

DOMESTIC VIOLENCE - INTRODUCTION & LAW ENFORCEMENT RESPONSE TO DOMESTIC VIOLENCE

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And it focuses on the evolving police response to domestic violence. This portion of the presentation draws from Parnas' article, entitled "The Police Response to the Domestic Disturbance."

In describing the police response to domestic disturbances in 1967, Parnas said most of them are verbal and brief, neither disturbing anyone's peace outside the family, nor threatening or physically harming any of the disputants. It is the exaggerated response by one or more parties to these common disputes that result in police interference in what was formerly considered a family matter.

Parnas also said that there is no departmental formulation of described practices to handle these situations. Therefore, none is used, either in training or as a part of the patrolman's field manual.

Based on the examples of police training from the Chicago Police Department at this time, the program consisted of 490 hours of diversified training over the course of a 14-week period. However, no lecture in this curriculum dealt solely with the domestic disturbance, but there was a lecture that dealt with general disturbances, which was only one hour long.

In reference to domestic disturbances, the manual stated that the majority of these calls are non-criminal calls and don't warrant any punitive actions, and that most disturbances can be settled by a common sense explanation-- in essence, where the officer has to serve as a mediator.

More examples from the Chicago Police Department indicated the overall emphasis in training focuses on the danger involved. The offender may become enraged at the officer for attempting to interfere in what is thought to be a matter of private concern, particularly if it occurs within the home.

Overall, the teaching outlines, lectures, and training bulletins dealing with domestic disturbances instruct officers to cautiously attempt to settle disputes for the exercise of common sense and direction. The officers were told to avoid arrest whenever possible.

Regarding the initial screening of calls by the Communications Center, although the dispatchers may advise victims of the warrant procedure, they may also try to talk them out of securing a warrant. For example, this may be done by explaining that the offender may miss work if he is arrested. There appears to be no police or general practice to ask if a weapon is involved in the dispatcher protocol either at this point in time.

At this point in time, the official policy of the Chicago Police Department instructed the dispatchers to classify all disputes where contact has been made as batteries, and those disputes where no contact has been made as disturbances. Even when arrests were made, many cases were dismissed at the trial stage. The dispatcher often saw no reason to burden his fellow officers with the

apparently unnecessary and often distasteful chore of preparing case reports for matters that usually do not involve arrest or result in a conviction.

However, at this point in time, the International Association of Chiefs of Police had taken a position that, in dealing with family disputes, the power of arrest should be exercised as a last resort. The main justification for the non-arrest policy was that domestic disturbances involved relatively minor conflict. This minor conflict was always perceived as occurring between relatives or others living in a family-like intimacy. This combination of elements results in the practical reason for having a non-arrest policy.

One method used to address domestic disturbances at the time was the mediation method. The mediation method used to address domestic violence is a technique that may consist of joking with the parties with no attempt to discover and talk out the source of disturbance. Or it may be an attempt at some positive resolution of the problem.

An example of a possible mediation scenario is that a woman invited the police officer into her home and led him from the kitchen into the living room, where her lover, with whom she lived, was seated with a .38 revolver in his hand. The man said he was going to kill the woman, himself and then their three children. He said he would kill the officer, too, if he tried to stop him.

The officer would then spend the next 45 minutes talking out the problem. The problem, apparently, was the fact that the man did not think all the children were his. The officer would then explain to the man that the children were not at fault and that he should give them a chance.

Finally, the officer would ask the man where the gun was usually kept, and told him, if he put it away, the police would take no further action. Then the man would put the gun away and the officer would leave.

Referral is also another possible method at the time. This was seen as a more permanent resolution of a domestic problem by referring the parties to an appropriate public or private agency that is assumed to have the time and expertise necessary to handle the situation, such as legal aid, public health, a marital counselor, or to their clergyman or priest. However, the training bulletins did not include information about officer attempts to encourage or implement the use of referrals.

Other possible methods include threats of arrest or other forms of indirect sanctions in order to halt the dispute temporarily. Voluntary temporary separation of the disputants-- it may be advisable to suggest that the man leave the home for the night. Or the threat of filing cross-complaints-- this technique readily dissuades many parties from demanding arrest.

Again, why isn't arrest the common response at this point in time? Arrest is not the common response, because if arrest was the common response, the increase in arrest would appear to place an extremely difficult burden on the police and the courts. The belief was this practice would fail to recognize the domestic causes of the disputes and completely ignore the value in supporting family

relationships without interruption. Perhaps, most importantly, the belief was that an arrest policy would undoubtedly increase the alienation of the ghetto population from the police.