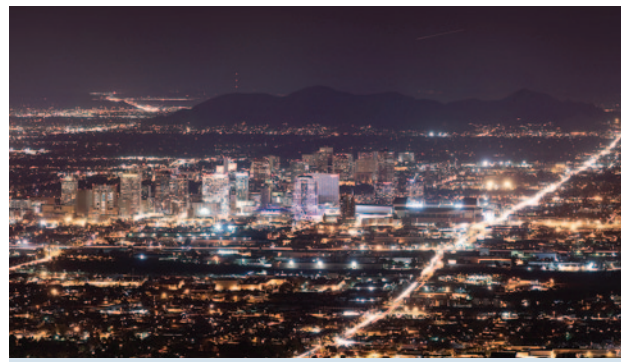


SUBJECT TO DEBATE

A NEWSLETTER OF THE POLICE EXECUTIVE RESEARCH FORUM



Register Now for PERF's 2015 Annual Meeting
June 2–5 in Phoenix, AZ
<http://www.policeforum.org/events>

VOL. 29, NO. 1 | JANUARY/FEBRUARY 2015

Police Improve Response to Domestic Violence, But Abuse Often Remains the 'Hidden Crime'

A NEW PROJECT BY PERF HAS FOUND THAT THE police response to domestic violence has undergone fundamental changes over the last 20 years, and today's law enforcement agencies are continuing to develop new approaches to protecting victims and preventing abuse. At the same time, PERF found that much work remains to be done, because domestic violence too often remains the "hidden crime," committed behind closed doors, and thus does not receive the same level of focus as crimes that are committed in public.

As part of the *Critical Issues in Policing Series*, supported by the Motorola Solutions Foundation, PERF conducted a survey of 358 law enforcement agencies about their domestic violence investigations. The survey asked for statistical data as well as descriptive information about innovative strategies and programs. PERF researchers then used the survey results to conduct telephone interviews of police officials to obtain more detailed information about their best practices. Many of the most promising programs involve cooperation between police and victim services groups.

This issue of *Subject to Debate* provides a summary of PERF's findings:

CRIMES INVOLVING DOMESTIC VIOLENCE

- **Homicide:** The average percentage of homicides that involved domestic violence among reporting agencies was 14 percent.

Most agencies (64 percent) said that the percentage of homicides that involve domestic violence had remained stable between 2009 and 2013. 18 percent said

it increased, and 18 percent said it decreased.

- **Aggravated Assaults:** In the departments surveyed by PERF, approximately one-fourth of aggravated assaults in 2013 involved domestic violence. The average was 27 percent, and the median was 26 percent. As with homicides, most agencies said that percentage remained stable between 2009 and 2013. 28 percent of respondents said that percentage had increased, and 22 percent said it had decreased.
- **Calls for Service:** On average, respondents said 8 percent of their agency's total calls for service are related to domestic violence types of incidents.

POLICY, PRACTICE, AND TRAINING

95 percent of respondents said their agency has a specific policy regarding the department's response to incidents of domestic violence. While policies varied from agency to agency, there were a number of common practices:

- **Approach carefully:** Many policies instruct officers to use discretion with emergency lights and sirens as they respond to a domestic violence call, and to observe and listen before announcing their presence. This policy can help protect first responders, and also allow officers to gather information.

"It allows officers to be focused on what is happening as they approach the scene, and any direct observations can improve the case," said Captain Mike Velie of the Grand Chute, WI Police Department.

- **Send two officers:** Many agencies require that at least two officers be dispatched to any domestic violence call.
- **To protect victims, treat domestic violence calls as a high priority:** Many departments classify domestic violence calls as high-priority or life-threatening calls. Many departments continue to respond even if the victim calls back to “cancel” the call.
- **Separate the parties, and be sensitive to victims’ needs:** Many departments have policies or practices to separate the parties involved in domestic disputes and to interview them separately, so each can speak candidly, outside of the presence of the other person.

Some departments require that photographs of the victim should be taken by an officer of the same sex whenever possible. Some departments have policies designed to ensure that victims can be assisted by officers who speak their native language. Many agencies enforce valid protective orders from other jurisdictions. And many agencies enforce a 72-hour no-contact order after a domestic violence arrest.
- **Plan for contacting victims later:** To ensure that victims can be reached later, some departments instruct officers to try to obtain at least two phone numbers where the victim can be contacted.

Definitions of Domestic Violence

For PERF’s survey, the terms “domestic violence” and “intimate partner violence” were defined synonymously, using the Department of Justice definition of intimate partner violence, which includes “physical, sexual, or psychological harm by a current or former intimate partner or spouse (can be either heterosexual or same-sex couples.)”

51 percent of the respondents to PERF’s survey said their agency uses the term “domestic violence” as PERF’s survey had defined it. 43 percent said their agency uses the term “domestic violence” but the definition is different than the one in our survey. Some definitions cover a wider range of relationships, such as cohabitants and former cohabitants. And some definitions include property crimes when used as a method of punishment, revenge, intimidation, coercion or control against a person in an intimate relationship.

- **Firearms:** 74 percent of responding agencies require officers to inquire about whether the accused individual has access to firearms. Of those agencies, 79 percent seize firearms from persons arrested for domestic violence.
- **Collecting evidence:** Most agencies have written policies requiring officers to collect certain types of evidence in domestic violence cases, including photographs of victims’ injuries, photos of the crime scene, weapons recovered, interviews of neighbors or other witnesses, medical records, and written statements or audio/video recordings of statements.
- **Specialized units and “Family Justice Centers”:** 43 percent of responding agencies have a specific unit devoted to domestic violence cases. The average size of such units is 11 people, and the median number of personnel is 5. In most cases, the unit supervisor is a sergeant.

Some domestic violence units are placed within a “Family Justice Center.” Family Justice Centers were born from a movement launched in the late 1980s and early 1990s to make it easier for domestic violence victims to obtain assistance and services. The guiding philosophy was that victims should be able to access criminal justice services and other resources in the same location, staffed jointly by the multiple agencies that assist domestic violence victims. The San Diego Family Justice Center became a national model, and in 2003 the President’s Family Justice Center Initiative was announced with the goal of instituting Family Justice Centers across the nation.¹

PERF survey respondents who work in Family Justice Centers praised the practice. “Everything is located at the Family Justice Center,” said Sergeant Jordan Satinsky of the Montgomery County, MD Police Department. “We have eight detectives, 12 attorneys, 23 sheriff’s deputies, and 8 victim advocates. Every day we are collaborating and sharing information. We help about 20 victims who walk into the Family Justice Center every day.”

Oakland, CA Police Sergeant Rachael Van Sloten said, “We have an excellent relationship with the District Attorney. We are all located in the Family Justice Center and can talk over cases. We know each other and have built trust with each other.”

1. Casey Gwinn, Gael Strack, Susan Adams, Rebecca Lovelace, and Deborah Norman. “The Family Justice Center Collaborative Model,” *St. Louis University Public Law Review* 27, no. 79 (2008): 79–120.

- **Training:** In 84 percent of responding agencies, personnel outside of the domestic violence unit also are trained specifically on how to respond to domestic violence incidents. Of the agencies that provide specialized domestic violence training, 93 percent provide it to new recruits, 95 percent provide it to current officers, and 53 percent provide additional training to first-line supervisors.

27 percent of responding agencies provide training on domestic violence between same-sex partners.

- **Handling cases that involve police officers as perpetrators:** 65 percent of the departments surveyed said they have specialized policies for handling domestic violence perpetrated by law enforcement personnel.
- **Other common policies:**
 - Requiring audio or video recording of all statements,
 - Discouraging “dual arrests,”
 - Always checking for outstanding arrest warrants, and
 - Instructing officers to have a calm demeanor when interviewing traumatized victims.

POLICE RESPONSE TO DOMESTIC VIOLENCE

- **Protection orders:** Most agencies assist victims who would like to obtain emergency orders of protection. 89 percent of respondents said their agencies provide victims with information on how to obtain an order; 44 percent assist victims in filling out paperwork for an order; and 29 percent accompany victims to court to obtain an order.
- **Lethality assessments:** PERF’s survey found that 42 percent of agencies use “structured risk” or lethality assessments to determine the level of danger to the victim. These assessment tools typically consist of a set of yes-or-no questions; a certain number of “yes” answers indicate that the victim is at high risk and should be encouraged to develop a safety plan.

The questions may include whether violence by the offender has increased in frequency or severity over the last year, whether the abuser has a criminal record or a history of drug or alcohol abuse, whether the abuser has violated a restraining order, whether the abuser has made threats of homicide or suicide, whether the offender has ever tried to choke the victim, whether the offender is jealous and controlling, whether the victim has made a decision to leave the abuser, whether there is a history of violence when the

victim tried to leave the abuser in the past, whether the abuser has access to firearms, and other questions.

Among the departments that use structured assessments, the assessments are administered by responding officers in 79 percent of agencies; by investigators in 39 percent of agencies; by a victim service provider in 33 percent of agencies; and by someone else in 18 percent of agencies.

81 percent of the departments that use a structured assessment include the findings in the police report. Some departments also use the screening to classify offenders as “high-risk”, which can result in follow-up checks on the welfare of the victim, alerting patrol officers at roll call to a potential high-risk situation, and informing first responders of the high risk if they are called back to the location.

- **Domestic violence crime analysis:** The survey found 88 percent of agencies document domestic violence incidents by location, and 73 percent document incidents by perpetrator. Among those agencies, dispatchers have access to the information in 95 percent of agencies, and responding officers have access to the information in 96 percent of agencies. These notifications help officers to understand the history of a domestic violence situation as they respond to it.

Only 46 percent of the agencies said they use this incident-based data for formal analysis.

- **Repeat offenders:** 39 percent of survey respondents said their agency has a specific strategy for responding to repeat domestic violence calls. Strategies include contacting the victims to see if assistance can be provided, sharing information with victim advocacy teams, and identifying candidates for random “welfare checks.”

Other strategies target the offenders, including enhanced penalties and giving written notice to individuals that they have been identified as repeat offenders. Additionally, by tracking offenders, departments can assign cases to investigators who have encountered the individual previously and are aware of the domestic violence history.

The Greater Sudbury, Ontario Police Service manages repeat offenders with its Community Offender Management Program. The program is not just for domestic violence cases, but also for other offenders that the agency has identified as having a high risk of reoffending. Repeat offenses can trigger tighter

>> continued on page 6

Mandatory Arrest Policies: New Research Provokes a Controversy

Mandatory arrest policies require officers to make an arrest when they respond to a domestic violence call and certain conditions are present. These policies came about in response to concerns that officers were treating too many domestic violence calls as “personal matters” between the offender and the victim, rather than as criminal offenses. Officers often would respond to a domestic violence incident and urge the offender and victim to “work it out,” rather than arrest the offender.

A primary source of support for mandatory arrest policies was a 1987–88 study by Prof. Lawrence Sherman of the University of Cambridge, UK. In this study, police randomly assigned domestic violence suspects in Milwaukee to either not be arrested, to be arrested and held for a short period of time (average of 4.5 hours), or to be arrested and held for a longer period of time (average of 11.1 hours). The study found that the arrests served as a short-term deterrent to reoffending, particularly among offenders who had “something to lose,” such as employment or community ties.

In the 1990s, many police agencies adopted mandatory arrest policies because of the prevailing research indicating that arrests reduced recidivism, and because of provisions of the federal Violence Against Women Act of 1994, which linked such policies to federal grant funding.

• **New study links arrest policies to higher death rates among victims:** A recent follow-up study by Professor Sherman and Heather Harris of the University of Maryland has provided a more complicated view of Sherman’s initial findings in the Milwaukee study. The new study, published in 2014, searched death records and other databases for information about the victims in the 1987–88 study, and found that the victims whose partners had been arrested and jailed were more likely to have died prematurely.²

Overall, victims were 64 percent more likely to die prematurely if their partner was arrested and jailed instead of being warned and allowed to remain at home. But that average figure masks a sharp racial disparity. Among the African-American victims, arrest increased mortality by 98 percent; among the white victims, arrest increased mortality by only 9 percent, Sherman and Harris found.

The authors called for further research to explore reasons for the higher mortality rate, as well as reasons for the racial disparity and other disparities hinging on whether the domestic violence perpetrator was employed and whether the victim was employed.

Sherman and Harris concluded by saying, “Regardless of the reasons for the racial disparity we observe, the evidence is clear: African-American victims

of domestic violence are disproportionately likely to die after partner arrests relative to white victims. The magnitude of the disparity strongly indicates that mandatory arrest laws, however well-intentioned, can create a racially discriminatory impact on victims.”

• **Victims’ group says new research is “flawed”:** The Sherman/Harris research was called “deeply flawed” by End Domestic Abuse Wisconsin.³ Noting that the domestic violence cases on which the study was based occurred in the 1980s, the group said,

Twenty-five year old data cannot be used to conclude that domestic violence arrests are dangerous to victims. From 1994 to 2010 (the period when most arrest policies were in place), intimate partner violence has gone down 64 percent nationwide.

Furthermore, End Domestic Abuse Wisconsin also noted that the domestic violence suspects in the original study who were arrested were jailed only for a short period of time, averaging 11 hours or less. The Sherman/Harris study acknowledged that only 5 percent of the arrests were prosecuted. End Domestic Abuse Wisconsin said:

Of the cases the researchers studied, only 5 percent of the offenders were prosecuted, which bears no resemblance to today’s prosecution rates. The dismal prosecution rate . . . in the 1980s likely had devastating consequences on the domestic violence victims in the study and could have rendered arrest counter-productive. The vast majority of offenders who were arrested saw there were little or no consequences beyond their arrest....

Many of the victims who call police for assistance today were not born when the arrests in the study occurred. We now have more robust community coordinated responses to offenders and for victims. Service providers, courts, corrections, and police officers are better trained and work more closely to achieve victim safety. These collaborative practices, which are critical to victim safety, either did not exist or were in their infancy in the late 1980s.

The new Sherman/Harris study raises a number of questions that require further research to determine if the analysis was flawed or if there are lessons we can learn from our experience with current policies. Thus far, the study does not appear to have prompted a major campaign to reverse mandatory arrest policies. But police chiefs and other experts and advocacy groups, such as End Domestic Abuse Wisconsin, have called for continuing review of the police response to domestic violence. The goals must always include improving

2. <http://link.springer.com/article/10.1007/s11292-014-9203-x/fulltext.html>

3. Media release, “Flawed Research Ignores the Real Questions.” End Domestic Abuse Wisconsin, March 2, 2014. http://media.jrn.com/documents/EndDomesticAbuse_statement.pdf

protections for victims, reducing the incidence of domestic violence, and addressing any racial disparities in the police response or in the outcomes for victims.

- **PERF survey shows widespread use of mandatory arrest policies:** PERF's survey, which was conducted approximately six months after news media stories about the Sherman/Harris study began to appear, found that **87 percent of responding agencies reported having mandatory arrest policies for domestic violence cases.**

Of those agencies, 84 percent said mandatory arrest policies were required by state law, 4 percent said the policies were required by local law, and 12 percent said they were not required to have the policy.

Agencies with mandatory arrest policies differ somewhat in how they list the various circumstances that can trigger the mandatory arrest requirement. Among the agencies with some type of mandatory arrest policy,

- 94 percent require arrest for aggravated assaults committed in a domestic violence context;
- 92 percent require arrest for violation of a protection order;
- 89 percent require arrest in cases where the offenses were witnessed by an officer;
- 91 percent require arrest in cases where offenses were not witnessed by an officer but physical evidence of an assault is present; and
- 76 percent require arrest for simple assaults.

- **Support for mandatory arrest policies:** The findings of the new Sherman/Harris study were discussed at PERF's October 2014 Town Hall Meeting.

Generally, PERF members didn't see the new findings as being strong enough evidence to support elimination of mandatory arrest policies. Instead, they saw the research as evidence that mandatory arrest policies must be accompanied by social services for victims, in order to help them recover and to prevent any conditions that might damage victims' health or longevity following the arrest of their abuser.⁴

Fresno, CA Chief Jerry Dyer said, "I believe mandatory arrest policies are a good thing for law enforcement agencies to have, but they aren't enough. You can't just separate the two parties for a period of time and expect everything to be okay the next time they see each other. There needs to be follow-up."

Public Safety Consultant Bob Lunney echoed that sentiment. "I think we've forgotten what we learned from the Duluth Model, which is where this mandatory arrest policy began.⁵ Duluth had a comprehensive program that included victim support, social services, medical services, and mandatory arrest. But many agencies only implemented one aspect of the program—the mandatory arrests."

Most PERF survey respondents expressed a belief that mandatory arrest policies are beneficial, but

a significant minority felt these policies have a mixed impact on victims. 59 percent of respondents felt that mandatory arrest policies have an overall positive impact on the lives of domestic violence victims. 3 percent felt they have an overall negative impact, and 38 percent felt they have had a mixed impact.

A number of those who felt mandatory arrest policies are positive cited the removal of "blame" from victims for the offender's arrest. Because police take responsibility and make the decision to arrest an offender, rather than requiring victims to decide whether they want an offender to be arrested, this may reduce the chances of offender retaliation against the victim in some cases.

As Sergeant Rachael Van Sloten of the Oakland Police Department stated, "Mandatory arrest policies are good in that they allow law enforcement to 'take the blame' of the arrest away from the victim and put it on themselves. Victims are often very fearful of retribution, and by letting the offender know it was us that decided to make the arrest, we may reduce the danger to the victim."

Some respondents also said that mandatory arrest policies can give victims a much-needed break from the violence, allowing them to utilize victim services. Lieutenant Carolyn Nunn of the Louisville Metropolitan Police Department said, "It is the victim's opportunity to breathe and hear about services. This is a process; we have to give the victim steps to stopping the cycle of violence."

Chief Robert F. MacDonald of the Jasper, TX Police Department emphasized the importance of mandatory arrest policies and victim services, saying, "Mandatory arrests work with first-time offenders. The victim may have been experiencing abuse for a long period of time but not reporting it, and then the first arrest shocks the offender. Mandatory arrest policies with victim advocate counseling and follow-up may oftentimes help stop domestic violence with the repeat offenders. Even if protective orders must be enforced against the victims' wishes, I wholeheartedly believe mandatory arrest policies work."

Many agencies also value the message that mandatory arrest policies send to the general public—that domestic violence is taken seriously, with significant consequences.

- **Concerns about mandatory arrest:** Some police officials expressed concern that the removal of officer discretion may be harmful. For example, in some cases, victims may be discouraged from contacting police if they fear losing their primary source of income.

Another concern is that even when there is no question that an offender is going to be arrested, police must maintain their standards for conducting investigations and gathering evidence. Lieutenant Oscar Ortiz of the Napa County Sheriff's Office said, "By stating that arrest is mandatory, the policy can act as a shortcut that dampens an officer's motivation to conduct a thorough investigation. Police must investigate thoroughly and build prosecutable cases based on evidence gathered."

4. http://www.policeforum.org/assets/docs/Subject_to_Debate/Debate2014/debate_2014_sepoct.pdf

5. <http://www.theduluthmodel.org/about/research.html>

conditions of release, and patrol officers have access to the system and are tasked with conducting follow-ups to ensure that offenders comply with their release conditions.

- **Providing language services, and encouraging victims to seek help:** High Point, NC Police Chief Marty A. Sumner said that his department has made special efforts to assist domestic violence victims in the city's Latino community. "We had an advisory committee to address the response to the Latino population; we have a bilingual advocate; we have put public service announcements in the Hispanic newspaper; and we have a designated person in the community who acts as a point of contact for community members to report abuse if they do not feel comfortable going to the police," Sumner said. "Victims also can walk into the Victims' Justice Center."

Chief Sumner said the department also held a forum with Hispanic domestic abuse victims, asking them what the police department could have done better to help them. The forum highlighted the need for bilingual officers, he said. If an offender speaks English but the victim does not, the offender "can use that to his advantage," he said. "Women need the opportunity to present their side of the story."

Most departments have methods for accommodating non-English-speaking domestic violence victims. 85 percent of agencies have mechanisms in place for dispatchers to determine the language needs of victims, and 92 percent of agencies provide interpreters on request to responding officers, either in-person or via telephone.

In Citrus Heights, CA, the Police Department holds Family Awareness Nights at local apartment complexes. The locations are selected based on statistics on the levels of domestic violence in the area. At these events, the police department brings together multiple organizations that work with domestic violence victims. Representatives of the various groups explain exactly what happens when the police respond to a domestic violence call, and discuss the cycle of violence. These events are a relationship-building tool with the community.

- **Following up with victims:** 76 percent of agencies said they make a practice of following up with victims



In Citrus Heights, CA, the Police Department and crime victim advocates hold Family Awareness Nights at local apartment complexes, to meet with community members and share information about domestic violence.

of domestic violence. Among those departments, victim advocates provide the follow-up in 82 percent of departments; detectives follow up in 79 percent of the departments; and responding officers in 38 percent of departments.

- **Protocols for protecting children:** 46 percent of agencies surveyed have special follow-up protocols for cases in which children are present. Many of these agencies require that the local child protective services agency be contacted. Some agencies can file child abuse charges or increase the penalties for domestic abuse if a child witnesses domestic violence. Some agencies alert the school district if a child was a witness to or victim of domestic violence.

The Louisville Metropolitan Police Department, as part of its Crisis Intervention Program, partnered with the local public school system, with assistance from the city's Office for Women, to assist children who have witnessed violence at home. The



Domestic violence awareness event in Citrus Heights, CA

Police Department forwards reports to the Office for Women, which alerts the school that a child has been involved in a domestic violence incident, and may misbehave or need special consideration due to family problems.

In some cases, children are removed from the home because they have been sexually or physically abused or because neither parent is capable of caring for them and protecting them from violence. In these cases, “it is important to rebuild trust with children who are taken from their families,” said Louisville Police Lieutenant Carolyn Nunn. “Police are seen as the bad guys, because regardless of the situation, that is still their mother they have been taken away from. Police need to let children know that they care and can be called for help.” The LMPD Special Victims Unit holds cook-outs, sporting events, and other activities to build trust with children whose parents have been arrested or otherwise separated from their children.

Sergeant Janet Schaefer of the Citrus Heights, CA Police Department noted that domestic violence is an “inter-generational” crime. It is learned behavior, and it is unlike other crimes, because children see it being committed in the home. “Without intervention, these children have a significant likelihood of growing up to be adult suspects or victims of domestic violence. It is the single biggest predictor of future violence in children,” Sergeant Schaefer said. As a result, it is especially important that domestic violence must be prevented, and “more education about warning signs is needed,” Schaefer said.

Three years ago, the Citrus Heights Police Department received a state grant for the Children Exposed

to Domestic Violence program. With state funding, the Police Department, Child Protective Services, and a local advocacy group, A Community for Peace, are working together for a more effective multi-disciplinary response. In October 2014, the department hosted a conference to raise awareness and provide training about the harm that domestic violence has on children. More than 500 police officers, medical professionals, social service representatives, teachers, and advocacy groups attended and are now incorporating the same combined responses within their agencies.

The program already has had an impact on the police response. For example, in the past, officers responding to a domestic violence call would not routinely note in their report whether children were present, unless the children were direct witnesses to the violence. Today, police have been trained to identify children at the scene, even if they were sleeping or were in another room at the time of the domestic violence.

Police in Citrus Heights now identify children at the scene, provide the family with training on the effects of violence on children, and provide them with resources to break the cycle of violence.

EVALUATING THE RESPONSE TO DOMESTIC VIOLENCE

- **Self-Audits:** The Oxnard, CA Police Department regularly audits its own policies and practices and recently audited its response to domestic violence. To start, the auditors looked at all of the department’s policies pertaining to domestic violence investigations and then tested whether policies were being followed in the field.

There were many test questions for the audit, including: whether photos are taken of suspects and victims in domestic violence incidents; whether interviews are audio-recorded; whether the immediate vicinity is canvassed for possible interview subjects; whether the primary aggressor is arrested; whether a Miranda interview is conducted even if the suspect made admissions at the scene; whether the victim is offered assistance in obtaining an emergency protective order; and whether the victim receives information about ways to obtain protection.

Each requirement was analyzed, any areas for improvement were identified, and actions were taken to improve police response. Training was provided to

supervisors, and patrol officers received information at briefings. Detectives were also briefed to take action if they notice that policy is not being followed, and watch commanders were made aware that they are responsible for patrol's response to domestic violence incidents. About five months later, another audit was completed that showed improvements, Assistant Chief Scott Whitney said.

Chief Whitney recommended that other police departments conduct regular audits. "Progressive police departments can have the best policies and you can have the best intentions, but if you don't check for follow-through, there's no way to measure your performance. Domestic violence response is ripe for audits. Departments just need someone to be trained in police auditing to compare their laws, policies and procedures against their actual practices. The public is always wondering whether their police are doing a good job, and auditing is partly a way of answering that. It helps in checking the quality of work."

- **Community Feedback:** Since 1995, the city of Brookline, MA has convened monthly Domestic Violence Roundtable meetings. The meetings include residents, members of community organizations, and representatives of city agencies, including the Police Department. The group discusses crime trends and what each agency and organization are doing to address domestic violence. The Roundtable also sponsors a bi-monthly television show on the local cable access channel that educates the community about domestic violence issues.⁶

INNOVATIVE VICTIM SERVICES

Due to the high level of danger to victims in domestic violence cases, police departments are taking innovative steps to ensure victim safety.

- **"Cocooning" and proximity informants:** In High Point, NC the police department has multiple services geared at keeping victims safe. One such service is an offer of "cocooning," based on the premise that victims need to surround themselves with people who are aware of what is happening. Chief Marty Sumner of High Point explained that police ask victims, "Who can we talk to who would know how you are? Can we have their name and number? Can we be

part of the fiber around you to know if something is wrong?"

Additionally, the police department encourages victims to designate a "proximity informant." A proximity informant is someone who is aware of the victim's normal schedule and is in regular contact with the victim, and thus will be able to recognize when something is wrong and alert the police.

In High Point, this service has saved lives. In one incident, a neighbor serving as a proximity informant noticed one morning that the victim's car was still in the driveway at a time when it usually would be gone. The neighbor also noticed the victim's ex-husband's car a few blocks down the road, and called the police. Police responded to the scene and discovered that the ex-husband had broken into the house and was threatening to kill his ex-wife. Police were able to talk him into surrendering.

- **Officers and victim advocates working together:** The Citrus Heights, CA Police Department created a ground-breaking program called the Domestic Violence Response Team (DVRT) for a more effective response to calls involving family violence. The DVRT is comprised of a sergeant, seven patrol officers, two detectives, and six victim advocates from A Community for Peace.

The Police Department trains officers and victim advocates together, and uses a three-tier response to domestic violence calls. In the highest, first-tier response, victim advocates ride with officers about three to four times a week and respond directly with officers to domestic violence incidents. These calls range from those involving violence to calls of heated arguments or disruptive children.

The second-tier response occurs when the advocates are "on call," and are contacted to respond to the scene of an incident in 30 minutes or less.

The third tier response is provided when an incident does not require an immediate response, and the victim advocates follow up with the victim the following day.

Before this response was implemented, only 8 percent of victims were utilizing victim services, but the department currently reports that 72 percent of victims are following up to receive services.

This program has been so successful that other police agencies across the country have begun to implement versions of it. For example, the Calgary Police

6. <http://www.brooklinema.gov/565/Domestic-Violence-Roundtable>

Service's Domestic Conflict Unit includes a social worker employed by HomeFront, a local non-profit organization. Any domestic violence call that doesn't involve a criminal offense is referred to that social worker. The social worker then assigns a HomeFront caseworker or offers other appropriate resources.

The Charleston, SC Police Department recently established a Family Violence Unit, which includes detectives, victim advocates, and a full-time mental health professional. After family violence incidents, a victim advocate and a detective from the Family

Violence Unit, along with a uniformed officer from the location, follow up within 48 hours to offer assistance and address the needs of the situation.

- **Cell phones for victims:** The Montgomery County, MD Police Department participates in the Verizon HopeLine and program to help keep victims safe. As part of the Verizon HopeLine program, the department has approximately 100 cell phones pre-loaded with 3,000 minutes, which it distributes to victims. The phones include numbers for the police

Research in High Point, NC Shows That Focus on Offenders Reduces Violence

The High Point, NC Police Department has taken a leadership role in testing the effectiveness of offender-focused domestic violence reduction. In 2009, the Police Department formed a partnership with local prosecutors, community and social services groups, and researchers at the University of North Carolina-Greensboro to implement a new approach to domestic violence.

The new system classifies offenders in four groups, A through D, with increasing levels of interventions. The lowest level, called D List offenders, consists of those who have no previous criminal charges for domestic violence, and no violence occurred requiring charges in the current incident. In those cases, the offender receives a letter from the police stating that the offender has been placed on a "watch list." Police Chief Marty Sumner said that the letters are hand-delivered by an officer, and the offender is not given prior notice about the letter. The unannounced, hand-delivered letter helps to get the offender's attention and sends the message that domestic violence will not be tolerated, Chief Sumner indicated.

Interventions are ratcheted up at higher levels of offending. The highest level, A List offenders, are people who have three or more prior domestic-violence charges. These offenders are selected for immediate prosecution by any legal means available, which is intended not only to provide justice in the case at hand, but also to send a message to offenders at lower levels.

While the program is called the "Offender-Focused Domestic Violence Initiative," that does not mean that victim services receive less attention. At each level, D through A, victims receive an increasing range of services, including all the services provided by the local Victims' Justice Center, assistance from a safety planner and detectives, advance notice of actions being taken against the offender, offers of "cocooning" or proximity informants, services for children in the household, and

other assistance.

A fundamental concept in the entire program is that "early intervention is key in stopping the cycle of intimate partner violence," according to a preliminary report by the program partners. By treating domestic violence seriously at the first opportunity, the police aim to stop it from continuing and worsening.

The program has a community intervention component, in which local community groups talk directly to offenders and explain that domestic violence is wrong, it is not a secret, and that the community stands behind the victim and the police department. When the program was launched, the Police Department made multiple presentations in the community to explain the program and explain what was needed from the public: cooperation, and a willingness to report potential domestic violence cases to the police.

- **Sharp reductions in domestic violence recidivism and homicides:** The new approach appears to be working. The first two years of implementation data show an overall re-offense rate of 9 percent among more than 1,000 offenders. That rate is far below the re-offense rates of 20 to 34 percent found in other studies of domestic violence.

In the years prior to the launch of the program, domestic violence had been the first or second most common type of call for service to the High Point Police Department. Today, it has dropped to third place, officials said.

Furthermore, in the five years since the new program was established (2009 to 2013), only one of the 16 homicides in High Point involved domestic violence, compared to 17 of the 52 homicides in 2004 through 2008.

Thus, "prior to 2009, 33 percent of homicides involved intimate partner violence, compared to 6 percent since," the report noted.

department and victim service agencies. And having a phone can give a victim a sense of normalcy if they do not have their own phone.

COMBATING DOMESTIC VIOLENCE BY FOCUSING ON THE OFFENDER

While many services and programs related to domestic violence focus on victims, some police departments are paying more attention to domestic violence offenders. Focusing on the offenders allows interventions to address the cause of the violence, rather than solely focusing on the result of the violence.

It is important to note that these programs are not a replacement for victim services, but rather are part of a comprehensive approach to the issue of domestic violence.

- **In-person “notification” of offenders by police in Spokane:** The Spokane Police Department is one of the agencies that is placing an increasing focus on offenders in domestic violence investigations. The department makes direct contact with offenders after their first offense. A notification letter is delivered to the offender, generally in-person by an officer, informing the offender that he is being monitored by the police department and that violence will not be tolerated. By talking to the offender in person, the department lets the offender know that his behavior is no longer a secret and that the department aims to ensure that it does not happen again. Contact with the offender is usually made in jail, prior to his first appearance before the judge. According to Spokane Lieutenant Mark Griffiths, “Offenders are a bit more responsive at this time than when they are first arrested.”

By putting offenders on notice in this direct way, the department also intends to send a message of support to victims, indicating that victims’ calls to police are taken seriously.

- **Providing treatment to offenders in Greater Sudbury, ON:** In Greater Sudbury, Ontario, a shift toward offender-focused policing on domestic violence began two years ago, and it includes efforts to help offenders with counseling as well as enforcement strategies. “The approach is unique; most police services do not focus on preventative support for men,” said Chief Paul Pedersen.

In fact, the Greater Sudbury Police Service promotes intervention services even before an arrest is made. Men can voluntarily participate in the Before Everything Escalates Program (BEEP), in which they learn strategies of effective communication, management of emotions, and availability of community support services.

In cases where police have been called and charges have been filed, offenders have an opportunity to participate in “High Risk Services for Men” prior to sentencing. This is a twelve-week group counseling program. Certain types of offenders are not eligible, including those with a prior domestic violence conviction, those charged with a stalking offense, serious offenders who are subject to “enhanced prosecution,” and offenders in cases where a child witnessed the domestic violence.

For offenders who have been found guilty of a domestic violence offense, courts can order participation in the Partner Assault Response Program. Goals of the program include increasing the safety of women, confronting and changing beliefs and attitudes that offenders use in an attempt to excuse their abusive behavior, increasing men’s awareness of the dynamics of abuse and power, encouraging men to take full responsibility for their abusive behavior, and improving communications skills so that offenders may function better as a partner and a parent.

The Calgary Police Service uses a similar approach through its High Risk Management Initiative (HRMI). This collaborative effort includes probation officers, the Police Service’s Domestic Conflict Unit, Child and Family Service, mental health advocates, and domestic violence advocates. The HRMI team provides offenders with intense supervision and support while presenting them with opportunities for rehabilitation. It began as a three-year pilot project and has been an officially established program for the past 18 months.

CONCLUSION: TRENDS IN DOMESTIC VIOLENCE INVESTIGATIONS

Police officials interviewed by PERF made a number of observations about general trends in the handling of domestic violence cases.

Domestic violence does appear to be receiving greater attention than in the past, in comparison to

crimes like robbery that have always received focus because they are committed in public and are thus more “visible.”

However, Lieutenant Griffiths of the Spokane Police Department said, “There is still room for improvement in law enforcement’s response to domestic violence. The response is not yet cutting-edge.”

Assistant Chief Scott Whitney of the Oxnard, CA Police Department said, “A lot of cases are not filed by the District Attorney. The threshold for arrest is low, compared to the threshold for prosecution. The percentage of domestic violence cases that are prosecuted is lower than for other types of crimes. Although it’s slowly getting better, our society still doesn’t always recognize that the ‘bad guys’ committing domestic violence are just as bad as the ‘bad guys’ committing robberies, and that domestic violence is equal in importance to other crimes. There is a lack of appreciation for the true effect of domestic violence in our communities. We know very clearly that violence is a learned behavior. Officers and detectives doing thorough domestic violence investigations are truly preventing violent crime in future generations.”


Improvements, however, are being seen. Sergeant Rachael Van Sloten of the Oakland Police Department said, “In my research, I have seen many agencies taking risk assessments very seriously. More resources are still going to robberies, homicides, etc.; but it has improved over the years. We are seeing more Family Justice Centers, and more collaboration between social workers, district attorneys, and police.”

Lieutenant Oscar Ortiz of the Napa County Sheriff’s Office said, “Years ago, before there was more training, there were not a lot of arrests if there was a lack of

cooperation from the victim. Since then, in part due to more and better training, there are more arrests and more prosecutions, even with uncooperative victims. This is changing the landscape.”

Naperville, IL Police Commander Louis Cammisio said, “We’ve been seeing an offender focus in stricter sentences and penalties. And advocacy has increased for victims, especially in the police response and availability of orders of protection.”

Overall, there is broad consensus that the policing profession needs to continue to refine policy, conduct research, share information, and measure the effectiveness of the different policies, programs and practices in effect in various agencies.

Reducing the levels of domestic violence and protecting victims are complex goals, and solutions often involve partnerships among police, prosecutors, victim advocates, social service agencies, and other organizations. 

Acknowledgments

PERF is grateful to the Motorola Solutions Foundation for supporting this research on the police response to domestic violence. PERF also would like to acknowledge assistance from the DOJ Office on Violence Against Women, the DOJ Office for Victims of Crime, and the Police Departments in Elk Grove, CA; Newport News, VA; Anne Arundel County, MD; and Philadelphia, which helped refine our survey of police agencies. PERF staff members who contributed to this project include Andrea Luna, Shannon Branly, Sarah Mostyn, James McGinty, Sean Goodison, Nate Ballard, Bruce Kubu, Sunny Schnitzer, and Tom Wilson.



MOTOROLA SOLUTIONS
FOUNDATION

PERF is grateful to the Motorola Solutions Foundation for funding the Critical Issues in Policing Series, which supported this research on the police response to domestic violence.

More than 20 additional reports in the Critical Issues Series are available online at <http://www.policeforum.org/critical-issues-series>.



POLICE EXECUTIVE
RESEARCH FORUM

SUBJECT TO DEBATE
1120 Connecticut Avenue, NW
Suite 930
Washington, DC 20036

Pre-Sorted
First Class
U.S. Postage
PAID
Permit No. 4889
Suburban, MD

SUBJECT TO DEBATE

Police Improve Response to Domestic Violence, But Abuse Often Remains the ‘Hidden Crime’

PAGE 1



POLICE EXECUTIVE
RESEARCH FORUM

BOARD OF DIRECTORS

PRESIDENT
Charles Ramsey | Commissioner,
Philadelphia Police Department

VICE PRESIDENT
Thomas Manger | Chief,
Montgomery County, MD Police Department

TREASURER
Roberto Villaseñor | Chief,
Tucson Police Department

SECRETARY
J. Scott Thomson | Chief,
Camden, NJ Police Department

AT-LARGE MEMBERS
William Blair | Chief, Toronto Police
Service

Janeé Harteau | Chief, Minneapolis
Police Department

Daniel Oates | Chief, Miami Beach
Police Department

EX OFFICIO MEMBER
Sir Peter Fahy | Chief Constable,
Greater Manchester Police (UK)

EXECUTIVE DIRECTOR:
Chuck Wexler

EDITOR:
Craig Fischer

The Police Executive Research Forum is a nonprofit association of progressive police professionals dedicated to improving services to all our communities. ■ *Subject to Debate*, published by the Police Executive Research Forum, welcomes input from PERF members and other interested parties. Please submit articles, ideas and suggestions to Craig Fischer, PERF, 1120 Connecticut Ave., NW, Suite 930, Washington, D.C. 20036. Phone: (202) 454-8332; fax: (202) 466-7826; e-mail: cfischer@policeforum.org. ■ Contributors' opinions and statements do not necessarily reflect the policies or positions of the Police Executive Research Forum. ISSN 1084-7316. ■ Subscription price: \$35/year.