

Merrimack College

Merrimack ScholarWorks

Criminology Student Work

Criminology

Spring 2021

Police Response to Women of Color and Domestic Violence

Liz Shimoni

Merrimack College, shimonil@merrimack.edu

Follow this and additional works at: https://scholarworks.merrimack.edu/crm_studentpub



Part of the [Law and Gender Commons](#), and the [Law and Race Commons](#)

Recommended Citation

Shimoni, Liz, "Police Response to Women of Color and Domestic Violence" (2021). *Criminology Student Work*. 20.

https://scholarworks.merrimack.edu/crm_studentpub/20

This Capstone - Open Access is brought to you for free and open access by the Criminology at Merrimack ScholarWorks. It has been accepted for inclusion in Criminology Student Work by an authorized administrator of Merrimack ScholarWorks. For more information, please contact scholarworks@merrimack.edu.

Police Response to Women of Color and Domestic Violence

Liz Shimoni

Merrimack College

Master of Science in Criminology & Criminal Justice

December 2020

Police Response to Women of Color and Domestic Violence

Historically, domestic violence (DV) cases involving intimate partners have been an ever-shifting problem for survivors and abusers alike. Dating back to the 1980s, DV between partners was largely ignored and thought to be legal in most states (Eigenberg, Kappeler, & McGuffee, 2012). Morally accepted, physical abuse to one's wife was common in these times. Survivors were discouraged from calling law enforcement as it was seen as a waste of time (Buzawa & Buzawa, 2003). Political and legal pressure, as well as, community advocates and women's rights organizations raised concerns over the continuation of police practices that neglected survivors (Buzawa, 2012).

Based on professional experience, women who fall victim to DV abuse may experience a plethora of mental and physical issues that impair them. Oftentimes, survivors report suffering from depression and nightmares, as well as the inability to feel safe. Concurrently, the likelihood of reporting in survivors varies. The likelihood that a survivor is compelled to report is based greatly on their social rank (Black, 1976). Most women of color come from backgrounds where DV isn't discussed (Burman, Smailes, & Chantler, 2004). Criticisms like "What happens in the home, stays in the home" and "How could you?" arise often. Survivors of lower socio-economic backgrounds and genders or races that are affected by such rank, are less inclined to move forward within the criminal reporting process. However, some studies found that minority women were more likely to call the police, which could be based on upper class embarrassment of experiencing such abuse (Akers & Kaukinen, 2009). Furthermore, survivors find themselves weighing out the severity of their assaults as a means to justify their reporting (Goudriaan et al., 2004). Aside from this issue, lies the likelihood that an abuser will reoffend if the survivors come

forward with the abuse. Also, survivors may oftentimes feel that they don't have the necessary proof to press charges.

Distinct Definitions

Significantly an issue, violence by intimate partners is a rising problem in the United States (Wilson & Jasinski, 2004). Based on the 2015 National Intimate Partner and Sexual Violence Survey (NISVS), over 30.6% of women experience physical violence from a partner, 21.4% of that being severe physical abuse. Meanwhile, 18.3% of women experience sexual violence (NISVS, 2015). Men were also surveyed, yet numbers were substantially lower than women. An important thing to note is that the statistics regarding men who are abused are generally lower due to a lack of reporting. Shame and societal judgment play a huge role in this as well. There are three types of intimate partner violence as identified by Johnson (2007): Intimate Terrorism, Violent Resistance, and Situational Couple Violence. Largely based on the Power and Control wheel by Pence & Paymar (1993), intimate terrorism is the basis of many police trainings. The Power and Control wheel depicts various forms of abuse including financial, emotional, the manipulation of children to abuse and other controlling ways of conduct. Violent resistance is expressed when women retaliate for being abused themselves (Johnson, 2007). This is also used as a justification for violence. Lastly, situational couple violence is seen more so as the "common fight." More often than not, police respond to calls regarding verbal violence as a form of abuse. However, due to ever changing definitions of DV, many police officers may ignore these calls for help. Therefore, police may encounter problems with assessing the degree of seriousness where verbal altercations are the main part of the report (Stewart, Langan, & Hannem, 2013).

Research conducted by Stewart, Langan, and Hannem (2013) suggests that although verbal abuse may be the initial call, law enforcement should not assume that this involves the absence of physical violence or threats to cause harm. The NISVS also reports that 43.5 million women experience psychological aggression, one form of abuse that is rarely acknowledged. Again, the varying legal definitions of DV create a downfall for these survivors. For example, in the state of Massachusetts survivors filing for a restraining order, or a 209A, must meet one of the four categories to qualify for an order: (a) caused physical harm, (b) attempting to cause physical harm, (c) placing another in fear of imminent physical harm, and (d) causing another to engage involuntarily in sexual relations. Based on professional experience, such categories don't allow for recognition of other grave forms of abuse, such as emotional and financial. With suicide rates as high as they have been in recent years, denial of such an order could place a survivor's life in jeopardy. Furthermore, if such abuse does not fit in these categories, many judges feel more inclined to grant a harassment order, or 258E, in place of a 209A for a survivors' protection. This can be highly detrimental to the safety of the survivor as a 258E does not provide an immediate removal of guns, ammunition or gun licenses to law enforcement.

Survivor Perspective and Police Response

While police work is stressful and demanding, DV crimes are not like other crimes. DV crimes require the correct type of mediation by police to further provide relief to survivors and the right protection (Balenovich, Grossi, & Hughes, 2008). There is often an internal struggle between law enforcement officials on their sensitivity to DV cases and their police academy training on crime control (Balenovich et al., 2008). While some studies confirm change for the better in police response, survivors' perspectives are generally mixed (Stephens & Sindin, 2000). Survivors have reported instances where a lack of support is provided (Erez & Belknap, 1998).

Also, survivors have reported increased experiences with victim blaming and the minimization of abuse (Erez & Belknap, 1998). Some encounters with police went so left, that some survivors expressed a lesser likelihood to involve first responders as they “lost the confidence in their ability to offer effective help” (Grasely et al., 1999).

Based on professional experience, too often survivors express a lack of trust in law enforcement. The feelings of defeat may even overwhelm some survivors to the point where they stay in these abusive relationships. There is a plethora of reasons why survivors stay, including financial support. Some survivors, especially undocumented ones, find difficulty in receiving help or vital living arrangements for them and their children. Studies done by Garafolo (1997), Huang and Vaughn (1996), and Tyler and Huo (2002) further support these claims. Cultural and language barriers also influence the process of the criminal justice system and police interventions. Studies also show that the better the expectation of help is met by police, the higher the satisfaction from survivors (Wilson & Jasinski, 2004). Based on a study done by the American Civil Liberties Union, City University of New York School of Law, and the University of Miami, with the assistance of the American Bar Association Commission on Domestic and Sexual Violence (2015), survivors made researchers aware of several barriers to their willingness to seek help from law enforcement. This was mostly due in part by the presence of biases and hostility from police. Furthermore, Park, Coker, and Goldschmied (2018) noted that survivors were often subjected to misunderstandings with the police and were even threatened with arrests for “misuse of 911.” Questions like “What did you do to make him so mad?” and “You are just going to let him back in tomorrow” were reportedly commonly used by officials (Park et al., 2018). Some survivors encountered issues when trying to apply for emergency restraining orders from an on-call judge. Furthermore, women of color felt that they were likely to be found as

contributing to the violence. Also, Latinas were more often suspected of lying about such assault. Likewise, women of Muslim and South Asian backgrounds, suffered biases based on their oppression from their religious beliefs (Park et al., 2018). Lastly, there lies an issue with the collateral consequences of calling the police for help, and a lack of empowerment given to survivors.

Adversarial in nature, satisfaction may be affected if victims do not call the police (Wilson & Jasinski, 2004). For instance, some survivors may be threatened with the removal of their children unless cooperation was present. Based on professional experience, more often than not, Child Protective Services and the Department of Children and Families become involved with these calls to the police for DV. Further, survivors may not express an immediate fear of the abuser, yet they may find themselves subject to filing restraining orders or criminal charges to remain in custody of their children. Survivors also often fear the consequences that can arise economically, such as the loss of being on welfare or fear of lack of income (Park et al., 2018). Also, once charges are filed against the abuser, it is likely that the control is out of the survivors' hands. Therefore, imprisonment of the abuser and a stay away, no contact order imposed by the state, may affect the livelihood of survivors. This employs a lack of empowerment to the survivor which can potentially make women wait until the abuse is perceived to be severe enough for intervention (Melton, 1999; Mills, 1999).

Mandatory Arrest Policies

As previously noted prior to the 1980s, legal interference was not commonly seen in DV cases. Traditionally, police lacked the desire to become involved in disputes and commonly avoided arresting anyone (Buzawa, 2012). Following the legal changes in the 1980s, the execution of mandatory arrests became prevalent for DV. In short, this meant that police no

longer had the ability to use their own discretion in DV cases (Ho, 2000). However, the results of these changes and whether there has been an increase or decrease in arrests have been conflicting (Ho, 2000). It is to be assumed that mandatory arrests will further protect survivors and deter abusers from their violent behavior against survivors (Eitle, 2005). Nonetheless, studies show that police are still failing to arrest in the majority of DV cases. The research shows that law enforcement officials are still using discretionary measures in making arrests as the average arrest policy is still only at 50% (Eitle, 2005).

While it is a step in the right direction, with mandatory arrests, also came dual arrests. This is the phenomenon where both parties are arrested and further charges are filed against both for DV crimes. Coincidentally, this also affects survivors' satisfaction with law enforcement (Sherman & Berk, 1984). Based on professional experience, this is oftentimes seen as unfair to the survivor as they were just "defending themselves." However, police have conducted dual arrests or even arrested the survivor based on more visible injuries to the other party. The definitions of severe bodily injury may vary from officer to officer, therefore allowing them to further rely on their discretion. Likewise, placing your partner in imminent danger of physical harm, as long as it is not severe, can equate to the legal substitute of a traffic ticket (Eigenberg, Kappeler, & McGuffee, 2012).

Victim advocates work hard in the community, frequently doing presentations at local police departments about why women stay. Advocates present vital information for police to understand the many underlying factors of these cases and how perpetrators are likely to be recidivists (Eigenberg et al., 2012). While mandatory arrests grew in prevalence, so did community policing (Wilson & Jasinski, 2004). Oftentimes, family disputes result in a concerned neighbor or family member who calls in the abuse. Seeing as every case is different, each must

be handled appropriately. Evidence must be thoroughly collected to ensure that the correct offender is arrested (Eigenberg et al., 2012). This can include anything from photographs to the inquiry of the history of abuse within the couples' relationship. Finally, this can result in the reliance women may put on police involvement, rather than feeling as though they are resented for their behavior (Stewart, Langan, & Hannem, 2013).

Policy Concerns

In an effort to diminish the likelihood of domestic violence offenses to occur, several policies were formulated. One example is the Violence Against Women's Act or VAWA for short. Since its inception in 1994 by former President Bill Clinton, VAWA has developed both federal and state legislation to provide more support for victims of a crime. VAWA has been revised and reauthorized consistently throughout the years in an attempt to be more inclusive of members from the LGBTQ+ community and more. Some examples of VAWA's work include everything from assistance with securing housing for victims and protecting them from unfair evictions due to abuse, to establishing U and T visas for undocumented victims (VAWA, 2020). Although this law seems to lack overall issues, the problem lies in VAWA's reauthorization. In 2020 and highly due to shifts in politics, VAWA has not been reauthorized and has expired. VAWA's funding continues to be dispersed, however, funding for the future is not foreseeable if it continues to remain inactive. This is extremely detrimental to not only the victims of domestic violence and sexual assault, but the many agencies that rely on VAWA's funding to provide services.

Next, most police departments currently rely on mandatory and dual arrest policies. Essentially, if there is probable cause an officer can legally arrest the alleged offender in domestic violence cases. Likewise, police officers have the discretion to arrest both individuals

should injuries coincide with both parties being involved in the dispute. Furthermore, law enforcement officers are required to list detailed justifications of why dual arrest was necessary in their reports. The issues with both of these policies is their consistency across the board with domestic violence disputes. For one, there may be a complete lack of arrest which leads to a plethora of issues for the victim in the matter. Police discretion isn't always correct and may be the cause of bias in the case. There also lies the fear of retaliation against the victim.

Offenders may be even more irate than initially intended due to police involvement in the dispute. If officers are not handling their responses to these cases appropriately, retaliation can occur in the form of more harm or even death. In an attempt to mediate the aforementioned policies, primary aggressor laws were created to better understand who the dominant aggressor was in the event. However, this gives too much discretion to law enforcement and can lead to miscalculation of who the real perpetrator is. Offensive, self-inflicted, and self-defensive injuries are all components that police officers need to be aware of (Hirschel, 2007). For example, if a female victim has long fingernails and is defending herself from being attacked by wailing their arms and hands, it is likely that the offender is going to sustain some form of injury from them. Furthermore, should either party harm themselves, it's a he-say/she-say situation where the police officer must decipher the primary aggressor based on who is more believable. In turn, this concludes in further distrust in police by victims. Moreover, police need to account for possible blame shifting between the victim and offender. Blame shifting is a form of context diversion for the offender to place blame on, manipulate, and gaslight the victim (Streep, 2020). Offenders may use this as a way to escape the responsibility of abuse and further may even record the victim's reactions in order to show police that they are not the primary aggressor. Blame shifting

is also a big reason why victims tend to come back to domestic violence relationships and justify the offender's actions.

In addition, most police departments have put in place policies regarding the victim's rights when responding to domestic violence disputes. In the state of Massachusetts, law enforcement officers are required to give notice of rights to every victim and inform them of the resources available to assist them. The rights should be given to the victim in their native language when possible. Next, officers are to assist the victim by activating the Emergency Judicial Response System (EJR) should the dispute occur after local courthouses are closed (Baker et al., 2017). An EJR allows victims to apply for a restraining or harassment order via the phone with an on-call judge. Generally, these orders remain valid until the following business day when court operations resume. Officers are then required to provide valid service to the offender after the order is in effect in an effort to allow them to be present for the hearing. Lastly, law enforcement is required to gather sufficient information from the parties involved on whether a substantive dating relationship exists between them. The problem with all three of these policies is they can be inconsistent from officer to officer. For example, valid service of a restraining order requires that the offender be served in hand. Offenders are known to evade service from the police because they know beforehand that a victim is going to file. This further inhibits the victim from feeling safe and getting an order of protection in an adequate time frame. It also acts as a barrier to the victim in that they will repeatedly need to report to court every two weeks for an extension hearing, in hopes that the offender has been served. More often than not, victims get tired of the hindrance it puts on their everyday lives and having to take off of work or find sitters. Therefore, they terminate the orders all together. Next, there have been many instances where officers have not alerted victims of their rights to speak with an on-call judge for

an emergency order and have simply advised the victim to go to court the next day. The issue with that scenario is that the victim is left unprotected overnight and if arrests were not made the offender remains able to retaliate against the victim. Based on professional experience, there have even been instances where officers have put the blame on victims for not applying previously, and claim that because of this they are unable to apply now. Finally, there is no accurate assessment that can be made for police officers to knowingly understand the full dynamics of the relationship between the parties in one domestic dispute call. For instance, an offender can deny any interaction relative to a relationship between them and the victim. Complicating things, this can lead to a shift in qualifying factors from a restraining order to a harassment order, which requires more detailed description of abuse and not a one-time, harmful event.

As discussed, law enforcement as first responders in a domestic dispute call serve as an element vital to the development of each case. In an effort to address the lack of sensitivity to domestic violence and the victims' cries for help, specialized training should be implemented for all police officers with yearly refresher training required. In turn, this can help diminish the likelihood of repeated calls to the home, remove the victim from harm's way faster, and reduce the recidivism rate of offending. Officers may go into these situations with a lack of understanding as to why victims have stayed in the past, form their own biases on each case, and misuse assessment tools that can assist with identifying risk factors upon arrival.

Commonly introduced as a barrier to consistent training, many police departments may insist that they simply do not have sufficient funds, resources, or staffing to provide these educational tools. Usually, officers join in a room together to participate in roll calls for a limited amount of time during shift change. Based on professional experience, agencies such as the

YWCA have done mini training sessions during these roll calls; however, the extent of change or understanding has yet to be determined. Longer, more in-depth training on why victims choose to stay, the impact of law enforcement biases on the overall trust of police and the kind of intervention used upon arrival can be significantly influenced. One study done by Ruff (2012) in Canada, clearly depicts the impression extended training has on law enforcement officers. Overall, those who participated spent more time with victims, understanding their role as a first responder and gathering sufficient evidence and information about both parties without present biases. Furthermore, training assisted police officers with recognizing their own desensitization to domestic dispute calls. Finally, officers may receive training on the psychological and emotional effects on children who witness these disputes. While child welfare is always a first priority for their safety, law enforcement is able to comprehend the role children play in reducing offenses and serving as emergency respondents for their affected parents. Officers can also assist by properly providing a mandated report to local child protection agencies.

Next, I propose the inclusion of anti-corruption mechanisms for law enforcement in an effort to rebuild trust between them and victims. While it is not the easiest of tasks, it's important to weed out any factors that could prevent the best, most reliable response to domestic violence calls. Largely political, many police departments' cultures are affected by upper management. Therefore, it starts with recognizing these detriments, improving recruitment strategies and training, and implementing pride in officers as defenders. For instance, the introduction of the Black Lives Matter movement has led many accused law enforcement to lash out about their role as an officer, hindering their pride for having to withstand egregious interactions with the public. By reinstating pride, we can avoid issues with police integrity.

Predominantly common in smaller neighborhoods where everyone knows everyone, the likelihood of bribery is present (Gutierrez-Garcia & Rodriguez, 2016). Many were once civilians and now officers in the same towns they grew up in, increasing the possibility of knowing the offenders, victims, or either of their families. This is where biases can play a role in the delivery of services as well. It is much easier to do a friend a favor by requesting a small bribe rather than filing reports that could land them with a larger fine or jail time. This cycle can continue for multiple dispatches of domestic dispute calls to the same family, lessening the trust victims have that law enforcement will protect them.

Finally, developing a complaint policy with police officers can reestablish the accountability for their actions. If victims were able to report to human resources or upper management with confidence that their allegations are taken seriously, less issues with police integrity will be present. Identifying detrimental personality factors during screenings for these positions can further diminish the likelihood of corruption. Barriers to these policies, however, are that they take time. Requiring massive amounts of effort and reliability that anti-corruption techniques are fundamentally in all departments is a long-term struggle.

As an advocate, several challenges are faced when attempting to assist victims of a crime. Coincidentally, it has much to do with the lack of training and inconsistency from law enforcement. Victims often feel as though they are not fully supported during the reporting process, nor do they feel understood should they go back to these violent relationships. For example, many survivors rely on their abusers for financial reasons. Discussing components of financial reliability can include immigration status, where victims are not legally able to work and successfully maintain a solid household income. Likewise, victims may be unable to provide for themselves due to physical and mental disabilities.

Furthermore, some victims struggle with law enforcement based on the desire to keep their families together through cultural belief and cultural upbringing, which heavily influences the way that many victims handle their abuse. Some are very strict on keeping what happens in the home, private. However, with circumstances like bystander involvement and severe physical abuse to where the victim may need to be hospitalized for their injuries, law enforcement can become involved with the family dynamic. There have been many instances where victims do not want to press charges against their offenders; however, they are faced with going through the criminal justice process after a neighbor called the police after hearing a dispute, or a medical worker reported their injuries.

Another challenge encountered in advocating for survivors is the bias that may come from police officers involved when reporting to a call. Many times, officers have included their own personal beliefs and explanations as to why abuse happened or continued to happen. Many victims are made to feel that they are at blame if a verbal dispute was instigated by them. Likewise, they are misinformed about what rights they have. Multiple victims have complained that law enforcement officers have told them they are ineligible to obtain a restraining order based on the fact that the same officer responded previously to the home, and no legal action was taken by the victim. Further, police officers have told victims that they must go to the court, even after hours when an EJR should be administered, in order to file for a protection because they do not do them. This is extremely detrimental to the safety of victims and their families. Offenders can show up at any time to the household or wherever the victim is, and cause more damage. Essentially, it puts their life at risk.

Moreover, there have also been situations where arrest policies will incarcerate the victim in the dispute. For instance, if an arrested victim has a minor child in their custody with no other

parental figure or family member to assist in housing the child, the involvement of the Department of Children and Families comes to play. This can prove to be extremely hard for the victim to regain custody of the child post release, as surely an investigation into neglect will ensue. An abundance of legal fees and issues are to follow, which reverts back to the cycle of financial reliability in domestic violence relationships.

Domestic violence agencies not only provide services to victims and abusers alike, but they also provide training to multiple agencies and organizations to promote awareness. For example, offenders can become involved in Intimate Partner Violence groups, either by court mandate or their own desire for rehabilitation from their actions. Offenders will go through the process of dissecting their actions in order to determine right from wrong. Additionally, participants are taught the effects of domestic violence in the household on children. Based on professional experience, offenders tend to react to their abuse very differently when shown how they are portrayed to their own children. Drawings of “daddy when he’s happy and mad” depicted the reality that is adverse childhood experiences for youth.

Similarly, advocates introduce training for other agencies and victims to recognize the signs of abuse. Characteristics of a person who uses violence and ways violence occurs that are not only physical, is one example. Individuals explore new and different terminology that can shock some, as they can really break down the components of abuse, such as gaslighting. Further, advocates and counselors describe the elements of healthy and unhealthy relationships for victims to be able to point out their own use of minimizations towards their abuse.

Finally, advocates may schedule mini sessions during roll calls at local police departments to continue to reinforce training to police officers. PowerPoint presentations on why victims stay, the current standing on rights that victims have, and the process of obtaining orders

of protection further engrain the importance of establishing sensitivity when responding to domestic violence cases. The main issue of concern is the length of time these trainings take. One cannot see substantive changes in behavior after 5-minutes-worth of refresher training, roll call monthly does not permit reaching all officers employed by the department. I would propose longer, mandatory training for all officers to continue in compliance with domestic violence response standards.

Implementing Best Practices

In order to remain in compliance with mandatory annual training, law enforcement officials must be enrolled in eight-hour in-service training provided by various agencies in the community. Officers will be able to get hands-on training with the inclusion of role play, from counselors and advocates who work day in and day out in the field. Furthermore, they will better understand how to approach situations where they may not have interacted with a particular racial group in efforts to provide a better response and service. In turn, this will graciously increase the positive reception of police involvement in domestic violence issues. Each module will consist of 2 hours towards their 8-hour mandatory training requirement.

Module 1: Domestic Violence and Sexual Assault 101

In this module, presenters will establish and breakdown myths, facts, and realities of domestic violence and sexual assault. By giving an overview of the history behind these two misunderstood events, officers will gain a better understanding of the dynamics involved in domestic disputes. Current attitudes about gender inequality, gender role stereotyping, and how they contribute to the prevalence of violence will shed light on how societal upbringing and the media form the beliefs that exist today. Furthermore, discussion about women's rights movements and efforts to prevent violence against women will be included as an overview of

how activists have advocated for the acknowledgement of domestic violence and sexual assault.

As a tool for officers to use while responding to domestic violence disputes and sexual assault calls, they should be provided with a better understanding of how to effectively develop a safety plan with victims and establish clear guidelines about what resources are available for them to seek help. Included in the discussion of Domestic Violence and Sexual Assault 101 will be an understanding of why women stay. This is a widely misconstrued topic due to bias from police officers to victims. There has been a common understanding that if someone chooses to stay after reporting to the police of a domestic dispute, they must not really be in fear of their life. However as noted throughout this literature review, we have seen how domestic violence takes place in various forms, including but not limited to, physical abuse, verbal abuse, financial abuse, and emotional abuse. This also includes harassment based on immigration status and the imminent fear of abuse that it may invoke in victims to come forward during a criminal process. An explanation of the legal rights that an undocumented immigrant has as a victim of abuse thoroughly explained and what resources, such as the application of a U-Visa, are available. Officers will also gain a better understanding about resources available for women who are exposed to violence and how they can be connected to VAWA. Finally, the importance of accurate reporting will be emphasized to law enforcement for the purpose of filing legal documentation against the offender. Oftentimes, miscommunication between the victim and the officer can lead to unfortunate outcomes in the court system based on what the judge interprets from a police report.

Module 2: Legal Advocacy

During this two-hour module, presenters will discuss how to help survivors throughout the criminal justice system and what legal advocacy resources are available to them. They will be

explained what the role of a legal advocate is and how they can assist them in navigating the court hearings that may come from pressing charges, as well as provide emotional and moral support throughout hearings. Restraining orders and harassment orders will be discussed at length and will be a main focus of this module. Presenters will go over the criteria required to qualify for a 209A restraining order and a 258E harassment order. Examples and role-playing will also occur so that officers are able to understand the dynamics of many situations that they may encounter. Discussion will also include various case studies where they can apply what they have learned and the process of obtaining restraining orders. Emphasis will be put on the fact that in most states, victims may obtain restraining orders after courts have closed for the day. Emergency restraining orders can be applied to with the assistance of an on-call judge from the police department. Police officers will also be informed of the particular rights that victims have when applying for orders of protection as well as what are the next steps should an arrest be made. At this point, advocates can provide officers with a list of agencies in the community that can further assist victims, such as SAFEPLAN advocates and domestic violence counselors. Furthermore, presenters will go in-depth about the paperwork process required to file a restraining order. They will also discuss issues pertaining to children and how visitation and temporary support must be decided in the courtroom by a probate and family court judge and how that is a separate proceeding to obtaining an order. Next, it will be explained how victims can apply for an order and impound their addresses in order to remain safe and prevent retaliation from the offender, as well as the right to modify or terminate an order of protection.

Module 3: Working with Survivors of Diverse Backgrounds

Moreover, in this module information will include the historical context of oppression of people of color. Presenters will discuss the various ways in which systemic racism plays a factor

in criminology and how racial upbringing also plays a role in how victims react to abuse. Further, they will help law enforcement officials become familiar with cultural norms and the impact that criminal proceedings have on their community's perception of them. It will be explained how in many cultures domestic violence and sexual assault is rarely spoken about and how it is taboo, as well as the limitations this can present for survivors of color. A discussion regarding religion will also be administered and how that can encourage a minimization of harm or victim-blaming in a large number of cases. Finally, an understanding of gender roles and cultural communication styles for these diverse backgrounds in particular will be explored.

Module 4: Working with Survivors of the LGBTQ Community and Disabilities

The final module will consist of how to support and work with survivors who are a part of the lesbian, gay, bisexual, transgender, and queer community, as well as those with both physical and mental disabilities. Correct terminology and language will be defined for law enforcement officials to properly communicate with these survivors. Police officers will also understand how to break down myths, biases, and stereotypes of these groups, as well as how to properly interpret the reactions of victims during police response. Officers will be advised how not to ask unnecessary questions about a person's sexual practices and how to address their own possible homophobic stereotypes and ideologies. They will also learn how to ask questions and a way that doesn't make any assumptions about who the offender is and how they identify. furthermore, assumptions about being assaulted by someone of the same sex signifying one zone self-identifying orientation will be dismissed. Finally, Access to resources will be provided.

In regards to survivors with disabilities, law enforcement will be able to describe and identify the dynamics of abuse and why this population is especially vulnerable to abuse.

Barriers that this population endures, such as those with deaf / hard of hearing, will be discussed and the ways in which officers can better communicate with these survivors. Officers will also be provided role playing and case studies about how to address those with psychiatric disabilities that may have difficulty establishing proof and explaining their own domestic disputes. Further, suggestions about how to interact with those with disabilities and how to avoid using vague language or idioms of sight for those who are blind/visually impaired will be included. Lastly in terms of legal issues, officers will be made aware of the stipulations regarding mandated reporting of those who have been harmed and how to make reasonable accommodations for the assistance of completing legal forms.

Conclusion

Over the course of time, the historical context regarding domestic violence cases and intimate partners has changed in multiple ways. With the rise of political and legal pressures from community advocates and women's rights organizations, there has been a better understanding of the dynamics involving domestic disputes. Changing from an issue that was generally taboo and legally accepted at one point to becoming one of the many causes of death for women was not an easy task. While discussing the role that shame and societal judgment play in the process of reporting domestic violence and sexual assault to law enforcement, we understand many of the justifications that victims use to minimize the violence they endure.

In addressing the survivor perspective of police response, it is clear that victims are experiencing a lack of trust in reporting to law enforcement due to their loss of confidence and an officer's ability to provide effective help. The inclusion of mandatory arrest policies has further been detrimental to communities of color and that oftentimes survivors are involved in a

dual arrest case with their abusive partner. Charges against them both parties further deter survivors from working with law enforcement. The work of community victim advocates has provided vital information to police departments but not sufficient enough to prevent the prevalence of inconsistent responses. Therefore, policies have been created to further diminish the likelihood of offenses. With the inclusion of VAWA in the United States, victims are more supported and provided assistance through various agencies for their abuse. However, uncertainty of future funding proves unreliable given the lack of reauthorization.

Police discretion may result in bias in many cases and further leave the victim in fear of retaliation due to the lack of proper assistance and response. As discussed, the first responders in a domestic dispute case are extremely vital to the development of each case both criminally and for the general safety of each survivor. Barriers to providing efficient service and response include consistent in-depth training about domestic violence and sexual assault, funding and a sufficient staffing to put more officers in the street, equipped with better tools to assess danger. Incorporating all of these factors I propose the inclusion of anti-corruption mechanisms that will rebuild trust between victims and police officers. Furthermore, I suggest the development of an efficient complaint system in which officers are held accountable for their actions during police response. This can include, but not be limited to, a review of body cameras and the ability for a victim to self-report to the appropriate administration within the police department.

In order to address police biases and the inability to efficiently assess a situation when responding to a domestic violence call, I proposed eight-hour mandatory training required for annual certifications for all officers. With the inclusion of community agencies and advocates alike, officers are able to get a better understanding of how to dissect their own stereotyping

when it comes to domestic disputes and how to better provide for situations that may be different than what they're used to.

The training will consist of four main modules that are split into two-hour sections. “Domestic Violence and Sexual Assault 101” will provide officers with a better understanding of the dynamics of domestic violence and sexual assault. It will also help change their gender-role stereotyping and provide a tool for how to assess the level of danger and the risk involved in these cases. The module “Legal Advocacy” will include necessary information and resources for officers to provide to victims and regards to obtaining orders of protection. It will further go in-depth as to what rights victims have when reporting abuse. “Working with Survivors of Diverse Backgrounds” will provide a better understanding for officers as to how cultural upbringing and cultural norms play into much of the reporting process. It will also assist officers who work in generally diverse populations, with low socioeconomic status. Lastly, “Working with Survivors of LGBTQ and Disabilities” will help provide an unbiased understanding of how perceived genders/sexual orientation does not play a role in who is the victim or offender in domestic violence disputes and can happen to anyone, especially those that are most vulnerable. This section will provide tips and tricks on how to work with those with disabilities in order to provide better service to those seeking help. While far from over, these are the best practices to assist survivors who are seeking help, health, and healing from domestic abuse.

References

- Abel, E. M., & Suh, E. L. (1987). Use of police services by battered women. *Social Work, 32*, 526-528.
- Akers, C., & Kaukinen, C. (2009). The police reporting behavior of intimate partner violence victims. *Journal of Family Violence, 24*(3), 159-171.
- Balenovich, J., Grossi, E., & Hughes, T. (2008). Toward a balanced approach: Defining police roles in responding to domestic violence. *American Journal of Criminal Justice, 33*(1), 19-31.
- Black, D. (1976). *The behavior of law*. New York: Academic Press.
- Burman, E., Smailes, S. L., & Chantler, K., (2004). Culture as a barrier to service provision and delivery: Domestic violence services for minoritized women. *Critical Social Policy, 24*(3), 332-357.
- Buzawa, E. S., & Buzawa, C. G. (2003). *Domestic violence: The criminal justice response* (3rd ed.). Thousand Oaks, CA: Sage.
- Buzawa, E. S. (2012) The evolving police response to domestic violence. *Journal of Police Crisis Negotiations, 12*(2), 82-86.
- Baker, C. D., Polito, K. E., Bennett, D. (2017) *Domestic Violence Law Enforcement Guidelines*. The Commonwealth of Massachusetts Executive Office of Public Safety & Security
- Eigenberg, H., Kappeler, V., & McGuffee, K. (2012). Confronting the complexities of domestic violence: A social prescription for rethinking police training. *Journal of Police Crisis Negotiations, 12*(2), 122-145.
- Eitle, D. (2005). The influence of mandatory arrest policies, police organizational characteristics, and situational variables on the probability of arrest in domestic violence cases. *Crime & Delinquency, 54*(4), 573-597.
- Erez, E., & Belknap, J. (1998). In their own words: Battered women's assessment of the criminal processing system's responses. *Violence and Victims, 13*, 251-268.
- Garafolo, J. (1977). *Public opinion about crime: The attitudes of victims and nonvictims in selected cities*. Washington, DC: Government Printing Office.

- Goudriaan, H., Lynch, J. P., & Nieuwbeerta, P. (2004). Reporting to the police in western nations: A theoretical analysis of the effects of social context. *Justice Quarterly*, *21*, 933–969.
- Grasely, C., Stickney, J., Harris, R., Hutchinson, G., Greaves, L., & Boyd, T. (1999). *Assessing the integrated model of services for abused women: The consumers' perspective*. London, UK: Centre for Research on Violence Against Women and Children.
- Gutierrez-Garcia, O. J., & Rodriguez, L. F. (2016). Social determinants of police corruption: toward public policies for the prevention of police corruption. *Policy Studies*, *37*(3), 216–235.
- Hamilton, B., & Coates, J. (1993). Perceived helpfulness and use of professional services by abused women. *Journal of Family Violence*, *8*, 313-324.
- Hirschel, D., Buzawa, E., Pattavina, A., Faggiani, D., & Reuland, M. (2007). *Explaining the consequences of dual arrest: Final report*. Washington, DC.: National Institute of Justice, US Department of Justice.
- Huang, W. S. W., & Vaughn, M. S. (1996). Support and confidence: Public attitudes toward police. In D. J. Flanagan & D. R. Longmire (Eds.), *Americans view crime and justice: A national public opinion survey* (pp. 31-45). Thousand Oaks, CA: Sage.
- Johnson, M. P. (2007). Domestic violence: The intersection of gender and control. In L. L. O'Toole, J. R. Schiffman, & M. K. Edwards (Eds.), *Gender violence* (2nd ed., pp. 257–286). New York, NY: New York University Press.
- Melton, H. C. (1999). Police response to domestic violence. *Journal of Offender Rehabilitation*, *29*, 1–21.
- Mills, L. G. (1999). Killing her softly: intimate abuse and the violence of state intervention. *Harvard Law Review*, *113*, 551–613.
- Park, S. S., Coker, D., Goldscheid, J. (2018). Advocates and service providers criticize police response to victims. *Family & Intimate Partner Violence Quarterly*, *10*(4), 73-79.
- Pence, E., & Paymar, M. (1993). *Education groups for men who batter: The Duluth model*. New York, NY: Springer.
- Reisig M. D., & Chandek, M. S. (2001). The effects of expectancy disconfirmation on outcome satisfaction in police-citizen encounters. *Policing: An International Journal of Policing Strategies and Management*, *24*, 88-99.

- Ruback, R. B., Greenberg, M. S., & Westcott, D. R. (1984). Social influence and crime- victim decision making. *Journal of Social Issues, 40*, 51-76.
- Sherman, L. W., & Berk, R. A. (1984). The specific deterrent effects of arrest for domestic assault. *American Sociological Review, 49*, 261–272.
- Stephens, B. J., & Sinden, P. G. (2000). Victims' voices: Domestic assault victims' perceptions of police demeanor. *Journal of Interpersonal Violence, 15*, 534-547.
- Stewart, C. C., Langan, D., Hannem, S. (2013). Victim experiences and perspectives on police responses to verbal violence in domestic settings. *Feminist Criminology, 8*(4), 269-294.
- Stover, C. S., Rainey, A. M., Berkman, M., & Marans, S. (2008). Factors associated with engagement in a police-advocacy home-visit intervention to prevent domestic violence. *Violence against Women, 14*(12), 1430-1450.
- Streep, P. (2020). *Narcissists, Controllers, and the Art of Blame-Shifting*. Psychology Today. <https://www.psychologytoday.com/us/blog/tech-support/202006/narcissists-controllers-and-the-art-blame-shifting>.
- Truc-Nhu, H. (2000). Domestic violence in a southern city. *American Journal of Criminal Justice, 25*(1), 107-118.
- Tyler, T. R., & Huo, Y. J. (2002). *Trust in the law: Encouraging public cooperation with the police and courts*. New York: Russell Sage.
- “Violence Against Women Act (VAWA).” *The Hotline*, 10 Sept. 2020, www.thehotline.org/resources/violence-against-women-act-vawa/.
- Wilson, S., Jasinski, J. L. (2004). Public satisfaction with the police in domestic violence cases. The importance of arrest, expectation, and involuntary contact. *American Journal of Criminal Justice, 28*(2), 235-254.