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An Analysis of Law Enforcement Agencies Use of Various Arrest Policies on Domestic
Violence Assault Offenses and the Effects Such Policies have on Domestic Violence Incidences

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TABLE OF CONTENTS

	Page
Abstract	
Introduction.....	1
Review of Literature.....	4
Methodology.....	10
Findings.....	12
Discussion/Conclusions.....	18
References.....	21
Appendices	

ABSTRACT

Domestic violence is a major concern in communities across the country. Many different government and private agencies deal with the recurring elements of these crimes on a daily basis, but the problem persists.

As law enforcement are usually the first organization to hear the outcry of the victims, it is imperative that policing agencies study different methods in dealing with domestic violence crimes. The most visible tool at the disposal of law enforcement is the power of arrest. Even though police possess this powerful tool, how effective is it in reducing and controlling the incidences of domestic violence?

In order to assess the impact that police departments arrest policies have on controlling domestic violence, numerous authors' works were reviewed and a survey was distributed to large police departments both in and out of Texas. The literature and data collected from the surveys failed to show that a mandatory, or strongly preferred, arrest policy by itself has any appreciable controlling effect on domestic violence crimes.

It is concluded that using arrest to control these crimes will not have the dampening effect expected, but that law enforcement has a duty and responsibility to use it when probable cause exists to prove a crime has been committed. The law enforcement community must continue to search for the right mix of additional programs, along with arrests, that will prove successful in controlling domestic violence within each community.

INTRODUCTION:

"Imagine a drug that cures patients in some cities but makes them sicker in others. Imagine a drug that makes arthritis less painful among working people, but more painful among the poor and unemployed. Imagine a drug that relieves pain for a day, but increases it a year later. Imagine a drug that works well in hospitals with mostly white and Hispanic women patients, but does not work at all in hospitals with mostly black women patientsThese, in effect, are the dilemmas that domestic violence poses for the police. Arrest is the 'drug' that research has shown to have diverse effects on misdemeanor assaults." (Sherman, 1992).

Domestic violence and protective order crimes continue to plague our society. From minor verbal altercations to murder, these types of crimes continue to undermine the very foundation of American society. As people's lives are forever altered by such crimes, the family structure is threatened. Even though the number of domestic violence crimes has been steadily decreasing since 1993 in the United States, there were still more than one million crimes committed against persons by their current or former spouses, boyfriends, or girlfriends in 1998 (Bureau of Justice Statistics, 2000 May). As various police tactics are used to address these crimes, the incidents of domestic violence continue to rise in some communities.

The purpose of this research is to examine the use of various arrest policies by law enforcement agencies on domestic violence/protective order crimes and determine if such policies and practices have any appreciable effect in reducing the total number of these types of crimes in our communities. Have arrests proven to be an effective response to the problem of domestic violence crimes?

The method of inquiry into this examination will be to review the domestic violence/protective order policies and practices of several different police agencies. For those agencies with mandatory arrest policies, or who strongly encourage arrest, statistical data over a several year period will be collected by a written survey and analyzed. The total number of police calls by a Department will be compared to the frequency of felony and misdemeanor domestic violence calls over the designated period to determine if the percentage of calls is on the rise. The total arrest in felony and misdemeanor domestic violence assaults and protective order cases will also be reviewed to determine if there was an increase or decrease in police arrest action. If available, arrest records on repeat domestic violence assault and protective order offenders will be compared over the time frame to determine if arrest had a deterrent effect on this recidivist. Additionally, literature will be reviewed to obtain the latest thoughts, information, and research results on the use of police arrest powers to control domestic violence assaults/protective order crimes.

The intended outcome of this research will be to show that a pro-arrest policy by law enforcement on domestic violence assault crimes does have some effect in reducing the number of occurrences of these types of crimes. Although there are other policies and programs being utilized by law enforcement agencies to control domestic violence, the use of the power of arrest will prove to be a major controlling factor in addressing these crimes.

The implication of the research will be to show police departments, concerned citizen groups, the community, and the victims of these crimes that law enforcement will deal swiftly with violators of domestic violence laws by using its major control tool, arrest. The research will also, hopefully, encourage all police agencies to adopt a pro-arrest policy within their organization if they have not already done so. The research will also reinforce the idea that the

use of several successful strategies against domestic violence assault crimes will have a better chance in accomplishing law enforcement's goals of reducing these types of crimes in our communities than just one particular strategy.

For purposes of this research domestic violence means an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself. This does not include the reasonable discipline of a child by a person holding that duty (San Antonio Police Department, 2000).

REVIEW OF LITERATURE:

A review of the literature examining domestic violence and methods to control the problem yielded a large volume of data. The amount of articles and other materials available on this topic has been recognized by at least one other author. One comment made in a textbook was that until recently criminologists were unlikely to study or write about violence or criminal activity within a household, but as of recently the subject has spawned a voluminous literature (Brown, 1998).

The earliest copyright of serious research material on domestic violence was 1967 (Parnes, 1967). Some of the more complete histories on the topic of domestic violence start the references by showing that domestic violence was approved of, and even allowed, by law during the age of the Roman Empire (Hecker, 1914; Cordner, 1996).

The literature and research examined for this paper appears to fall into six (6) categories:

1. The scientific approach that includes serious fieldwork to compile (Sherman, 1992).
2. A review of a single police operation through Department's reports examined by an outside researcher. An example of this type of research was performed in the Atlantic Bureau of Police Services (Wilson, 1993).
3. Reviews and critiques of other author's works (Levinson, 1995; Fagan, 1995).
4. Literature on domestic violence written by authors who base their knowledge, ideas, and observations on individual studies and research (Buzawa, 1997).
5. Individual police departments that have formed their own policies for dealing with domestic violence. Two examples of such police departments are San Diego, California and Detroit, Michigan (O'Dell, 1996; Buzawa, 1993).

6. Studies of the domestic violence issues that do not mention or examine legal sanctions or arrest (Firman, 1998).

Most of the literature are textbook style and cover the topic from a historical perspective and offer recommendations and conclusions at the end. Some of the research gets very specific and deals with a very narrow area of domestic violence. One author went so far as declaring that the home is one of America's favorite hitting places with the bedroom, kitchen, and livingroom being the most violent rooms in the house. The house's bathroom was declared to be a non-violent room (Goldstein, 1996).

As alluded to earlier, Roman law recognized women as "daughter at marriage" with the husband having the power of life and death and to unrestrained physical chastisement of the wife (Hecker 1914; Pleck 1987). Very few changes took place over the centuries to stop the abuse of women by their male companions. Between 1876 and 1906 bills were introduced in 12 states, and were passed in three, to punish wife beaters with a whipping (Pleck 1989).

The police response to spouse abuse changed little until the 1960's. Under the influence of social scientists, psychologist, and a strong feminist movement, the order maintenance duties of police received a professional interaction. Meditation and crisis intervention were promoted as the appropriate method of handling family violence. Arrest as a tool for resolving the crisis was discouraged (Bard, 1970).

A review of the mediation and crisis intervention methods revealed little reductions in the number and severity of domestic violence cases. The argument that female victims' rights were violated by the failure of police enforcement, and the increase in violence against women, produced demands for the arrest of abusers as the appropriate police response (Langley & Levy 1978). In the 1980's a series of women's groups filed lawsuits against police departments for

failure to take action and protect their rights. The most famous case occurred in Torrington, Connecticut in which a woman sued the police department after an officer stood by and watched as her husband severely beat her during a domestic disturbance (Thurman v City of Torrington 1984). The jury awarded Mrs. Thurman \$2.6 million.

During the 1980's police continued to struggle with the implementation of the new direction they were being forced to take in controlling family violence. The reasons for the police failure in responding more aggressively to domestic violence were many. Some of the reasons cited were:

1. Research generally confirmed that historically less than 10 percent of domestic violence incidents were ever reported to police. Why should the police be concerned if victims would not report the crimes and prosecute?
2. Most police officers dislike handling domestic violence because it is not considered a "real" crime.
3. The laws of many states in the 1970's and 1980's disallowed arrest on cases of misdemeanor assaults unless witnessed by an officer.
4. Poor training of police as to the best practices to use in resolving the issues in a domestic violence case.
5. Fear of injury by police officers. Most police feel that domestic violence cases are the most dangerous calls they can make. A 1988 report sponsored by the National Institute of Justice found that domestic violence calls were far down the list of fatal calls for police (Buzawa & Buzawa 1997).

Most of the time police do not use the criminal law to restore calm and order. They rarely make an arrest, although the threat of doing so, always exists. Police routinely pursue eight different courses of action when dealing with a domestic violence call:

1. Simply leave after listening to the complaint.
2. The police give friendly advice about how to avoid a repetition of the incident.
3. Arrest one or both parties involved.
4. Pointedly warn people about what will happen if they are called back to the scene.
5. Promise future help if it is needed.
6. Give explicit advice to one or the other about what they should do to extricate themselves from the conflict or abuse.
7. Make sure one party leaves the scene.
8. Suggest referral to third parties, professional or otherwise (Boyley, 1994).

The definitive research into what type of police response works best in resolving domestic violence cases was performed in 1981 by Lawrence Sherman under direction of the Police Foundation and by a grant from the National Institute of Justice. Mr. Sherman's research into this extensive experiment generated over twenty articles and books by that author.

In 1981 Professor Sherman teamed with then Chief of Police Anthony Bourza of the Minneapolis Minnesota Police Department to conduct a scientific experiment to try and determine which police action was most appropriate in dealing with domestic violence cases. Selected officers of the Minneapolis Police Department were asked to handle domestic violence calls in a randomly assigned fashion. The three ways they could handle a call, selected randomly, were arrest, separation (ordering the offender out of the house for eight hours), or advising (in anyway each officer saw fit). After the experiment was concluded, the results

showed that arrest was much more effective in reducing the rate of recidivism over a six-month period.

Professor Sherman made three recommendations from his study. One was police officers should probably employ arrest in most cases of minor domestic violence. A second was that the experiment should be replicated to see if the findings held in other cities and with different kind of people. The third was an explicit recommendation against adoption of a mandatory arrest law.

The results of the Minneapolis experiment were widely publicized and many state legislatures and police departments adopted the first proposal on arrest and disregarded the second and third recommendations. Preferred or mandatory arrest policies became the order of the day throughout the country. Nothing the police were currently doing was reducing domestic violence cases, so why not try mandatory arrest.

In 1986, the National Institute of Justice funded replications of the Minneapolis experiment in six new cities. Metro-Dade, Florida; Colorado Springs, Colorado; Milwaukee, Wisconsin; Charlotte, North Carolina; Omaha, Nebraska; and Atlanta, Georgia were selected for the study. Results from all the cities except Atlanta were published (Sherman, 1992). See Appendix 1 for experiment parameters.

A review of these follow-up experiments revealed different results from the Minneapolis study. They showed that counseling and protective orders were no more helpful in solving the problem over arrest or no action at all. The only program shedding some light on the situation was in Omaha, Nebraska. Omaha police began filing charges on abusers who had left the scene of the assault before the police arrived. Arrest warrants were obtained and served at a later date. This action resulted in a 50% reduction in repeated abuse.

Three observations can be made from the six experiments:

1. Arrest reduces domestic violence in some cities but increases it in others.
2. Arrest reduces domestic violence among employed people but increases it among unemployed people.
3. Arrest reduces domestic violence in the short run but can increase it in the long run (Sherman, 1992).

After reviewing numerous pieces of literature on the subject of the effectiveness of arrest on domestic violence cases, there appears to be a wide variance of opinions.

The opinions on whether arrest works or not fall into four categories:

1. Police agencies, judges, and women's groups agree on a pro arrest policy (Zorza, 1994; Stark, 1996).
2. Continue to make arrest with probable cause, but provide additional non-arrest resources to assist the abuser and victim.
3. Preferred or mandatory arrest policies don't work. Walker states that the evidence is clear that "getting tough" won't reduce crimes. Garner believes that no systematic empirical evidence exists about the effectiveness of mandatory arrest policies. No evidence establishes that mandatory arrest has ever worked anywhere (Garner, 1997; Walker, 1989).
4. Allow police to have the power of discretion in deciding on the best course of action in dealing with domestic violence. The best the police can do is deal with each situation as it occurs (Cordner, 1996).

A review of the available literature did not reveal a strong preference for anyone course of action.

METHODOLOGY:

The purpose of this research paper is to try and determine if a preferred or mandatory arrest policy by police agencies will have an appreciable effect on the incidents of domestic violence. As most police agencies have adopted, and use, a preferred or mandatory arrest policy for domestic violence crime, it is hypothesized that these policies will be effective in reducing the number of domestic violence crimes.

The measuring instrument will be a questionnaire survey (Appendix 2). The questionnaire contains fifteen questions that seek crime statistics, current domestic violence policy questions, opinions, and types of programs available in the particular agency being surveyed. The survey also contained a cover letter addressed to the Chief of Police or Commander of the agency's Domestic Violence Unit explaining the purpose of the survey and its intended use.

The survey was mailed, return envelope enclosed, to a total of twenty-one police agencies. Fourteen of the agencies were the largest police departments in Texas and seven were from selected cities outside of Texas (see Appendix 3). The cities in Texas were chosen by population size. The Texas cities surveyed ranged in size of population from 139,000 to 1.9 million. They were selected due to the fact that a larger population would have a larger frequency of domestic violence cases to study. The seven cities outside of Texas were selected due to their being mentioned as areas previously researched on the issue of domestic violence. The population of these seven cities ranged from 185,700 to 1.3 million.

Of the fourteen surveys sent to the Texas cities, nine were completed and returned for an average rate of return of 64%. The seven surveys sent to agencies outside of Texas produced a

return of four for a return rate of 57%. Out of the total twenty-one surveys sent out, thirteen were returned for a total return rate of 62%.

. The surveys' crime rates and arrest rates for Aggravated Assaults-Family, Assault Family misdemeanor, and Protective Order violations will be compared over a three year period (1998 2000) to determine if any correlation can be made from this comparison. The surveys will also be analyzed to see if there is any difference in the crime/arrest rates in cities with a mandatory arrest policy as compared to those in which such a policy does not exist. The surveys will also be studied to determine if other resources and programs are being used and how that affects the overall crime/arrest rates.

FINDINGS:

Of the twenty-one surveys returned, only nine provided enough information on calls and arrest data to be useful. It was hoped that three major areas of statistical data could be examined from the surveys. Total domestic violence calls; total domestic violence arrests; and the percentage of domestic violence calls to total department calls were to be used. This effort was made to determine if arrest made a difference in decreasing the total volume of domestic violence crimes. These three factors were tracked on seven of the nine surveys examined (Arlington, Austin, Fort Worth, Garland, Omaha, San Diego, and San Antonio). Two of the factors, total domestic violence calls and total domestic violence arrest, were available on two of the surveys (Dallas and El Paso). Each of these statistical areas was compared over the period 1998, 1999, and 2000. The percentage of change for each category was also computed between 1998 and 2000 (Table I).

When comparing calls and arrest data, four comparisons could be made. The relationships could be either "calls up, arrest down"; "calls down, arrest up"; or "calls up, arrest up"; "calls down, arrest down" for the nine cities reviewed. As can be seen from Table I, four cities had their calls go down and arrest also go down for the 1998-2000 comparison (Arlington, Dallas, Garland, and El Paso). Two of the cities had calls go up and arrest go up for the same period (San Diego and San Antonio). Two cities had calls go up and arrest go down (Austin, and Omaha). One city had calls go down and arrest go up (Fort Worth).

Table I

Department's crime statistics on Domestic Violence calls, arrest, and percentage of Domestic Violence calls.

Arlington Texas Police Department

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>% Change</u>
Total Domestic Violence Calls	9909	8060	9800	-1 %
Total Domestic Violence Arrest	1309	1409	1154	-12%
Domestic Violence % of Total Calls	3%	2.5%	3%	0%

Austin Texas Police Department

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>% Change</u>
Total Domestic Violence Calls	4,800	6,277	5,680	+ 18%
Total Domestic Violence Arrest	3,566	3,419	3,292	-8%
Domestic Violence % of Total Calls	1.5 %	1.9%	1.4%	-7%

Dallas Texas Police Department

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>% Change</u>
Total Domestic Violence Calls	20,092	20,073	17,605	-12%
Total Domestic Violence Arrest	6,402	6,516	6,216	-3 %
Domestic Violence % of Total Calls	N/A	N/A	N/A	

EI Paso Texas Police Department

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>% Change</u>
Total Domestic Violence Calls	10,413	9,081	9,336	-10%
Total Domestic Violence Arrest	3,592	2,428	2,383	-34%
Domestic Violence % of Total Arrest	N/A	N/A	N/A	

Fort Worth Texas Police Department

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>% Change</u>
Total Domestic Violence Calls	4,689	4,512	4,641	-1 %
Total Domestic Violence Arrest	2,861	2,654	3,180	+ 11 %
Domestic Violence % of Total Calls	.9%	.9%	.9%	0%

Garland Texas Police Department

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>% Change</u>
Total Domestic Violence Calls	4,035	3,939	2,784	- 31 %
Total Domestic Violence Arrest	1,445	1,319	1,075	-26%
Domestic Violence % of Total Calls	3%	4%	1.8 %	-40%

Omaha Nebraska Police Department

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>% Change</u>
Total Domestic Violence Calls	4,803	4,798	5,165	+ 7.5 %
Total Domestic Violence Arrest	1,896	1,704	1,690	-11 %
Domestic Violence % of Total Calls	1.7%	1.9%	1.9%	+ 12%

San Diego California Police Department

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>% Change</u>
Total Domestic Violence Calls	10,757	10,299	10,986	+2%
Total Domestic Violence Arrest	908	2,961	3,470	+ 282 %
Domestic Violence % of Total Calls	1.7 %	1.6%	1.6 %	-6%

San Antonio Texas Police Department

	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>% Change</u>
Total Domestic Violence Calls	5,017	7,591	9,081	+81 %
Total Domestic Violence Arrest	1,874	1,891	2,279	+22%
Domestic Violence % of Total Calls	.6%	1%	1.1 %	+83%

(Domestic Violence arrest include Aggravated Assaults-Family; Misdemeanor Assault-Family; and Protective Order Violation.)

Since all nine cities have a mandatory, or strongly preferred arrest policy, it would appear that such policies would cause calls to go down if arrest were up and if arrest truly made a difference in these cases. This proved to be the case in only one of the nine cities (Fort Worth) (Table II).

The Texas Code of Criminal Procedure, Article 14.03, does not make it mandatory for a peace officer to make an arrest for assault in family violence cases. The only mandatory arrest required is for violations of a Protective Order committed in the officer's presence (Texas Code of Criminal Procedure, 1999).

Table II

Department responses on mandatory arrest policy.

Does your department policy include the following actions:

Mandatory arrest of Domestic Violence with probable cause - 6

Strongly encourage officers to arrest with probable cause - 3

Officer's discretion to arrest - 0

The decrease in the total crime rate over the last decade could explain why four cities experienced a call decrease along with arrest being down. The argument could be presented that other factors besides arrest caused all crimes, including domestic violence, to decrease.

An examination of calls/arrest data does not appear to support a mandatory arrest policy as a factor that will reduce the number of incidences of domestic violence.

The survey also explored other programs, outside of arrest, that might contribute to a reduction of domestic violence crimes. Survey question number 9 asked the departments if they use any of four programs which included:

1. Domestic violence calls follow-up by trained specialist.
2. Specialized unit that provides domestic violence criminal investigations follow-up on reported cases.
3. Department participation with outside assistance organizations dealing with domestic violence.
4. Follow-up contact in domestic violence cases by a sworn member and trained social worker working as a team.

As Table III shows, all nine departments utilized most of the four programs that emphasizes non arrest strategies in an attempt to provide additional resources in the battle against domestic violence. The use of these extra resources could partially explain why calls and arrest are both down in four of the cities (Arlington, Dallas, El Paso, and Garland). It does not, however, explain why two cities with aggressive arrest policies would have calls and arrest both increasing (San Diego and San Antonio).

Table III

Department responses on variety of different non-arrest programs provided.

Domestic violence call follow-up by trained specialist - 8

Specialized unit that provides domestic violence criminal investigations follow-up on reported cases - 8

Department participation with outside assistance organizations dealing with domestic violence - 9

Follow-up contact on domestic violence cases by a sworn member and trained social worker working as a team. - 5

After reviewing literature and results of the surveys received, it is apparent that there is no concrete evidence to support a theory that mandatory arrest in domestic violence cases will decrease the frequency and number of these types of offenses. The various authors examined in the literature section were widely split on this issue. The comparison of arrest/call data in the surveys failed to show a direct link to support a hypothesis of case reduction due to mandatory arrest.

DISCUSSION / CONCLUSION:

Domestic violence crimes continue to occur in large numbers throughout the United States. Even though the numbers have decreased since 1993, there continues to be over one million such crimes committed each year (Bureau of Justice Statistics, 2000 May).

The purpose of this study is to examine the effect that arrest policies used by police agencies have on the incidences of domestic violence. Does a mandatory, or strongly preferred, arrest policy used by police during domestic violence crimes have an appreciable effect in reducing the number of these crimes?

The greatest leverage the police have in controlling undesirable activity on the part of citizens of any community is its power of arrest. It is surmised that a mandatory arrest policy will reduce the number of domestic violence crimes.

A review of the research performed in the past on the topic of domestic violence seems to support no one particular controlling mechanism. All research seems to support a multifarious approach to the problem of domestic violence control. The burden of immediate control falls on the police forces of the nation. Police agencies have struggled for years, and continue to struggle, with finding the best approach in dealing with the problem. No one approach, or for that matter group of approaches, has shown an ability to greatly reduce these crimes. As the scientific research performed by Dr. Sherman has shown, and the subsequent duplication studies verified, different techniques are needed by different cities, different parts of the same city, and even among different people living in the same cities (Sherman, 1992).

Even though twenty-one surveys were sent out in conjunction with this study, and only nine were returned with useful statistical data, it is obvious additional data would not have

yielded a different conclusion. A mandatory arrest policy does not have a dampening effect on the number of domestic violence crimes.

Some recommendations garnered from this research and that of others are:

1. Police departments should continue to make arrest, with probable cause, at domestic violence crime scenes. This is a police department's mandate and it assures a fair and equitable treatment of all citizens during the commission of any type of crime. Mandatory arrest assures at least a temporary cessation of violence. The female victim can receive some measure of empowerment knowing the police are standing with her (Cordner, 1996).
2. Police departments should partner with community groups to provide a safe haven and follow up treatment for both the victim and batterer (ex. Battered Women's Shelters, Alcohol Anonymous, Victims Advocacy groups).
3. Police should file charges against the batterer, with probable cause, if the actor has left the scene before police arrived (Sherman, 1992; Cordner, 1996).
4. Repeat offenders and repeat call locations should be placed on a special watch list by police so that officers can respond in a more expeditious manner. Homicides usually occur after a series of repeated domestic violence calls to the same location involving the same people (Sherman, 1995).
5. Officers should receive extensive training in the latest techniques of handling domestic violence calls. This will include identifying the aggressor in the disturbance and arresting only that person. The police should not arrest a person who is defending themselves from being assaulted (Buzawa & Buzawa, 1997).

6. Police should not base the decision to take enforcement action on the attitude and actions of the actor after the police arrive, but on the actions of the actor against the victim before the officers arrive (Buzawa & Buzawa, 1997).

As law enforcement agencies continue to be on the front lines in the fight to stop domestic violence crime, they should not employ one specific type of response to this problem. Law enforcement should continue employing a group of various policing and non-policing programs in an attempt to determine what works best in each community. Law enforcement should continue to demand that the federal government join with the various universities in funding new scientific studies and determine the best mix of programs that really work in controlling domestic violence. There has not been a concentrated scientific study since the 1980's and another is long overdue.

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APPENDIX 1

Parameters of police action taken in six studies to test the deterrent effects of various police responses to domestic violence:

- . Minneapolis (sample size: 314)
 - (1) Arrest.
 - (2) Sending the suspect away for 8 hours.
 - (3) Advising the couple of get help.
- . Metro-Dade (sample size: 907)
 - (1) Arrest with follow-up counseling.
 - (2) Arrest without follow-up counseling.
 - (3) No arrest with follow-up counseling.
 - (4) No arrest without follow-up counseling.
- . Colorado Springs (sample size: 1,600)
 - (1) Arrest with professional counseling.
 - (2) Arrest without professional counseling.
 - (3) Issuance of an emergency protection order.
- . Milwaukee (sample size: 1,200)
 - (1) No arrest.
 - (2) A 2-hour arrest.
 - (3) Arrest with an overnight stay in jail.
- . Charlotte (NC) (sample size: 686)
 - (1) Arrest.
 - (2) Mediation.
 - (3) Separation.

(4) Citation.

. Omaha (sample size: 330)

(1) Arrest.

(2) Sending the suspect away for 8 hours.

(3) Advising the couple to get help.

(4) Arrest warrants for absent offenders.

(5) No follow-ups for absent offenders.

(Schmidt & Sherman 1996)

APPENDIX 2

April 17,2001

Chief Darrell Stephen Charlotte-
Mecklenberg Police Department Domestic
Violence Unit
601 E. Trade St.
Charlotte, NC 28202

Dear Chief Stephen:

I am currently enrolled in the State of Texas Law Enforcement Management Institute of Texas (LEMIT) course series, Leadership Command College. Part of the requirements for a successful completion of the course is the preparation of a research document.

My topic for research is Domestic Violence and will focus mainly on whether a strong arrest policy in domestic violence crimes has any appreciable effect in reducing future incidences of domestic violence.

I am enclosing a survey that seeks information from your Department regarding your dealings with domestic violence crimes. I have also enclosed a self addressed-stamped envelope for your convenience.

Your completion of this questionnaire will assist me greatly in my efforts to research this topic.

I want to thank you in advance for your assistance and support of this project.

Sincerely,

Richard Gleinser, Deputy Chief
Investigations Division Commander
San Antonio Police Department
214 W. Nueva
San Antonio, Texas 78207
RGleinser@ci.sat.tx.us
(210) 207-7620

APPENDIX 3

The Domestic Violence Survey was sent to the following police agencies:

	<u>Returned</u>	No Return
Amarillo, Texas Police Department		X
Arlington, Texas Police Department	X	
Austin, Texas Police Department	x	
Charlotte, North Carolina Police Department		X
Colorado Springs, Colorado Police Department		X
Corpus Christi, Texas Police Department		X
Dallas, Texas Police Department	X	
El Paso, Texas Police Department	X	
Fort Worth, Texas Police Department	X	
Garland, Texas Police Department	X	
Houston, Texas Police Department		X
Irving, Texas Police Department	X	
Jacksonville, Florida Police Department		X
Laredo, Texas Police Department		X
Lubbock, Texas Police Department	X	
Milwaukee, Wisconsin Police Department	X	
Newport News, Virginia Police Department	X	
Omaha, Nebraska Police Department	X	
Plano, Texas Police Department		X
San Antonio, Texas Police Department	X	
San Diego, California Police Department	X	

San Antonio Police Department

Domestic Violence Survey

1. What is the population of the community your Department serves? _____

2. Number of Sworn Personnel: _____

3. Would you please provide the following information for the past three (3) years:

	<u>1998</u>	<u>1999</u>	<u>2000</u>
Total police calls for service	_____	_____	_____
Total misdemeanor domestic violence calls	_____	_____	_____
Total misdemeanor domestic violence arrests	_____	_____	_____
Total felony domestic violence calls	_____	_____	_____
Total felony domestic violence arrests	_____	_____	_____
Total violation of protective order calls	_____	_____	_____
Total arrests for protective order violations	_____	_____	_____

(The three (3) offenses I am tracking are Aggravated Assaults-Family, Misdemeanor Assaults-Family, and all Protective Order violations.)

4. Does your Department have a mandatory arrest policy when probable cause is present at a domestic violence crime scene?

YES / NO

5. If no to question 4, does your Department strongly encourage officers to make domestic violence arrests when probable cause exist?

YES / NO

6. Does your Department's policy give discretion to officers whether to make arrest or not at domestic violence crime scenes?

YES / NO

7. Does your Department provide training to officers on the handling of domestic violence situations beyond cadet class training?

YES / NO

8. If the answer to question 7 is yes, how many hours per year do officers receive advanced domestic violence training?

9. Does your Department provide any of the following: (please mark all that apply)

_____ Domestic violence call follow-up by trained specialists.

_____ Specialized unit that provides domestic violence criminal investigations follow-up on reported cases.

_____ Department participation with outside assistance organizations dealing with domestic violence.

_____ Follow-up contact in domestic violence cases by a sworn member and trained social worker working as a team.

10. Do you feel that a mandatory arrest policy with probable cause within a police department will reduce incidences of domestic violence?

YES / NO

11. Has domestic violence / protective order violation crimes increased or decreased within your community over the last three (3) years?

INCREASED / DECREASED

12. What do you feel are the reasons for the increase or decrease in these types of crimes?

13. In your opinion, what factor(s) have been the most beneficial in reducing the rate of domestic violence?

14. Does your Department have a written policy on dealing with domestic violence / protective order crimes? If so, please enclose a copy of the policy with your completed survey.

YES / NO

15. Does your Department have a policy which allows the filing of criminal charges against an abuser in domestic violence crimes if that person is not present when officer arrive at the scene?

YES / NO

NAME OF PERSON COMPLETING SURVEY: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

E-MAIL ADDRESS: _____

Thank you very much for your time and effort in completing this survey. Please send your response in the enclosed self-addressed envelope to:

Deputy Chief Richard Gleinser
San Antonio Police Department Investigations
Division
214 W. Nueva
San Antonio, Texas 78207

(210) 207-7620