

## Spouse Abuse Research Raises New Questions About Police Response to Domestic Violence

### Introduction

by Hubert Williams  
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Of all calls for service to police departments, those for reported spouse abuse traditionally rank among the most numerous. The magnitude of the domestic violence problem is wide and deep. Indeed, for all the cases that are reported, it is probable that many more go unreported.

For many years, police officers who responded to these calls often felt a sense of frustration knowing when they left the scene that they might soon have to return to confront again the pain and humiliation of the domestic violence situation. There were no clear answers to handling these cases, no way to assure that the violence would cease.

In recognition of this, the National Institute of Justice funded a Police Foundation study several years ago to see if police treatment of offenders had an impact on recidivism. The study, conducted in Minneapolis, was the first in the history of policing that permitted experimentation with officers' responses to a situation involving a specific offense. Police Foundation researchers found that arrest of the suspect was more effective in deterring future violence than were counseling or sending the suspect away from home for several hours.

Encouraged by these results, some police departments instituted arrest policies and some states and localities changed their laws to require arrest of domestic violence suspects. The National Institute of Justice decided, nonetheless, that replications of the first experiment were necessary and contracted with the Police Foundation to conduct a replication in cooperation with the Metro-Dade, Florida, Police Department. Five other grantees also were to conduct replications.

This Police Foundation Report focuses on the Metro-Dade replication, which found again that arrest made a significant, positive difference in the recidivism rate. The study's authors, however, also found that suspects who were employed were much more likely to respond to the arrest treatment than those who were unemployed.

The fact that some other replications found different results complicates the question of how police should respond in domestic violence cases. But it also shows the wisdom of doing the replications.

Knowledge is not easily attained; it usually requires some struggle. The results of the Metro-Dade study add to the body of knowledge accumulating on domestic violence crimes. While we have not arrived at a definitive answer to the question of what the police can do to stem domestic violence, we have shed some light in the search for that answer.

Several replications of a study finding that arrest of spouse assault suspects helped prevent repeat assaults have shown mixed results. A number of the replications found no deterrent effect of arrest, while a Police Foundation replication seems to reinforce the original findings. Close examination of the foundation's research, however, may point to different policy conclusions than those suggested by the earlier study.

That 1984 study, conducted by the Police Foundation in Minneapolis, found that arrest was a more effective deterrent to subsequent abuse than other police tactics. The replications, sponsored by the National Institute of Justice, were deemed necessary because of the acknowledged limitations of the Minneapolis study and the far-reaching implications for police behavior the findings represented.

### The Issue

Some evidence suggests that spousal assault occurs in over half the marriages in the United States sometime during the relationship (Straus, 1980, p.31). Moreover, it is commonly accepted that a considerable number of calls for police service involve reports of spouse assault. After the findings of the Minneapolis study were made known, some departments adopted arrest policies. The trend toward tougher intervention was also fueled

by advocacy groups impatient with what they perceived to be law enforcement's tolerance of this form of violent behavior. In addition to arrest policies adopted by members of the law enforcement community, a number of states revised their penal codes, further emphasizing the criminal nature of the offense.

This report discusses the replication conducted by Police Foundation researchers Antony Pate, Edwin Hamilton, and Sampson Annan in cooperation with the Metro-Dade, Florida, Police Department. The report does not include results from the other five replications conducted by NIJ grantees in Omaha, Atlanta, Charlotte, Colorado Springs, and Milwaukee. An examination of these differences—a cross-site analysis—is being conducted by an NIJ Project Review Team.

## The Experiment

Subjects for the study were selected according to the following criteria:

1. Probable cause for misdemeanor spouse battery existed;
2. No felony had occurred;
3. Victim and subject were both on the scene when the officers arrived;
4. The victim was not in immediate danger;
5. The victim was a female, 18 years of age or older (while spousal assault involving male victims does occur, the incidence rate and the likelihood of serious injury are much lower);
6. The officer was not assaulted by subject or victim; and
7. There were no outstanding arrest warrants, injunctions, or criminal protective orders for victim or subject.

Treatments were assigned to the 907 eligible cases in two stages. In the first stage, cases were randomly assigned to arrest or non-arrest intervention. In the second stage, they were randomly assigned to receive or not receive follow-up intervention from the Safe Streets Unit, which is composed of officers trained to handle domestic violence cases.

The victims included spouses, former spouses, and, late in the experiment, women who were not married but who were assaulted by male friends. Of the suspects, 36.2 percent were white, 41.7 percent were black, and 22.2 percent were Hispanic. A large number of the suspects were grouped in the 26- to 35-year-old range (43.8 percent), followed by the 36- to 50-year-olds (34.3 percent), the 18- to 25-year-olds (15 percent), and 50-year-olds and older (7 percent). Officers on the scene said that alcohol or drug use by the suspects was indicated nearly 70 percent of the time.

The research team obtained information about subsequent domestic violence from three sources:

- (1) **Interviews with victims soon after and six months after the incident:** In these interviews, the victim was asked if the suspect had hit, slapped, or tried to hurt her.
- (2) **Domestic Violence Continuation Reports:** Metro-Dade police officers are required to complete Domestic Violence Continuation Reports for all cases involving domestic conflicts. Data from these forms indicated aggravated battery by the same suspect against the same victim.
- (3) **Arrest Reports:** Data from these reports showed subsequent arrest of same suspect for aggravated battery against the same victim.

The researchers then conducted statistical analyses to determine the effect of the arrest and the follow-up treatments on the *prevalence* of repeat assaults (the percentage of cases in which subsequent attacks occurred); the *incidence* (or actual number) of subsequent assaults; and the "time to failure," or the time elapsing between the first and subsequent offenses.

## The Arrest

When the arrest intervention was indicated, the arresting officer, after determining probable cause, told the suspect he was under arrest and read him his Miranda rights. The suspect was searched for weapons and contraband, and then handcuffed. At the Metro-Dade county jail, suspects were arrested and admitted to a holding area, admitted to the facility, searched again, and fingerprinted and photographed. The receiving officer determined whether the suspect would be (1) given a release based on a promise to appear; or (2) given permission to post bond. The average suspect spent 14.6 hours under arrest. At arraignment, scheduled within

21 days, the judge could accept a guilty plea, bind the case over for trial, or release the suspect if probable cause was found to be lacking.

## Safe Streets Unit Follow-Up

The Safe Streets Unit was created to handle the department's domestic violence cases. The unit consisted of 12 detectives, two sergeants, one lieutenant, and two support staff. The detectives received over 150 hours of specialized training. Each time a case was randomly assigned to the SSU follow-up treatment, the detective would be given (1) the initial report indicating abuse, (2) the Domestic Violence Continuation Report, and, (3) if applicable, an arrest report. Detectives were asked to find out whether there had been previous incidents of abuse in the family, whether referrals to social service or other appropriate agencies had been made, and what remedial steps had been taken.

Thus prepared, the detective would contact the victim to arrange an interview to discuss the incident of abuse. Upon arriving, the detective would try to establish a rapport with the disputants and then try to determine the frequency of abuse and the conditions that might have precipitated the incident, e.g., alcohol or drug abuse, property disputes, treatment or discipline of children, money problems, jealousy, unemployment, health and mental problems, and destitution. The detective would also try to help the disputants understand the long-term consequences of abusive behavior and arrive at an acceptable solution to the problem. In the final step, the officer would refer the couple to an appropriate agency and inform them of the resources that were available if needed.

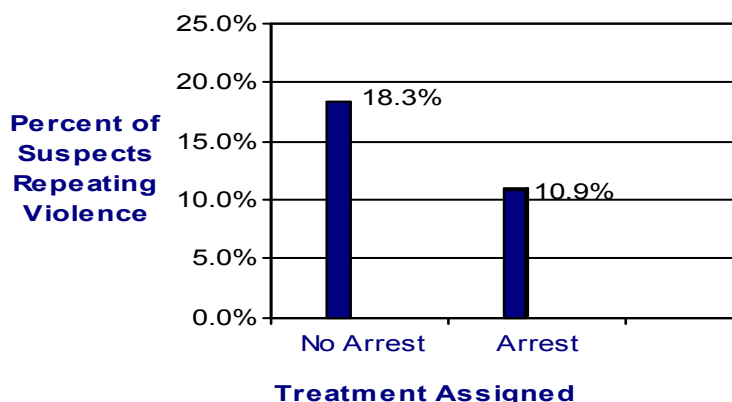
## The Findings

### Initial Interviews

The Police Foundation research team found that the percent of repeat offenses among those who were arrested after the precipitating incident was significantly lower than among those who were not. In cases where no arrest was made, 18.3 percent of the victims reported a subsequent offense, whereas only 10.9 percent reported a subsequent offense when an arrest had been made (Figure 1). No significant differential effects due to assignment to follow-up by the Safe Streets Unit were found.

The incidence (or number) of subsequent assaults was significantly lower among those suspects who were arrested than among those who were not. No significant differences in the incidence of further assaults were associated with assignment to the follow-up treatment.

**Figure 1. Percentage of Repeat Violence by Treatment: Initial Interview (N = 592)**

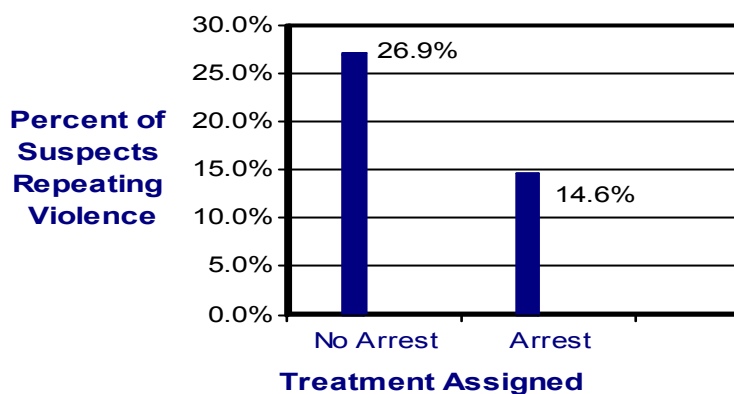


## Six-Month Interviews

After six months, victims were interviewed again. Once more, the results of the interviews tended to reinforce the results of the Minneapolis survey. The prevalence rate in cases where an arrest was made was 14.6 percent, compared to 26.9 percent when there was no arrest, a statistically significant difference (Figure 2). The prevalence rate in cases that received Safe Streets follow-up was 18.8 percent, compared to 22.4 percent among cases in which no follow-up was made. This difference, however, was not statistically significant.

The number, or incidence, of assaults was also significantly higher among those who had not been arrested than among those who were. Moreover, the time to failure was significantly longer for suspects who were arrested than for those who were not. No statistically significant effects due to the follow-up treatment were found with respect to either the incidence or the time-to-failure of subsequent assaults.

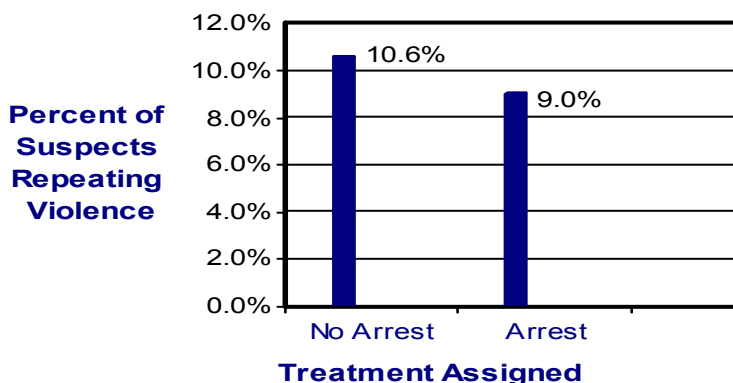
**Figure 2. Percentage of Repeat Violence by Treatment: Six-Month Interview (N = 381)**



## Continuation Report Forms

Upon review of the Domestic Violence Continuation Report forms, the researchers found that 9 percent of the original victims reported at least one aggravated assault after arrest, while 10.6 percent reported assaults when no arrest was made (Figure 3). These differences are not statistically significant. The difference between the percent of subsequent assaults in the follow-up and no follow-up treatments was not statistically significant. The analyses of the incidence of subsequent violence and the time to failure showed no statistically significant differences with respect to either the arrest or the follow-up treatment.

**Figure 3. Percentage of Repeat Violence by Treatment: Domestic Violence Continuation Reports (N = 907)**

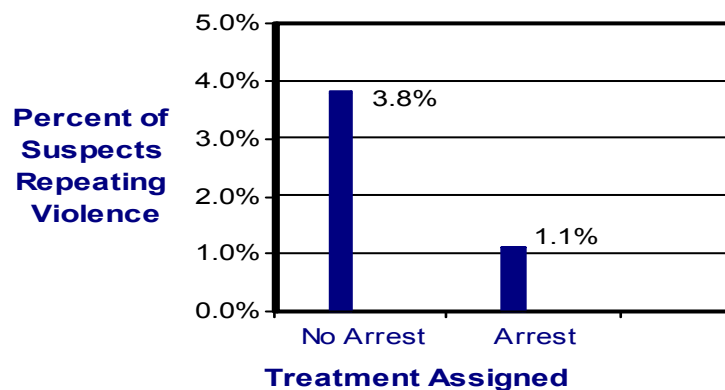


## Arrest Reports

Upon examining arrest reports after six months, Police Foundation researchers found a statistically significant difference between the prevalence rate for suspects who had been arrested for a repeat offense against the same victim (1.1 percent) and among those who had not been arrested (3.8 percent)(Figure 4). In cases where the Safe Streets Unit conducted follow-up, the prevalence rate was 2.6, whereas the rate was 2.2 percent when there was no follow-up. The difference was not statistically significant, however.

Suspects assigned to the arrest condition had a significantly higher incidence and took a longer time to commit another assault than did those assigned to the no-arrest treatment. No significant effects on incidence or time-to-failure were found attributable to the follow-up treatment.

**Figure 4. Percentage of Repeat Violence by Treatment: Arrest Records (N = 907)**



## The Differential Effects of Arrest

Several scholars have argued that the deterrent effect of formal sanctions, such as arrest, may be enhanced if these sanctions are associated with informal sanctions, such as the loss of a job or a marital relationship. Zimring and Hawkins (1973, p.174), for example, contend that “official actions can set off societal reactions that may provide potential offenders with more reason to avoid conviction than the officially imposed unpleasantness of punishment.” Tittle and Logan (1973, p.386) proposed that research on deterrence should consider the possibility that “formal sanctions can be effective only if reinforced by informal sanctions.”

Following this suggestion, Police Foundation researchers sought to determine if those whose marriage or employment may be adversely affected by arrest are more deterred by that treatment method than are those who feel they have less to lose, i.e., those who are unemployed or unmarried. Specifically, they sought to determine if the effect of arrest depended on the suspects’ employment or marital status.

The researchers first established that approximately 71 percent of the suspects were employed, while 29.4 percent were without jobs. Most of the couples involved in the assaults were married (78.7 percent), while 2.9 percent were separated, and 2 percent were divorced. The remainder—16.3 percent—were unmarried.

Further analysis showed that no statistically significant differences in the effect attributable to arrest were found between married and unmarried suspects. The differences between employed and unemployed suspects, however, were dramatic (Figures 5-8, page 7). Specifically, the analyses revealed that, among employed suspects, arrest had a statistically significant deterrent effect on subsequent assault as indicated by:

- 1) The prevalence and incidence of victim reports during the initial interview;
- 2) The prevalence and incidence of victim reports during the six-month interview;
- 3) The prevalence and incidence of subsequent Domestic Violence Continuation Reports; and
- 4) The prevalence of subsequent arrest reports.

Among unemployed suspects, a deterrent effect associated with arrest was found only with respect to subsequent arrest records—and that effect, because of the small sample size, did not reach the level of statistical significance. On the contrary, *increases* in subsequent assault were indicated by the analyses of the initial and six-month interviews and the Domestic Violence Continuation Reports. The increase associated with the latter measure reached the level of statistical significance.

## Policy Implications

The findings of the Metro-Dade experiment lend support to the original findings of the Minneapolis experiment. They suggest that arrest, at least as carried out in the experimental jurisdiction, does appear to deter subsequent domestic assaults. The fact that these findings are not generally supported by the other replications, however, makes it clear that the results of these various studies must be further analyzed in order to be fully understood.

Further, the fact that the deterrence effect of arrest appears to be largely limited to employed suspects emphasizes the need, when studying the effectiveness of deterrence strategies, to pay attention to both formal and informal sanctions as well as to the interaction between them.

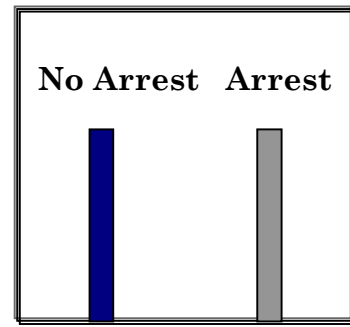
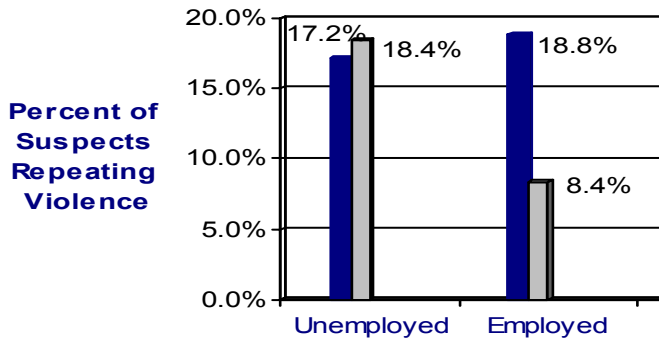
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*This research was supported under award #87-IJ-CX-K003 from the National Institute of Justice Programs, U.S. Department of Justice. Points of view in this document are those of the author(s) and do not necessarily represent the official position of the U.S. Department of Justice.*

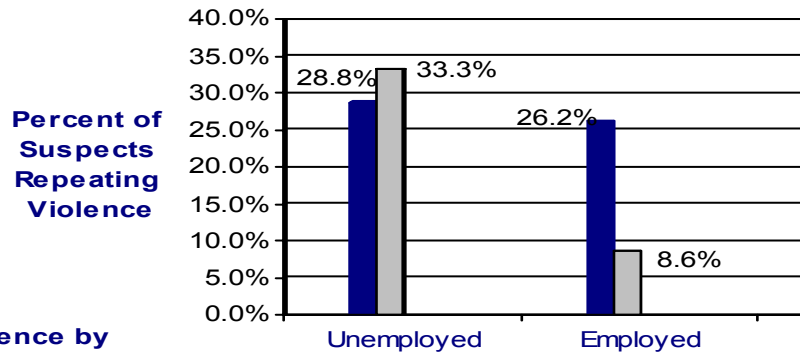
**Figure 5. Percentage of Repeat Violence Treatment and Employment Status: Initial Interview**

(Unemployed: N=169) (Employed: N=422)



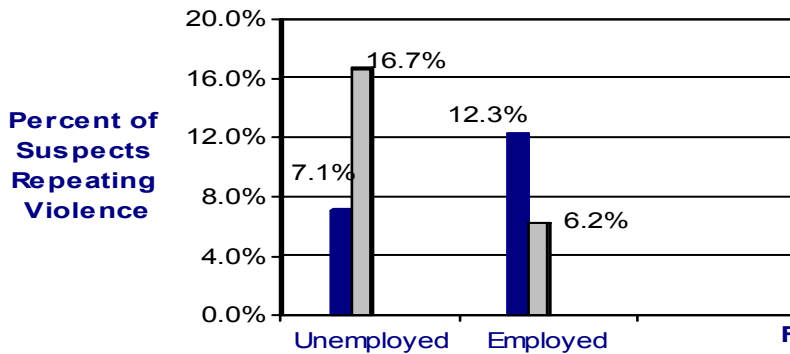
**Figure 6. Percentage of Repeat Violence by Treatment and Employment Status: Six-Month Interview**

(Unemployed: N=100) (Employed: N=281)



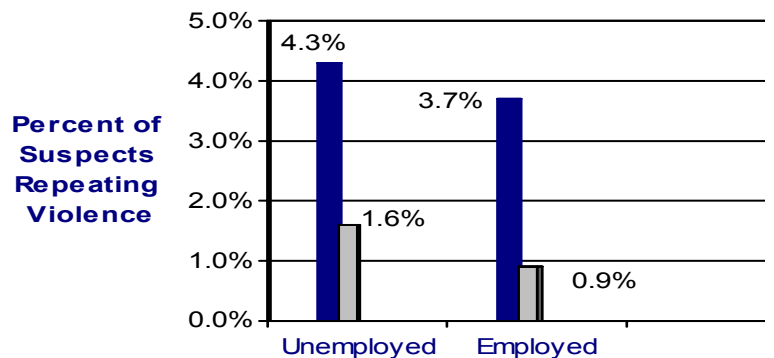
**Figure 7. Percentage of Repeat Violence by Treatment and Employment Status: Domestic Violence Continuation Reports**

(Unemployed: N=267) (Employed: N=640)



**Figure 8. Percentage of Repeat Violence by Treatment and Employment Status: Arrest Records**

(Unemployed: N=267) (Employed: N=640)





## About the Police Foundation

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The Police Foundation is a private, nonpartisan, nonprofit organization dedicated to supporting innovation and improvement in policing. Established in 1970, the foundation has conducted seminal research in police behavior, policy, and procedure, and works to transfer to local agencies the best information about practices for dealing effectively with a range of important police operational and administrative concerns.

Our purpose is to help the police be more effective in doing their job, whether it be deterring robberies, intervening in potentially injurious domestic disputes, or working to improve relationships between the police and the communities they serve. To accomplish our mission, we work closely with police officers and police departments across the country, and it is in their hard work and contributions that our accomplishments are rooted.

The foundation has done much of the research that led to a questioning of the traditional model of professional law enforcement and toward a new view of policing—one emphasizing a community orientation. As a partner in the Community Policing Consortium, the foundation, along with four other leading national law enforcement organizations, plays a principal role in the development of community policing research, training, and technical assistance.

The foundation's Institute for Integrity, Leadership, and Professionalism in Policing (IILPP) helps police departments to acquire both the knowledge gained through research and the tools needed to integrate that knowledge into police practices. Working with law enforcement agencies seeking to improve accountability, performance, service delivery, and community satisfaction with police services, the IILPP offers a wide range of assessment, technology, training, education, certification, management, and human resources services.

The foundation has developed two state-of-the-art technologies to enable police agencies to systematically collect and analyze a wide range of performance-related data. The RAMS™II (The Risk Analysis Management System) is an early warning device that helps agencies manage and minimize risk. The QSI™ (Quality of Service Indicator) collects and analyzes officer-citizen contacts, including traffic stop data. Both The RAMS™II and the QSI™ produce detailed reports to assist police managers in making critical personnel and operational decisions.

The foundation's state-of-the-art Crime Mapping Laboratory (CML) works to advance the understanding of computer mapping and to pioneer new applications of computer mapping. The CML provides training and technical assistance to police agencies seeking to incorporate mapping technologies and applications into their crime analysis and patrol operations.

Other foundation projects are also directed at the improvement of policing. For example, the foundation has helped to create independent organizations dedicated to the advancement of policing, including the National Organization of Black Law Enforcement Executives (NOBLE), and the Police Executive Research Forum (PERF).

Motivating all of the foundation's efforts is the goal of efficient, effective, humane policing that operates within the framework of democratic principles and the highest ideals of the nation.



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