

DOMESTIC VIOLENCE - MINNEAPOLIS DOMESTIC VIOLENCE EXPERIMENT

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By the late 1970s, some law enforcement officials and domestic violence advocates started believing that non-punitive and therapeutic practice of responding to violence against women was ineffective and need to be rethought and reconsidered. At this point in time, feminists began to argue that the police put too much emphasis on the social work aspect of their job and not enough emphasis on the criminal justice aspect of their job in terms of protecting women against violence. They argued that victims needed better protection by sanctioning and controlling offenders, and the criminal justice system needed to initiate a more forceful response to violence between intimate partners.

This portion of the presentation now focuses on Sherman and Berk's classic Minneapolis domestic violence experiment entitled-- the article-- "The specific deterrent effects of arrest for domestic assault." The purpose of the Minneapolis Domestic Violence Experiment was to examine deterrent effect of arrest on domestic violence. It is one of the most famous studies in the field of criminology and criminal justice, and it was also the first study of its kind to involve a use of a randomized design.

Regarding the research design, true experiment cases were randomly assigned to one of three groups. The groups consisted of a rest group, which included one night in jail. A separation group where the offender was ordered away from the residence for a period of eight hours. And a third group which involved mediation where the officer advised the couple on how to solve the problem at the scene.

The cases that were included in this study were those cases that included simple misdemeanor domestic assault where both the suspect and the victim were present when the police arrived. Cases where the police officer had probable cause to believe that a cohabitant or spouse had assaulted the victim within the last four hours. But police have to witness the assault specifically in order for the case to be considered eligible for this study.

The cases that were excluded from this study were the cases involving a life threatening or severe injury, usually label as felony aggravated assault. And these were excluded from the design for ethical reasons. Also, in the cases where the suspect attempted to assault the police officers, or a victim persistently demanded an arrest, or if both parties were injured, these cases were not handled in the study either.

Both official and unofficial measures were examined in the study. Specifically, a six-month follow-up period was used to measure the frequency and seriousness of domestic violence after each police intervention. A police identified failure of the offender was recorded if the offender was rearrested for domestic violence within the follow-up period. This is the official measure.

Regarding the unofficial measure or the self-reported measure, interviews were conducted with the victims in order to gather self-reported data about a repeat domestic violence incident involving the same suspect. Repeat incident was broadly defined to include an actual assault, threatened assault, or property damage. Once again this was the unofficial or self-reported measure.

The randomized design called for each officer to carry a pad of report forms color-coded for three different police action. Each time an officer encountered a situation that fit the experiment's criteria, they were instructed to take whatever action was indicated on the report form on the top of the pack. In a sense, one of three groups-- either mediation, arrest, or separate. The forms were numbered and arranged in a random order for each officer.

In order to gather data as quickly as possible, the experiment took place in the two precincts with the highest density of domestic violence crime reports and arrests. With regards to delivery of treatment as a sign, 99% of offenders who were assigned to the arrest group were, in fact, arrested. 78% of offenders who were assigned to the mediation group did in fact receive mediation. And 73% of the offenders who were assigned to the separation group where in fact separated.

Cases that did not receive the assigned treatment were typically upgraded. Both separation and mediation cases, in a sense, upgraded to arrest. This occurred when the suspect was rude, when the suspect tried to assault an officer, when weapons were involved, when the victim persistently demanded that the officer be arrested, and in cases when a restraining order was violated.

The procedure for the interviews were as follows. The victims were paid \$20 for the interview. Only 205 victims could be located for initial interviews, which yielded a 62% completion rate. The research staff made up to 20 attempts to contact the victims, and often employed investigative techniques asking friends and neighbors to find them. However, in the end, there was no evidence that the experimental treatment assigned to the offender, as far as which group they were assigned to-- arrest, mediation, or separation-- affected any of the victims' decision whether or not to grant interviews.

Regarding the sample description, the experiment produced a sample of 314 cases with complete official and unofficial outcome measures. The sample did include a disproportionate amount of unmarried couples with lower than average education levels. A disproportionate amount of minorities and mixed race couples-- in a sense, black male, white female. And a disproportionate amount of cases were those who were very likely to have had a prior violent incident involving police intervention.

60% of the sample were unemployed, which was a rate strikingly higher than the overall unemployment rate in the community from which the sample was drawn-- it was only 5%. 59% of the sample had at least one prior arrest, and 80% had prior arrests for domestic violence, which suggest these suspects were experienced lawbreakers. The average age of the victims in this sample were 30 years of age, and the average age of the offender was 32 years of age.

The official data results show that the arrest group had a 13% failure, separation group had a 26% failure, and the mediation group had a 19% failure. In essence, the official arrest data indicated that the separation treatment produced the highest recidivism, and the rest treatment produce the lowest recidivism. However, the interview data compared to the arrest data suggested a different ordering of the effects. Although the rest treatment still produced the lowest recidivism rate at 19%, the mediation treatment produced the highest recidivism rate at 37% percent rather than the separation recidivism rate.

Question to consider regarding these findings-- what if the offenders who were initially arrested were less likely to remain on the scene after a new assault? In a sense, having been burned once, they might not wait around for a second opportunity. Similarly, it is possible that the impact for an arrest found in the official outcome measure represents a reluctance of victims to call the police. That is, for some victims, the arrest may have been an undesirable intervention.

And rather than face the prospect of another arrest from a new incident of their intimate partner, the victims might have decided not to involve police sanctions. So they did not call the police for subsequent incidents. This may be the case when the arrest may have cost the offender several days of work and put financial stressors on the household. Or the offender may have threatened serious violence if the victim ever called the police again.

Nevertheless, the conclusion for this study showed that the internal validity of the research was good in a sense they were confident that arrest produced a significant reduction in recidivism. The mediation and separation interventions have unclear content. For instance, how do we know that officers provided mediation in the same manner? Although external validity was questionable in the sense they would have to wait for replications of this study in order to see if the findings found in Minneapolis could be replicated in other jurisdictions.

Ultimately, these findings are clear as a swift imposition position of a sanction of temporary incarceration may deter male offenders in domestic violence cases supporting specific deterrence. Fines or subsequent incarceration formally punished only three of the 136 arrested offenders. This suggests that arrest and initial incarceration alone may produce a deterrent effect regardless of how the court treats such cases, and that arrest makes an independent contribution to the deterrent.

Based on these results, Sherman and Berk suggested that in jurisdictions that process domestic assault offenders in a similar manner to that employed in Minneapolis, the presumption of arrest is favored. And that an arrest should be made unless there are good, clear reasons why an arrest would be counterproductive. Despite these findings, the authors did not favor requiring arrests in all misdemeanor domestic assault cases. They did indicate that officer discretion was still important for achieving successful police work.

Nevertheless, there is a good chance that arrest works far better for some kinds of offenders than others, and in some kinds of situations compared to others. The result of this Minneapolis domestic violence experiment were subsequently argued by several prominent scholars to be among the

most influential results ever generated by social science research in terms of the criminal justice system. However, questions continue to be asked about whether arrest is more effective at reducing subsequent intimate partner violence rather than in formal therapeutic methods such as on-site counseling or temporary separation. After considerable public discourse about the findings, NIJ-- the National Institute of Justice-- announced in 1986 that it was going to fund a multi--