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Victims’ Perceptions of Police Response to Intimate Partner Violence

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Police officers have historically been criticized for ignoring the seriousness of intimate partner violence (IPV) and for dismissing victims’ needs. Many jurisdictions in the United States have implemented policies encouraging or mandating the arrest of IPV offenders in an attempt to address these shortcomings. However, a more aggressive police response has not necessarily changed victims’ perceptions of officers or improved victim–officer interactions. In this article, using both qualitative interview data and data from existing literature, I examine the victims’ understandings of IPV, particularly in the context of mandatory and preferred arrest policies, and consider how these understandings likely shape victims’ interactions with police officers. I also discuss implications for the future policing of IPV.

KEYWORDS Intimate partner violence, victims, police

INTRODUCTION

Since intimate partner violence (IPV) first became recognized as a serious social problem requiring legal intervention in the early 1970s, the criminal justice system has become increasingly aggressive in its response to violence between intimate partners. A central reform has been the implementation of policies that encourage or mandate the arrest of offenders. The findings of numerous studies indicate that a stronger police response to IPV has been beneficial in many ways: Both the arrest rate for offenders (Epstein, 1999; Hirschel, Buzawa, Pattavina, & Faggiani, 2007; Jones & Belknap, 1999), and the number of victims reporting the violence they experience to the police have increased (Cho & Wilke, 2005), while the overall rates of repeat...
Victims' Perceptions of Police Response to IPV

Victims' perceptions of police response to IPV have decreased (Felson, Ackerman, & Gallagher, 2005; Maxwell, Garner, & Fagan, 2002).

However, reforms to police response to IPV have not come without controversy. There has been ongoing debate among victim's advocates, feminists, researchers, and law enforcement officials as to whether a more aggressive approach to policing IPV is in victims' best interests (Dasgupta, 2003; Jones & Belknap, 1999; Leisenring, 2008; Stark, 2004). The findings of some studies call into question the deterrent effect of arrest on offenders' behaviors (Schmidt & Sherman, 1996; Simpson, Bouffard, Garner, & Hickman, 2006). Other research shows that after the implementation of policies encouraging or mandating arrest for IPV, women's arrest rates have greatly increased (DeLeon-Granados, Wells, & Binsbacher, 2006; Hirschel & Buzawa, 2002). Victims' advocates argue that many of these women are wrongly arrested for engaging in acts of self-defense or because their abusers have manipulated the criminal justice system to their advantage (Miller, 2001; Osthoff, 2002). Further, studies show that not all victimized women support aggressive arrest policies (Bohmer, Brandt, Bronson, & Hartnett, 2002; A. Smith, 2001) and that some have negative perceptions of police officers and their actions during response to IPV calls (Leisenring, 2008; Rajah, Frye, & Haviland, 2006; Stephens & Sinden, 2000). Finally, there exists evidence that, for a number of reasons, many police officers dislike responding to IPV calls and often become frustrated in their work with these cases (DeJong, Burgess-Proctor, & Elis, 2008; R. R. Johnson, 2004; Sinden & Stephens, 1999).

A more aggressive police response to IPV appears to have, in many ways, complicated the interactions between victims of IPV and responding officers. In this article I examine perceptions held by victims of IPV within this context and consider how they possibly shape victim–officer interactions. I first present a brief history of the changes in police response to IPV over the past 50 years. I then discuss my research methods and present my findings regarding victims' perceptions, contextualizing them within a larger discussion of what other studies have found. I conclude by discussing ways in which police response to IPV could potentially be improved.

BACKGROUND OF POLICE RESPONSE TO IPV

Prior to the 1970s, IPV was viewed as a private issue and went largely unaddressed by the criminal justice system (Schechter, 1982). During the 1960s, legislative policies encouraged police officers responding to IPV calls to use mediation to “calm the parties down” (Belknap, 2001, p. 293), and officers were commonly advised to avoid making an arrest when possible (Schechter, 1982). Throughout the 1970s and 1980s, several forces led to changes in the criminal justice response to IPV: advocacy by abused women and the battered women’s movement (Schechter, 1982; Schneider, 2000),
lawsuits against police departments that failed to arrest men who were abusive (Belknap, 2001), and research demonstrating that the arrest of batterers helped to prevent future violence (Sherman & Berk, 1984).

Today, all states have enacted warrantless arrest laws, allowing officers to arrest IPV offenders with probable cause (Hirschel et al., 2007). The level of discretion given to officers varies from state to state: Some states allow for full discretion, some states indicate a preference for arrest, and some states mandate arrest, allowing for little to no discretion (Zeoli, Norris, & Brenner, 2011). Mandatory arrest policies have been the most controversial, and, as previously discussed, there is much disagreement about whether they are effective and/or appropriate. Not only is there debate about who should decide what happens during police response to IPV, but there are also questions surrounding the degree to which these policies affect offenders’ behaviors, and whether or not they are in victims’ best interests (see Leisenring, 2008 for further discussion).

One issue is that preferred and mandatory arrest policies have dramatically increased the rates of women’s arrests (DeLeon-Granados et al., 2006; Hirschel & Buzawa, 2002). Some have argued that women’s increased rates of arrest are not reflective of the success of mandatory arrest policies but that responding officers are sometimes mistakenly arresting female victims of IPV (see De-Leon et al., 2006 for further discussion). For example, while Osthoff (2002) recognizes that women are sometimes aggressors in IPV cases, she argues that under mandatory arrest policies many women have been wrongly arrested after engaging in acts of self-defense and/or when their abusers make false accusations to responding officers. Studies show that police officers experience difficulty determining the primary aggressor in IPV cases and consequently arrest both parties involved (Finn & Bettis, 2006; Muftic, Bouffard, & Bouffard, 2007). Thus, while changes in police response to IPV have increased the number of arrests, evidence suggests that more aggressive policing policies have not necessarily improved victim–officer interactions.

IMPORTANCE OF UNDERSTANDING VICTIMS’ PERCEPTIONS

Because IPV is now widely understood as a criminal issue in which police officers are the frontline responders, it is important to consider ways in which victim–officer interactions can be improved. Drawing from semistructured interviews that I have conducted with female victims of IPV, I examine some of the perceptions held by victims that likely shape their dealings with police officers. I consider the ways in which they understand themselves and their experiences with violence, and their interactions with responding officers. I also explore their expectations from police involvement in their situations. I situate my findings in the larger literature on these topics.
While several studies demonstrate that for the most part, the police view IPV as a serious criminal issue (DeJong et al., 2008; Gover, Paul, & Dodge, 2011), research also shows that officers often report a dislike of working with IPV cases. Studies suggest that officers do not always believe that mandatory arrest policies are the best way to respond to IPV (Gover et al., 2011; Toon & Hart, 2005) and that many wish they were allowed more discretion when responding to IPV cases (Gover et al., 2011). Many officers report difficulty in determining the primary aggressor when responding to an IPV incident (Gover et al., 2011; I. M. Johnson, 2007; Sinden & Stephens, 1999). Officers also appear to be frustrated with victim behavior. Several studies indicate that officers become upset by repeat calls for the same victim and cannot understand why women do not leave their abusive relationships (Gover et al., 2011; Horwitz et al., 2011). Many officers also seem to hold the perception that victims are frequently uncooperative (DeJong et al., 2008; Gover et al., 2011; I. M. Johnson, 2007; Sinden & Stephens, 1999). Given these findings, obtaining insight into victims’ thoughts and perceptions may be useful for officers to better understand victim behavior and assist them in their dealings with IPV situations, increasing their work satisfaction.

METHODS

In 2002 I conducted in-depth, semistructured interviews with 40 women who reported experiencing violence in the context of a heterosexual intimate relationship. I conceptualize “violence” broadly and include physical, verbal, and emotional and psychological abuse (for discussion, see Belknap 2001). The research was conducted in 2002 in two separate jurisdictions in a western state that had both adopted mandatory arrest policies. All of the women I interviewed had at least one encounter with police officers as the result of a violent altercation with a partner or ex-partner that led to an arrest (their partner/ex-partner’s, their own, or a dual arrest). Fourteen of the interviewees had been arrested for domestic violence (although none of them saw themselves as the sole offender, and all believed they were wrongly arrested). Many of the women reported having multiple encounters with police officers due to violence they had experienced.

In order to recruit women I mailed flyers to women shortly after the first phase of their court case concluded in one urban court district, I posted flyers at five different shelters and social service agencies for battered women, and I attended several support group meetings for battered women to discuss my project. I asked women who were interested in participating to contact me. I paid each interviewee $30.00 for her participation to compensate for possible costs such as child care, time away from work, parking, and/or bus fare. Interviews took place in settings chosen by the participants.
I interviewed the majority of women in their homes, but many interviews also took place in public settings (public library study rooms, meeting rooms of social service organizations, parks, and restaurants or coffee shops). I conducted all interviews in person and tape-recorded them, with the interviewees' permission. Each interview began with a series of questions to obtain demographic information (e.g., race, age, income). I then requested that each woman tell me her “story” and discuss the history of her relationship and her experiences with violence. After this, using an interview guide, I asked each woman a variety of questions about her understandings of victims, her experiences with the criminal justice system, and her perceptions of the police and courts.

The interviewees ranged in age from 21 to 58, with a mean age of 32. Fifty-seven percent of the women were Caucasian and 43% of the women were African American (11), Hispanic (two), Native-American (one), or of mixed race (three). The annual household incomes of the women ranged from zero (several of the women were homeless and staying at a shelter or living with friends or family) to over $55,000, and the median annual household income was $10,800.

FINDINGS

In this section, I discuss five themes that have emerged from both my own research and the work of others regarding female victims' perceptions of themselves and their experiences with IPV, their understandings of police officers, and their expectations of police involvement in their situations. These five themes are: (a) not all women who experience IPV view themselves as victims; (b) women seek police assistance for different reasons; (c) some women are dissatisfied with police response; (d) women often believe they are wrongly arrested for IPV; and (e) women’s experiences with the police affect their future likelihood of using the criminal justice system.

Theme 1: Not All Women Who Experience IPV View Themselves as Victims

The term victim can have a variety of meanings in the United States depending upon the context. This is particularly true of discourse surrounding women’s victimization. Traditional understandings of “victims” in general are centered on an understanding that they are deserving of sympathy and assistance as they are not responsible for the harm they have experienced (Loseke, 2003). However, early explanations of IPV included victim provocation theories that were based on the belief that abused women needed and caused violence in their relationships for their own psychological well-being (Schechter, 1982). Efforts by battered women’s advocates in the 1970s
to counter portrayals of women as blameworthy for their abuse and to establish the seriousness of IPV involved creating a more sympathetic image of a victim. This image, termed the “pure victim” by Davies (1998), depicted battered women as passive, helpless, fearful, and extremely traumatized by their victimization.

Research suggests that agents in the criminal justice system appear to rely on stereotypical imagery of victims when assessing women’s behavior. Police officers, judges, attorneys, and even victim advocates hold certain expectations of “good victims” and may expect women to present as nonaggressive, blameless, and/or cooperative (Dunn, 2001; Dunn & Powell-Williams, 2007; Leisenring, 2011). In her study of intimate stalking cases, Dunn (2001) found that some of the ways in which prosecutors and advocates characterized stalking victims included “compliant,” “borderline,” “histrionic,” “combative,” “saintly,” “grounded,” “accountable,” “annoying,” “demanding,” “noncooperative,” “credible,” “innocent,” “proactive,” “a survivor,” “a real victim,” “still a victim,” “too ‘into’ being a victim,” and “not a typical victim” (p. 298).

Cultural depictions of victims also impact the way in which women who experience IPV view themselves. I asked my interviewees whether or not they saw themselves as victims and explored their reasons for choosing to accept or reject this identity. I found that approximately 75% of the women I interviewed indicated that they identified with the identity of “victim” to some extent, primarily because they felt they had been harmed or treated poorly by their abusive partner/ex-partner. Women also seemed to recognize the importance of claiming a victim status in order to receive assistance and support via social service agencies and/or the criminal justice system. This finding is supported by other studies by demonstrating that in order to be believable and taken seriously during court proceedings, women who are victims of violence need to present as credible victims (Dunn, 2001; Konradi, 1999).

About one quarter of my interviewees did not want to be viewed as a victim. While these women still believed that the abuse they experienced was wrong, they saw the identity of “victim” as something negative to which they did not want to relate. These women told me that they associated the term victim with words such as “weak,” “powerless,” “whiny,” “hopeless,” and “helpless” (see Leisenring, 2006 for a more detailed discussion). Ferraro (2006) argues that “the victim identity is stigmatized in a culture that stresses individual responsibility, strength, and assertiveness” and that “there is disdain for those who overemphasize their victimization” (p. 19). Indeed, many of the women I interviewed who rejected the identity of victim did so because they recognized that it is a stigmatized identity and that being seen as a victim means that people may blame them for the violence they experienced.
A number of women who experience IPV may have a difficult time seeing themselves as victims because they view their actions as incompatible with victimhood. For some women, the very fact that they take action to stop the violence they experience and/or exit their abusive relationships leads them to reject a “victim” identity. Many of these women prefer to see themselves as a “survivor,” an image created by victim’s activists to counter the negative connotations of “victim” (Dunn, 2005). As Dunn (2005) states, “[f]raming victims as ‘survivors’ constructs a different, less pathetic and more reasonable battered woman embodying the cultural values of strength rather than weakness, and agency instead of passivity” (p. 21). Women thus prefer to identify as survivors to emphasize the positive steps they are taking in their lives. As one woman I interviewed stated, “I can be the victim or I can be the survivor. So I choose to be the survivor.”

Other women’s own aggressive behavior affects their willingness to see themselves as a “victim.” The full extent and nature of women’s use of violence in intimate partner relationships is unclear. While some studies have found that the rates of women’s use of physical violence are comparable to men, many scholars argue that women’s violence needs to be examined within the context of their male partners’ violence (for further discussion see Osthoff, 2002, or Swan & Snow, 2002). Studies show that women are rarely the primary perpetrator but instead most often engage in aggression in self-defense or in response to their partner’s violence (Dasgupta, 2002; Swan & Snow, 2002). M. P. Johnson’s (2006) work suggests that the most serious cases of IPV involving frequent, severe, escalating violence and a high level of controlling behaviors are almost entirely perpetrated by men. In any case, when women do use aggression in their relationships with men, they often view their actions as incompatible with victimhood. As one of my interviewees stated, “In a way I don’t feel like a victim, because I used to fight back. I used to fight . . . .” Still another interviewee told me that the very fact that she felt herself physically capable of “beating up” her abusive boyfriend made her reluctant to see herself as a victim.

Theme 2: Women Seek Police Assistance for Different Reasons

Research shows that police are most likely to become involved in cases of IPV when victims call them for help (Apsler, Cummins, & Carl, 2003; Klein, 2009). However, not all women seek police assistance for similar reasons. In a 2001 National Institute of Justice study of four prosecution programs in California, Washington, Oregon, and Nebraska, 76% of the victims who were interviewed reported wanting their abuser arrested (B. Smith, Davis, Nickles, & Davies, 2001). In their interviews with 65 female victims of IPV in the UK, Hoyle and Sanders (2000) found that even fewer women desire arrest: While the majority of the interviewees called the police because they wanted their abusers’ aggression to stop, just over half wished for an actual arrest. In both
studies, the wants of the women who wished to avoid the arrest of their abuser were varied and included desiring the police to do nothing, calming the abuser down, getting help for the abuser, and/or sending a message that the abuser’s behavior was wrong (Hoyle & Sanders, 2000; B. Smith et al., 2001).

The specifics of women’s individual situations play a determining role in their support of the arrest of their abusers. Abused women often depend on their abusers for financial support and/or housing for themselves and their children. As a woman in Bohmer et al.’s (2002) study stated, “I need him to pay the bills more than I need him to pay for the violence” (p. 82). Many women prefer counseling and treatment over arrest for their abusers (Baker, 1997). Still other women fear that their abusers will blame them for the arrest and retaliate with further violence. Several studies show that a large percentage of women believe that police involvement and/or the arrest of their abuser serves to actually worsen the violence they experience (Barata & Schneider, 2004; I. M. Johnson, 2007).

The women I interviewed reported calling the police for a wide variety of reasons. Women most commonly called the police in order to have their abuser removed from the home. Like Hoyle and Sanders (2000), I found that not all of the women I interviewed who reported wanting their abuser removed from the home wished for his arrest. A few of the women were not aware of mandatory arrest policies and thus did not know if they called the police that arrest was likely. The women who were least likely to want their abuser arrested were those who wished to remain in their relationship. These women reported calling the police because they wanted to send a message that they had “had enough,” they wanted to ensure that they had a record of the abuse, and/or they wanted to get help for their abuser. Several women told me that they believed that their abuser needed some type of counseling for his anger and/or drinking and drug use, and involving the criminal justice system was the only way they believed this would happen.

Theme 3: Some Women Are Dissatisfied with Police Response
Preferred and mandatory arrest policies have not appeared to uniformly improve women’s satisfaction with the police officers. Research shows mixed support of aggressive police response to IPV from female victims. The findings of several studies indicate that while many women express support for mandatory arrest policies in general, they are less likely to perceive mandatory arrest as beneficial for their own situations (Barata & Schneider, 2004; A. Smith, 2001).

Research examining female victims’ general perceptions of responding police officers and their overall satisfaction with police actions has also produced mixed results. Studies show a wide range of women’s reactions to officers—from very negative to very positive (see Apsler et al., 2003, for a
A comprehensive review. For example, while Apsler et al. (2003) found that the vast majority of victims they interviewed found the police to be “very helpful,” many interviewees in Stephens and Sinden’s (2000) study reported believing that officers often minimized their situations, did not believe them, failed to express a caring attitude, and/or behaved too much like a “macho cop.” The majority of the 176 female IPV victims interviewed by Fleury-Steiner, Bybee, Sullivan, Belknap, and Melton (2006) reported positive or neutral responses by police officers, including being listened to and being told what was going to happen next. However, some women also reported experiencing negative behaviors such as being blamed for the violence, being “scolded” for not following through with prior charges, and being told to try and fix their relationship with their abuser (Fleury-Steiner et al., 2006, p. 335).

Multiple studies suggest that women’s satisfaction with the police is chiefly a reflection of the degree to which officers act in agreement with women’s preferences (Apsler et al., 2003; Buzawa & Austin, 1993; Rajah et al., 2006). The research of Apsler et al. (2003) shows that women’s ratings of police helpfulness appears to be in large part a function of the connection between what victims wanted from responding officers and what actually happened. For example, women in their study who wanted help getting counseling for their abuser and received this assistance were more likely to rate the police as helpful than women who wanted counseling but did not receive help from officers with this. One third of the women I. M. Johnson (2007) interviewed reported actually regretting calling the police. Many of these women either wanted the offender to be arrested and he was not, or they did not want the offender to be arrested and he was.

Just over half of the women that I interviewed reported feeling unsatisfied with responding police officers. The explanations the women provided were varied. About two thirds of the women experienced an unwanted arrest—either their abuser’s or their own (which I discuss below)—while approximately one third were upset that no arrest was made at all. Some of the women reported believing that their opinions and needs did not matter to officers. Others reported feeling like the police did not take them seriously, were not sympathetic, and/or blamed them. Many women reported believing that police officers often hold stereotypical views of IPV victims. One interviewee told me that she thought police officers view victims of domestic violence as “just a part of their job that they don’t take very seriously” and as “just another one of these domestic violence cases.” Other ways in which the women described police perceptions of IPV victims included as: “stupid,” “just a lot of paperwork,” “an inconvenience,” and “not worthy of sympathy.”

A number of women reported believing that officers are particularly critical of women who call the police multiple times and/or do not leave their abusive partners after the first incident of violence. One woman I
interviewed had called the police on multiple occasions when her ex-boyfriend would show up at her house drunk and threaten her (she had ended the relationship the first time he was violent with her). While she usually found the responding officers to be supportive, she told me that on one occasion an officer treated her with disdain. She stated, “He had an attitude like, ‘OK, I’m annoyed. Like, why are you wasting my time? I know you’re going to be back with him.’ He just started talking at me, like, ‘OK, you dumb, stupid lady . . .’.” Another one of the interviewees stated of responding officers, “It’s like they’re saying, ‘If I’ve got to come out here again… I’m going to be pissed.’”

Some of the women reported that officers questioned their decisions to stay in their relationships and/or pressured them to leave. One interviewee told me that she stayed with her physically abusive husband for years before leaving him and called the police multiple times throughout their relationship. She said this of their response to her calls:

They say the same thing every time. You know, “Why are you still here, why are you still going through this?” I mean, after so many times . . . and it is, I’m sure, difficult for them . . . but when you’re in that situation, because I’ve been there, it’s hard to get out of it. And you can listen to what everybody’s telling you, and . . . but to actually get out of that situation is very difficult. It’s VERY difficult.

I then asked her if she felt the police blamed her at all and she stated, “Yeah, because I’m still there. Yeah, I mean they never came right out and said, ‘You stupid idiot,’ no, but they’d say, ‘Why are you still doing this? Why are you still allowing this to go on?’ And, I mean I never had an answer for them.”

Theme 4: Women Often Believe They Are Wrongly Arrested for IPV

As previously discussed, under preferred and mandatory arrest policies, the number of women arrested for IPV has drastically increased (Chesney-Lind, 2002). One study examining aggregate felony domestic violence arrest rates under aggressive proarrest policies in the state of California found that between 1987 and 1997 male arrest rates increased 135%, while female arrest rates increased more than 500% (De-Leon-Granados et al., 2006). The exact context in which women are arrested is still somewhat unclear. Several studies have found that dual arrests appear to be the most common scenario under which women are arrested for IPV (Finn & Bettis, 2006; Hirschel & Buzawa, 2002; Miller, 2001). Some evidence suggests that dual arrest rates are higher in jurisdictions that have mandatory arrest policies than in those that have preferred arrest policies (Hirschel et al., 2008). Overall, there appears to be a great deal of variation in dual arrest rates both among and within different states (Durfee, 2012; Hirschel et al., 2008).
There also exists a great deal of debate about the cause of women’s increased arrest rates. One explanation is that women’s use of violence is increasing. Another potential explanation is that police officers are now less accepting of violence in general in intimate relationships and thus more willing to arrest women (see DeLeon-Granados et al., 2006, for further discussion). However, many researchers and academics reject these explanations and argue that female victims are often wrongly arrested under preferred and mandatory arrest policies (Chesney-Lind, 2002; Frye, Haviland, & Rajah, 2007; Osthoff, 2002).

Abusive men who are familiar with the workings of the criminal justice system may take advantage of mandatory arrest laws and convince officers that they are the victims (Bohmer et al., 2002; De-Leon-Granados et al., 2006; Miller, 2001). Criminal justice professionals and service providers interviewed by Miller (2001) reported believing abusive men sometimes manipulate the system by calling 911 first, self-inflicting injuries, and capitalizing on the “outward calm they display once police arrive” (p. 1354). A study by Bohmer et al. (2002) produced similar findings. Both the IPV service providers and victims they interviewed reported believing that men are more adept at navigating the legal process and “frame their claims in ways that are more like likely to be accepted” in the criminal justice system (Bohmer et al., 2002, p. 80).

Responding officers face a difficult scenario when they respond to IPV calls and find that there is no clear offender or victim. Durfee (2012) argues that many IPV incidents are “situationally ambiguous” in that both parties may have injuries, committed acts of violence, and claim to be the victim. She states that in these cases, “it may be unclear to the police what the context, motivation, and consequences are for both parties and who should be considered the perpetrator in the relationship” (Durfee, 2012, p. 65). However, some researchers argue that officers may not always devote the time and energy necessary to distinguish the offender from the victim and instead mistakenly make a dual arrest. Women who were arrested for IPV and interviewed by Miller and Meloy (2006) reported believing that officers did not spend enough time figuring out who was the offender and who was victim. Similarly, Finn and Bettis (2006) examined the rationales offered by officers to justify dual arrests in a jurisdiction with a preferred arrest policy. They found that officers sometimes fail to fully investigate the context of IPV incidents and do not always consider factors that would help them distinguish the offender from the victim. For example, they found that in many situations, officers failed to take into account the fact that the wife had visible injuries when the husband did not. Finally, Frye et al. (2007) conducted a recent review of dual-arrest cases in New York. One of the authors, an experienced attorney, concluded that “in 60% of dual arrest cases there was information available indicating who the primary physical aggressor was and that such an analysis could have prevented a victim arrest” (Frye et al., 2007, p. 403). DA
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offices dropped charges against women in 94% of the dual arrest cases where follow-up information existed. Other studies have also found that IPV charges against females are more likely to be dropped than charges against men (Henning & Renauer, 2005), suggesting that female victims are being wrongly arrested.

This is not to say that women are never the offenders in IPV cases. Research shows that women sometimes are the primary aggressors and initiate violence against their intimate partners. In these situations, arrest is arguably warranted. However, evidence exists suggesting that women’s violence is usually less severe than men’s and is commonly defensive (M. P. Johnson, 2006). For example, after completing 6 months of observations in a court-mandated Female Offender’s Program for women arrested for domestic violence, Miller and Meloy (2006) found that only five of the 95 women in the program engaged in “preemptive, aggressive” violence (p. 104). According to the authors, the remaining women’s use of violence “was either an instrumental act that was primarily used to defend themselves or their children (i.e., violent resistance), or an expressive act that conveyed frustration with an abusive situation that seemed beyond their control” (Miller & Meloy, 2006, p. 104).

Swan and Snow (2002) interviewed 108 women from a New England city who admitted to using some form of physical violence against a male intimate partner over the previous 6 months. Seventy-five percent of the women had been arrested at some point, and 83% of the women’s partners had been arrested at some time. Swan and Snow found that the women committed “significantly more acts of moderate physical violence against their partners than their partners committed against them” (p. 298). However, the women’s partners committed significantly more acts of “severe” physical violence. The authors classified only 12% of the women as “aggressors” (meaning that they committed more acts of severe violence and coercive control than their partners did). Thirty-four percent of the women were classified as “victims,” and the remaining women were classified as being in a “mixed relationship,” in which one partner was more violent but the other was more controlling.

Fourteen of my interviewees were arrested for domestic violence, and in the vast majority of the cases the woman was the sole arrestee. All of the women believed they were wrongly arrested. There were several similarities reported by the women regarding their beliefs as to why they were arrested. (I discuss these themes in-depth elsewhere and will thus provide a brief explanation of them here; see Leisenring, 2011, for more discussion). The partners of all but two of the women I interviewed had experienced a prior arrest for IPV. Confirming the work of other researchers, I found that the majority of the women in my study who were arrested believed that their abusers were savvier about the way the criminal justice system works and used this to their advantage. A key way in which the women believed men took advantage of the system was to ensure that they told their “side”
of the story first. In over half of the incidents where the interviewee was arrested, the man was the first to call the police, providing him with the initial opportunity to frame himself positively. Many women also reported being extremely emotional and upset when the police arrived while their partners maintained a calmer demeanor. In these situations, officers would often speak to the women’s partners/ex-partners first, again providing men with the ability to proactively describe the situation in their favor. Women reported that their partners usually lied about their actions and the causes of any injuries and/or damage to property.

My interviewees who were arrested also reported believing that their arrest was likely a result of ways in which they violated police expectations about how a “real” or “good” victim behaves. For example, some interviewees stated believing that their own use of defensive aggression or violence (such as breaking something in frustration or fighting back against their partner’s abuse) contributed to their arrest. For example, one interviewee was arrested when she threw a piece of fruit at her husband after he verbally belittled her. Further, as I have previously discussed, some of the women I interviewed reported that officers made negative comments to them about their choices to stay with partners who had abused them in the past. Several women reported believing that police opinion about the women’s failure to leave the relationship was the actual cause of their arrest. One interviewee told me that a responding officer told her that her arrest was because she had called the police about her abuser’s violence previously but “couldn’t stay away from him.” This echoes the findings of Finn and Bettis (2006) that some officers may use arrest as a punitive measure towards victims of IPV.

Theme 5: Women’s Experiences with the Police Affect Their Future Likelihood of Using the Criminal Justice System

A number of factors seem to impact female IPV victims’ likelihood of using the criminal justice system in the future. Research demonstrates that victims who believe criminal justice response is inadequate or in some way jeopardizes them are less likely to report subsequent victimizations (Klein, 2009). According to Fleury-Steiner et al. (2006), women who are legally and/or financially tied to their abusers are less likely to report that they intend to call the police if they experience future abuse. Victims in their study who felt they had strong community support (from friends, family, medical professional, religious leaders, etc.) were more likely to intend to use the criminal justice system in the future if they needed to.

Studies show a strong relationship between women’s satisfaction with police response and willingness to call them in the future if needed (Apsler et al., 2003; Fleury-Steiner et al., 2006; I. M. Johnson, 2007). I. M. Johnson (2007) found that victims who viewed officers as sympathetic, who reported that officers discussed their options for dealing with the abuse, and who
reported that officers solicited their opinions regarding how to address their situations were the most likely to call the police again. The vast majority of respondents in her study who saw the police as helpful were likely to call the police again, whereas the vast majority of women who saw the police as not helpful were not likely to call the police again. Similarly, whether the women perceived the police as being interested in them or not also impacted their future willingness to call the police.

Just under half of my interviewees reported that they would be hesitant to use the criminal justice again if needed due to a partner’s violence. Several of these women reported that their hesitancy was due to fear of their abuser and/or their belief that police involvement in their situations made the violence they experienced worse. As one woman stated, “He’s (eventually) getting out of jail. And if you’re the cause of that person being in jail, most likely they’re coming back even harder.” Most women’s reported unwillingness to call the police in the future, however, was because they were unsatisfied with their prior police experiences. Statements by these women included: “I’ve lost faith in the system,” and “I wouldn’t trust them . . .”

Not surprisingly, women who experienced their own arrest were the most likely to report that they would not want police involvement if they were to experience violence in the future. One interviewee who believed that she was wrongly arrested when her husband convinced the police that he was the victim said that she would not call the police ever again because the damage that had been done to her from her arrest was “way worse” than anything her abusive partner could do. Rajah et al. (2006) conducted in-depth interviews with female IPV victims who experienced undesired arrest outcomes. They report that the female victims of IPV they interviewed assumed that they were “on the same side” with members of the criminal justice system, leading them to report “feeling a sense of relief when the police initially arrived and a belief that the police would help them” (Rajah et al., 2006, p. 902). These women were thus surprised when they did not perceive police as supportive of them. Victims who were arrested reporting having especially negative feelings; they used words such as “traumatic,” “painful,” and “horrifying” to describe their experiences (Rajah et al., 2006, p. 908). Women who believe they are wrongly arrested may feel doubly victimized: first by their abuser, and then by the criminal justice system.

CONCLUSION

Responding to IPV calls is difficult work for police officers. Not only is such work dangerous, but officers must deal with a great deal of ambiguity in sorting out the details of what has occurred. Perhaps not surprisingly, officers’ perceptions of their work with IPV and IPV victims is in no way uniform (DeJong et al., 2008). Officers may not always agree on the appropriate
actions that should be taken during response to IPV cases (Leisenring, 2011). A number of different factors—such as an officer’s age, sex, and their experience level—may influence the likelihood of an officer making an arrest (Buzawa & Buzawa, 2003). Research shows that officers are often sympathetic to IPV victims and take actions that they believe to be in victims’ best interests. Some officers have even reported that they use dual arrest as a means of helping victims and offenders to receive assistance through the criminal justice system (Finn & Bettis, 2006).

However, as I have demonstrated, legislative reforms to law enforcement practices, meant to improve police response to IPV, have not necessarily made for improved victim–officer interaction. While there exists some evidence that women’s satisfaction with police officers has increased since the implementation of preferred and mandatory arrest policies (Stephens & Sinden, 2000), an examination of my research findings alongside a review of existing literature demonstrates that many female victims of IPV remain unsatisfied with police involvement in their situations and/or have negative perceptions of responding officers. Further, few victims would likely agree that experiencing their own arrest is desirable or beneficial to their situation. The consequences of being arrested and labeled a “perpetrator” are often hugely detrimental for women (loss of work, temporary and/or permanent loss of custody of children, difficulty obtaining future employment, financial costs, issues with self-image, etc).

Miller (2001) argues, “Although the police and the rest of the criminal justice system have—at least from a policy standpoint—answered the call to take battering more seriously, the tough-on-crime stance is not effective if it penalizes women when issues of self-defense or gendered power dynamics are not taken into account” (p. 136). Indeed, despite good intentions, it seems as if a more aggressive policing approach to IPV (both in terms of policy and actual police response) has not been as successful as many had originally hoped. Given the complexities of most IPV cases, policies that dictate a uniform police response to IPV have proven to be problematic in numerous ways. While it is certainly important to have measures in place that require police officers to take IPV and victims’ claims seriously, mandatory arrest policies are obviously not able to take into account victims’ individual circumstances and needs. Further, it appears as if some officers are not only continuing to rely on stereotypes of IPV and IPV victims during their response to IPV calls but are also misapplying mandatory and preferred arrest policies, often to women’s detriment.

We need to move away from a cookie-cutter approach to policing IPV. Police need to be allowed more flexibility in how they respond to IPV calls, and their responses should be based on the unique circumstances of each case. However, officers simultaneously need increased education, training, and support to provide them with access to resources and to ensure that their responses are not based on gendered stereotypes or misguided beliefs.
about IPV, victims, and/or offenders. Perhaps the best response would be to involve more non-criminal-justice-system professionals in IPV cases (such as social workers, counselors, and/or victims’ advocates), even having them accompany officers on IPV calls. After all, IPV is not solely a criminal issue, but a problem that affects women, families, and communities on a number of different levels. Recognizing this is a necessary step toward reducing IPV in our society.

REFERENCES


