



Helping Domestic Violence Victims

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Domestic violence (DV) calls pose a number of physical safety and legal liability risks for law enforcement officers. **These calls involve crimes between people with complex relationship issues that can make investigating these crimes very difficult for officers.** In fact, one study that surveyed patrol officers from 13 different municipal police departments in the Chicago metro area revealed that, despite the physical dangers associated with DV calls, officers' greatest frustrations with handling these calls were associated with DV victims. Approximately **38% of surveyed officers indicated that dealing with victim behaviors was their greatest frustration about handling DV calls.** Specifically, **officers expressed frustration over victim behaviors such as refusing to cooperate with their investigation, recanting statements, refusing to testify, or refusing to end the relationship with the batterer.**¹ These are valid frustrations for officers, as DV victims are more likely to display these behaviors than are victims of other crimes.²

Understanding Victims of Domestic Violence

There has been extensive research about why DV victims tend to stay in their abusive relationships and often fail to cooperate with the investigation and prosecution of their batterer. No matter whether the DV victim is black, white, or Hispanic, male or female, straight or gay, the reasons for these behaviors tend to be similar – and there are many.

Financial Dependence on the Batterer – Many victims are financially or socially dependent upon the batterer. The home is likely in the batterer's name, meaning the victim must move to a new address if the relationship ends. Because many batterers are very adept at pressuring their victims out of the workforce (saying things like, "You are a bad mother if you work"), for the relationship to end the victim has to find a job and a new place to live, often while also caring for children. Who will pay for the day care? Who will provide transportation if the family vehicles are in the batterer's name? While the victim tries to find a job and apartment, the batterer may be harassing the victim, stalking her, and calling her new place of employment trying to get her fired. **Experiencing physical abuse is very frightening and painful, but so are the realities of breaking free from the *economic hold of the batterer.***

Social Dependence on the Batterer – Batterers are also skilled at isolating their victims from friends and family. Without family and friends for support, it is easier for the abuse victim to begin to believe the verbal messages the batterer communicates. The victim may begin to believe that she or he truly is stupid, ugly, worthless, and deserving of abuse as no one else is communicating anything different. In such situations of social isolation, the victim is entirely dependent on the batterer for childcare. The victim may fear there is no one to vouch for their parenting in any child custody dispute due to no longer associating with anyone outside of the batterer and batterer’s friends and family.

Religious, Family, or Cultural Norms – The victim may have grown up with religious or cultural norms that divorce is a sin, or that a woman must always be subservient to her husband even when he is abusive. There may be family or church / mosque pressure to keep the family together. Heterosexual male victims of DV may feel pressure to “be a man” and endure their female partner’s abuse, or fear ridicule over even reporting abuse by a female. Gay victims may not have disclosed their sexual orientation to friends, coworkers, or family yet and fear making the abuse public would expose their lifestyle to everyone. The victim may hold beliefs that a less-than-perfect two-parent home is still better than a single-parent one. **The victim may have grown up in a family where DV is the norm so that, while unpleasant, DV may be perceived as an accepted part of married life.**

Legal Dangers and Repercussions – Leaving the batterer carries many legal liabilities for the victim. The victim will have to fight the batterer in civil court over property rights. The victim may be in danger of losing sole custody of the children to the violent abuser. If this happens, the abuser may hurt, or even kill, the children, or at least try to turn them against the victim. The victim has to pay expensive legal fees for these court proceedings and may lose significant financial assets, such as the house, vehicles, and savings. If the victim has had any criminal activity (such as drug use), the victim fears the batterer will turn them in to the police. Even if the victim has not engaged in crime, the batterer may threaten that he or she will lie to the police to have the victim arrested.

Physical Dangers of Leaving – **The sad reality is that DV victims are at their greatest risk of being murdered in the first couple years after they leave their abusers. One study of DV victims in North Carolina found that incidents of violence increased 58% after the victims asked the police to arrest their batterer.³ Other studies found 60% of women murdered by an intimate partner were murdered after leaving the abusive relationship.⁴ Furthermore, stalking only occurs after the victim leaves the batterer, and 30% of DV stalking victims (male and female) are eventually assaulted by their former batterer.⁵ Leaving the batterer usually does not end the abuse, harassment, and living in fear. Leaving the batterer or assisting the police may be the most dangerous things the victim can do.**

What Can Officers Do To Change Things?

First, it is important to acknowledge that lack of victim cooperation in DV cases is just part of the job. The reasons listed above demonstrate that these victims have valid reasons for not wanting to anger the batterer further by leaving the relationship or assisting with the batterer’s prosecution. Therefore, **officers should not be surprised when DV victims behave in this manner.**

Research, however, has revealed that there are things law enforcement officers can do to increase the victim's safety and *eventually* bring a safe ending to the abusive relationship.

Build a Case without Victim Testimonial Evidence – Murderers are successfully prosecuted without the willing cooperation of the deceased victim. The same can happen with DV cases if officers begin their investigations with the mindset that victims are unlikely to be cooperative in the investigation. One nationwide study revealed that 78% of calls to the police reporting DV came from someone other than the victim, such as a neighbor, coworker, friend, or family member.⁶ This means that **in the majority of DV cases there are witnesses other than the victim who are willing to contact the police.** Do a brief canvas of people in the area who may have heard or seen something this time, or in previous occurrences of abuse, to get witness statements. If EMS responded, get copies of these medical reports as they are evidence as to what the paramedics witnessed.

Take photos of any evidence, such as the appearance of the victim and offender, injuries, damaged property, and crying children so the prosecutor, judge, and jury can see what you saw. **One study in multiple counties in Indiana found that, compared to DV cases without photographic evidence, DV cases with photographic evidence were 129% more likely to result in a guilty plea by the batterer, 76% more likely to result in a conviction if the case went to trial, and 205% more likely to result in a sentence of incarceration.**⁷

A study by the Phoenix Police Department found that the use of body-worn cameras also improved DV case outcomes. Compared to DV cases without video evidence, **DV cases with body-worn camera video evidence were 45% more likely to be prosecuted, 267% more likely to result in a guilty plea by the batterer, and 389% more likely to result in a conviction if the case went to trial.**⁸

Keep Arresting the Batterer – A number of studies have examined the impact of arrest on further acts of domestic violence. While each study produced different results, **the overall finding from all of the studies combined indicated that arrest alone (even without prosecution) reduces the likelihood of future offending by 11% over the first six months after arrest.**⁹ Other studies have revealed that on the first arrest of the batterer, only about 25% of victims cooperate with the prosecution, but with each subsequent arrest of the batterer, victim support for prosecution increases by about 55% on average.¹⁰ Furthermore, each arrest of the batterer increases the likelihood that the victim will leave the relationship by almost 20%.¹¹ **Mandatory arrest policies for DV have been shown to reduce DV homicides by 35%.**¹² Arresting and prosecuting the batterer communicates to batterers that their crimes are no longer hidden and the criminal justice system is working to punish them if the abuse continues. It also communicates to victims that what they have been experiencing is unacceptable, and temporary removal of the batterer gives victims time to see life without the batterer and his or her violence.

Connect Victims with Services – As described earlier, many of the barriers to leaving an abusive relationship are financial and social. **Connecting DV victims with support services through women's shelters or other victim advocate organizations increases the victim's likelihood of survival and escaping the relationship.** Heterosexual female DV victims who are willing to go to a battered women's shelter are more likely to cooperate with prosecution and leave the

relationship than are women who do not seek services.¹³ Unfortunately such services tend to be lacking or nonexistent for gay and male victims of DV.

Surveil the Most Dangerous Batterers – Many law enforcement agencies now utilize threat assessment surveys as a required part of their DV investigations. These threat assessment tools help agencies determine the level of threat for short-term future violence posed by the batterer based on the batterer’s background and behavior. These tools help law enforcement agencies determine which batterer’s are at highest risk of seriously harming their victim after bonding out.¹⁴ Perhaps, when resources permit, the one or two highest risk batterers could be placed under covert surveillance, or their victims placed under counter-surveillance, in order to catch the abuser violating the order of protection, attempting to commit new acts of violence, and prevent a homicide.

Conclusion

Domestic violence still results in almost 2,000 murders each year, and remains the most common violent crime encountered by the police.¹⁵ While these cases, and the victim behaviors encountered in these cases, can be very complex and even frustrating, there is hope. **Through good police investigative work, consistent and repeated enforcement of the law, and unyielding efforts to get the victim to accept help, domestic violence can successfully be reduced.**

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