of runaway children are from violent homes.
- 85% of batterers watched domestic violence occur in their own homes as children and/or experienced child sexual or physical abuse.
- Children who have witnessed abuse themselves are 1000 times more likely to abuse a spouse/partner or a child when they become adults than children raised in non-abusive homes.
- Women who are being battered are less able to care for their children.
- Battering is the single largest cause of injury to women – more frequent than auto accidents, muggings and rapes combined.
- Battered women are two times more likely than men to commit suicide.
- Women are in nine times more danger in their own homes than on the street.
- Violence in the home is considered the root cause of violence in the street.

With these alarming results, you have to ask yourself why a woman would subject herself to an abusive lifestyle. I will attempt to answer this question in the chapter titled Victims of Domestic Violence, but first, you must understand the history and acceptance of wife battering.

History of Domestic Violence

“In the 1500’s, men were exhorted from the pulpit to beat their wives; tales were told of the wickedness of a nagging wife and the proper punishment for such behavior”

(Stewart, 2004, p. 28). The “Rules of Marriage”, which promoted wife beating, were written by Friar Cherubino of Siena in the mid-fifteenth century. Stewart (2004) quoted the Friars’ rules as:

“When you see your wife commit an offense, don’t rush her with insults and violent blows...scold her sharply, bully and terrify her. And if this doesn’t work...take up a stick and beat her soundly, for it is better to punish the body and correct the soul than to damage the soul and spare the body.” (p. 28).

During the 1500’s, Lord Hale, an English Jurist, established marital exemption for rape, (www.bwjp.org, 2003). According to the Jurist, rape in marriage was not a crime. This practice was followed until the early 1980’s when the rape statute was amended to include the spouse as a victim. Even with this amendment in place, many men today still hold the mindset that his wife is his property and he has the right to sexual access with her at any time, regardless of her consent.

In the early 1800’s, families lived under the English Common Law “Rule of Thumb.” This rule allowed a husband to beat his wife with a stick, as long as the stick was no wider in circumference than his thumb. This “Rule” had been adopted by most state courts across the nation during the colonial period, at a time domestic violence was not considered a crime or even a problem. It was accepted that a man should be free to discipline his wife and children as he saw fit (Bennett & Hess, 2004). This rule was acceptable because the law failed to recognize women as persons, but instead recognized wives/women as property of their husbands or fathers. As a result, the law provided little or no protection to women who were physically abused.

In 1823, a North Carolina court held that a husband could not punish his wife, but could defend himself against her. This same court ruled that threats of violence, or in some instances, actual violence, was not grounds for divorce. Another North Carolina court held, in 1828, that a woman was supposed to obey her husband under the threat of physical abuse unless it became “unsafe for her to cohabit with him and be under his dominion and control” (Domestic Violence “Train the Trainer” Course, 1998, p.16-17). According to www.legacy98.org (1998), a web site dedicated to the history of women, the year 1848 marked the beginning of the Women’s Rights Movement. Women of the United States were growing weary of being treated as property and not as individuals with their own minds and ideas. The Women’s Rights Movement began with a small group of people questioning why human lives were being unfairly constricted. Elizabeth Cady Stanton lead this group of women to convene the world’s first Women’s Rights Convention. The purpose of this convention was to discuss the social, civil and religious condition and rights of woman. In preparation for the convention, Stanton drafted the “Declaration of Sentiments” where she listed the areas of life where women were treated unjustly. Some of the eighteen grievances listed in this Declaration were:

- Married women were legally dead in the eyes of the law.
- Women were not allowed to vote.
- Married women had no property rights.
- Husbands had legal power over and responsibility for their wives to the extent that they could imprison or beat them with impunity.
- Most occupations were closed to women and when women did work, they were paid only a fraction of what men earned.

- Women were not allowed to enter professions such as medicine or law.

Just as Stanton had anticipated, only one day after the convention, the newspaper editors were appalled at the women's audacity and attacked every part of the Declaration of Sentiments. Newspapers made fun of the women and published every word of the Declaration.

Their negative articles about the women's call for expanded rights were so livid and widespread that they actually had a positive impact far beyond anything the organizers could have hoped for. People in cities and isolated towns were now alerted to the issues and joined this heated

discussion of women's rights in great numbers.

(www.legacy98.org/move-hist.html, 1998)

Support for the women's group spread like wildfire throughout the nation. The women grew stronger and pushed harder for their rights over the next 12 decades. Some of their accomplishments include:

- 1848 – 300 women and men sign the Declaration of Sentiments, a plea for the end of discrimination against women in all spheres of society.
- 1869 – The first women suffrage law in the U.S. is passed in Wyoming.
- 1890 – The first state, Wyoming, grants women the right to vote in all elections.
- 1900 – By now, every state has passed legislation modeled after New York's Married Women's Property Act (1848) granting married women some control over their property and earnings
- 1916 – Margaret Sanger establishes a clinic in Brooklyn where she supplies birth control to women.

- 1920 – the 19th Amendment to the U.S. Constitution is ratified. It declares: “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by an State on account of sex.
- 1938 – Fair Labor Standards Act establishes minimum wage without regard to sex.
- 1963 – Equal Pay Act is passed by Congress, promising same pay for the same work, regardless of race, color, religion, national origin or sex.

1964 – Title VII of the Civil Rights Act passes which prohibits discrimination at work based off race, color, religion, national origin or sex.

- 1968 – Executive Order 11246 prohibits sex discrimination by government contractors and requires affirmative action plans for hiring women.

A second wave of the Women’s Rights Movement forced traditional views to take a dramatic turn in the 1960’s. Battered women’s shelters began emerging around the country.

Rape crisis hotlines were created. Victim advocates began providing counseling and support services to women. The public was recognizing domestic violence as a serious crime and that the violence directed towards women was unfortunately a common experience. Many law enforcement agencies were feeling the pressure to recognize domestic violence as a problem. Some agencies adopted ‘stitch rules’ to respond to cases of domestic violence – a wife had to require a certain number of surgical sutures before a husband could be arrested, (Domestic Violence “Train the Trainer” course, 1998, p.17). However, the prosecutors had no idea how to handle the abusers, so they would often tell the victim to go home and “kiss and make-up”. It was considered a “family matter” that did not warrant official intervention.

This “kiss and make-up” theory put victims of abuse in a hard spot. Without the help of outside agencies, victims were forced to return home to the hands of their abuser.

In 1984, the results of the study titled *Minneapolis Domestic Violence Experiment* suggested that an arrest of the abuser had a significant effect on his actions (Bennett & Hess, 2004). His fear of going to jail might make him think twice before hitting his victim again. Once he's been in jail, most batterers do not wish to return and will attempt to control his behavior. Many agencies adopted pro-arrest policies while some adopted mandatory arrest policies. As domestic abuse worked its way into the media, judges began issuing protective orders as a condition of pre-trial release and the orders were made permanent after a conviction.

The Facade of the Batterer

Batterers hide the fact that they abuse. They appear calm and rational to the outside world because they have already vented their anger by abusing their victims and have had time to calm down before the police or friends and family arrive. They will usually alter the truth to make themselves look better. They will be loving and attentive fathers and husbands in public settings. They will be polite, charming and extremely helpful to others. Unaware of his controlling and abrasive conduct, others will praise him and tell the victim how lucky she is to have such a wonderful husband. Batterers promote this illusion of themselves so that others will not believe his victim if she confides in them. He relies on this facade to secure his hold over the victim.

Batterers try to justify their violence in a variety of ways. Some may try to blame their violence on an alcohol/drug addiction while others may blame their upbringing. Many batterers were raised in an environment where violence was the norm, therefore they do not see anything wrong with their behavior. Some will deny their actions are abusive at all. They will minimize their actions to a point where the victim feels she is over reacting. The batterer may claim he is the victim in the relationship. He will blame her for making him lose control because she was "pushing his buttons" and she should have known better.

Batterers hit family members because they can and because the costs of their actions are so low. They are rarely held responsible for their actions. Their victim will actually help hide his behavior from others out of shame, fear or guilt. The victim will even go as far as telling the police nothing happened or she will refuse to cooperate with the investigation at all. An abusive partner sees his role as being a provider and transforms this responsibility into control of his spouse or partner. Batterers actually have low-self esteem, guilt, rage and are irrational and obsessive. The batterer has a fear of being emotionally close to others, of disappointing people, or of being vulnerable. He is violent to those closest to him because he feels most vulnerable around them.

Batterers are not easily identifiable. They can be ministers, police officers, teachers, counselors, doctors, coaches or the good guy who lives next door. There is no behavioral profile of a batterer, however, certain behaviors are consistent among men who batter. Some of the characteristics include: abuse of alcohol, criminal record, low self-esteem, expresses emotions through anger, manipulative, dependent, possessive, denies accountability for his actions, lacks good parenting skills and experienced or witnessed violence as a child www.usdoj.gov, (2004).

According to Bennett and Hess (2004), “children who have witnessed abuse or have been abused themselves are 1,000 times more likely to abuse a spouse or child when they become adults” (p. 241). Children are affected in so many ways when raised in abusive homes. As stated above, some children become abusers, some become the abused, some lack self esteem and others may totally withdraw from intimate relationships. It should be noted that the relationship between children and domestic violence is a very complex and serious issue that demands attention, however for the purposes of this paper, I will focus my discussion on the adult female victim.

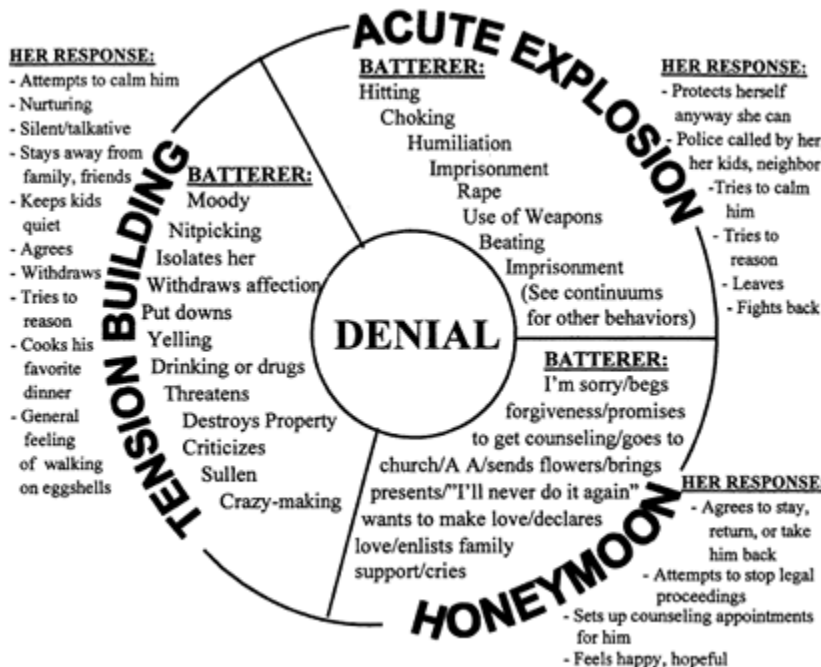
The Cycle of Violence

Now that we have had a chance to explore the definition and history of domestic violence and the characteristics of a batterer, let’s briefly discuss the cycle of violence keeping our focus on male/female cohabitants. There are three phases that compromise the Cycle of Violence. These three phases are:

- tension building phase
- violent episode phase
- honeymoon phase

Denial occurs in every stage and keeps the cycle going. The following diagram (See Figure 2.) shows the phases as they continually repeat themselves throughout the relationship and gradually grow more violent as time passes.

Figure 2



During the first phase, the tension building phase, little things, such as a messy house or the kind or timing of a meal, may irritate the abuser. As time goes on, little episodes of violence appear, but both he and the victim dismiss it by blaming it on outside stresses such as work, bad traffic, etc. The abuser is not held accountable for his actions and feels he has “gotten away with it”, therefore he will not try to control himself in the future. The victim attempts to keep him calm to prevent further outbursts by nurturing him, agreeing with him or doing whatever she thinks will keep him happy. When there is another episode, the victim will blame herself for losing control and allowing him to become angry. His anger or the threat of an upcoming attack may be sensed by other family members causing them to walk on eggshells. The victim will avoid the abuser hoping to ward off another explosion. The abuser will read this behavior as a threat that the victim may leave, so he becomes more possessive, more jealous and more threatening. Tensions mount and both become frustrated. The abuser will establish a superior position and wait for the opportune time to attack.

The next phase, which is the shortest of the three phases, is the violent episode phase. This phase is the uncontrolled release of tensions built up during phase one. Actions during the violent episode phase range from yelling to murder. The attacks can be verbal to the most extreme violence and are usually triggered by some outside event rather than by the victim's actions. The abuser sees her as an outlet to take his anger out on and usually only intends to “teach her a lesson”, but finds his rage out of control and only stops when he feels she has had enough. When the abuse is over, both the victim and the abuser may go into a brief period of shock and denial, usually for twenty-four to forty-eight hours. If the victim is hurt or needs help, she may attempt to call the police. She may not necessarily want out of the relationship, but only for the abuse to stop.

The final phase, the honeymoon stage, is ironically the phase during which the woman's victimization becomes complete. The batterer may feel guilty for his actions and will bring the victim gifts and make promises that this will never happen again. Fearing she may leave him permanently, he will appear remorseful and will solicit the help of family, friends or clergy to convince her to forgive him. He will convince everyone involved in her life that he is sorry and it wasn't his fault when he actually has no intention of changing. She will feel pressure from those around her to forgive him because she has too much invested to leave now, the kids need a father or how could she leave him during his time of need. Hearing others refer to this as "his time of need" only reinforces the façade he has built of himself. She becomes confused thinking that maybe she could have done something to prevent his outburst. She begins to assume responsibility for his actions. She will be in a vulnerable position and will seek comfort and acceptance from him. He may compliment her and comfort her so that she will be dependent on him to make her feel good. In her mind, she will see a glimpse of the loving and attentive husband she has always dreamed of and will gain new hope that he actually can change. He is empowered by the situation and is laying the groundwork to manipulate her again. He will break her down, so he can build her back up in an effort to keep her under his control.

Many times the batterer will make the victim believe that the attack was her fault and that she deserved to be beaten. This poses a threat to law enforcement because the victim will often support the abusive partner, will interfere with the arrest, bail the abuser out of jail, drop the charges, and refuse to testify or change her story. The abuser will see that he has control and the cycle will begin again (Nash, 1996).

Victims of Domestic Violence

All too often the question "why do women stay in abusive relationships?" is answered with a victim blaming attitude. As I stated in chapter II, I blamed my friend for staying. She

was a grown woman who was choosing to subject herself to harm. My parents offered her a home, money, counseling and all the love and support you could give another human being but for some reason she would not leave. I ended up resenting her and thinking she got what she deserved.

Many victims are accused of having low self-esteem and are told that they must like being hit or they would leave. The fact is, it doesn't matter what kind of character a woman has or how strong she is, no one likes to be hit. Many victims have the desire to leave but feel paralyzed to make that first step. Often it is very dangerous for a woman to leave an abusive partner and when she does, the violence intensifies and may become fatal. A victim's chances of being killed or seriously injured increase by 75% when leaving a violent relationship, www.ncdsv.org (2004).

Every victim of domestic violence will give a different reason for staying with their abusive partner. It would be impossible to cover all of the reasons women stay, so I will list some of the major motivators that, in my opinion, keeps them with their abusive partner. Please note that not all victims will face every one of these factors. Some will only be faced with one while others will be faced with several.

Victims often still love their abusive partner and are emotionally dependent on them. Many women feel it is their responsibility to maintain a good relationship and that abuse is part of every marriage. They will feel obligated to help their partner overcome his problems. She may have religious beliefs that deny her abandoning her marriage and may actually feel pressured into staying. The abuser may have threatened to harm the children, flee with the children or have them taken away, so she will stay for the "sake of the children". He may also have threatened suicide and uses guilt against her. He will tell her it will be her fault if he kills himself so she forces herself to stay, thinking she is protecting him from harm.

If the abuser has all of the economic and social status, leaving can cause additional problems for a woman and her children. She generally is financially dependent on him and sees no real alternative. She is all too aware of the financial difficulties a single parent faces and she may not possess the marketable skills needed to gain employment to support herself and her children. If he has total control over the finances, she may have no access to cash or checks. She may not know about safety and support programs, so she will feel like she has no choice but to stay. She may not have the support of her friends and family and fears leaving could mean she would be completely alone.

Many women do not find the strength to get out of abusive relationships, therefore, she will live in constant fear and pass this same style of living on to her children. Whether a woman decides to stay or leave an abusive relationship, she makes the decision for the same reason, she wants to live!

Police Intervention

Domestic abuse calls are one of the most dreaded calls a law enforcement officer will respond to. Many times the scene is chaotic, there are children present and emotions are running high. It is the responsibility of each officer who responds to a domestic violence call to diffuse the situation immediately. If the officer merely advises the parties to split up for the night, the underlying problem is not being addressed, the victim is not being helped and the officer will find himself responding to the same residence in the future, possibly to answer a murder call.

Each call to domestic abuse should be treated individually and handled according to the officers department policy. Most agencies have mandatory arrest policies. The State of Arkansas allows an officer to make a warrant less arrest if there are visible signs of abuse and the abuse occurred within the past twelve hours. While every department is different, there are some basic rules officers should follow when responding to domestic abuse calls. These

“basic rules”, as outlined below, are discussed in more detail in the books: *Police Field Operations* (2004) by Thomas Adams and *Criminal Investigation* (2004) by Wayne Bennett and Karen Hess.

A law enforcement protocol for responding to domestic violence can include the following objectives:

- Approach the scene with caution, with a back up officer
- Follow officer safety rules and be aware of your surroundings
- Separate the victim from the offender
- If the offender is not present, obtain his location and advise back up officers to detain him
- Give medical attention to the victim
- Secure the scene, check for weapons, look for signs of previous assaults and physical injury
- Interview victim, witnesses and suspect
- Collect evidence, photographs, weapons, statements, sketches, medical records, etc.
- Make the decision to arrest based off probable cause, violation of court orders, probation or parole violations, prior domestic violence, seriousness of injuries, potential for future violence, was one of the batteries in self defense, etc.
- Provide victim with victim assistance referral information
- Complete an accurate incident report and document all relevant details thoroughly
- Follow up with the prosecution

When answering domestic abuse calls, the officer should also keep the following tidbits of advice in mind. See for yourself that all is well. If you respond to a call and the person answering the door tells you it was a false alarm or everyone is asleep, ask to come in and check for yourself. The offender may be trying to hide his crime by keeping his victim captive. If you do find a victim, be aware that you may become the object of the attack. I remember responding to a call where the husband had beaten the wife to a bloody pulp. I arrived on scene and took her statement. She kept demanding that I tell him he can't treat her this way. After my investigation was complete, I decided to arrest her husband for domestic battery. As I was placing the handcuffs on him, she turned her anger on me and jumped on my back. She was screaming that she loved him and how was she going to pay her bills without him. She didn't want me to arrest him; she only wanted me to make him stop hitting her. Sadly, they both ended up going to jail that night.

On the other hand, both parties may demand the arrest of the other. This is where a police officers' discretionary powers come into play. If the officer decides to arrest and there are children present, the officer should not remove the children from the room. Children need to learn that hitting a woman is against the law and you will go to jail. They should see that there are consequences when daddy hits mommy. If possible, take a moment to explain to the children what is happening. If children are taught at a young age that violence is wrong, the officer may be taking a positive step to stop the cycle of violence in this home.

Most victims of domestic abuse will not help themselves and need intervention from outside agencies. The responding officer should be trained to handle the call on scene without re-victimizing the victim. The officer should not take on the role of marriage counselor, attorney, spiritual advisor, judge or jury, but he can provide valuable assistance to victims by getting them in contact with the proper agencies. Officers should be current on the domestic violence laws of the state and use the appropriate charge when an arrest is

made. If an arrest is not made because the officer could not locate the suspect, the officer should follow through and obtain a warrant and not place that burden on the victim. The officer should tell the victim how to obtain an order of protection and give her the phone number to the victims assistance coordinator. The officer should explain to the victim that she has the right to be notified when her abuser is released from jail, and she should be encouraged to contact the police department if there are any future problems with the abuser.

Less informed officers have limited resources and victims might fall through the cracks of our judicial system. If domestic violence problems are ignored, problem areas will blossom. The lack of intervention reinforces to the batterer and children that the abusive behavior is acceptable and the cycle continues. The police will be constantly returning to the same residence as the cycle repeats, thus wasting valuable manpower and placing the victim in undue danger.

Supervisors will be faced with a multitude of problems if his/her officers don't handle domestic violence calls efficiently. In addition to the department being held liable, the supervisor and officer will be held liable. The supervisor should make sure the proper actions are taken to protect the victim; protection orders are enforced; the call is answered in a timely manner; the victim receives victim assistance information; arrests are based on probable cause; policies are followed and officers have received recent training in the area of domestic violence.

I believe that domestic abuse will be a part of our society long after I retire from the Benton Police Department. It is the responsibility of every sworn law enforcement officer to protect and serve our citizens. The goal of this paper was to give officers some form of training by educating them on the dynamics involved in domestic violence cases so they may be better prepared to handle the situation when responding to reports of domestic violence. If just one officer walks away with the valuable information needed to make a positive change

in a victim's life, this paper has been a success. Successful police intervention in domestic violence calls is two-fold: victims are given the assistance they so desperately deserve; and officers are taking steps toward achieving the departments mission and purpose. If the officers fail, the department fails, the judicial system and society fails.

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