

Dual Arrest in Intimate Partner Violence Incidents:
The Influence of Police Officer, Incident, and Organizational Characteristics

By

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Abstract

DUAL ARREST IN INTIMATE PARTNER VIOLENCE INCIDENTS: THE
INFLUENCE OF POLICE OFFICER, INCIDENT, AND ORGANIZATIONAL
CHARACTERISTICS

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An unintended consequence of mandatory and preferred arrest laws has been dual arrest, the arrest of both parties in an incident involving intimate partner violence. Concern has been raised that its continued use may have an undesirable impact on the victims of this crime, particularly as it relates to revictimization by the criminal justice system. Using family violence arrest data from 21 municipalities in southwestern Connecticut for calendar year 2005, this research tests the influence of officer, incident and organizational variables on the decision to arrest both parties in an incident involving intimate partner violence. The sampling frame for the research is all family violence incidents that occurred from January 1, 2005 through December 31, 2005 in the 21 municipalities identified above, that resulted in arrest. In order for the incident to be included in the sampling frame, it had to involve a couple in an intimate relationship. The data analysis was conducted in a three-step process. Univariate analyses consist of means, frequency and percentage distributions, and tabular displays of the relative distribution of scores on

each variable. Bivariate analyses consist of chi square tests of statistical independence. Finally, binary logistic regression was employed to test each of the independent variables and examine their contribution to the prediction of dual arrest. Significant predictors were identified as departmental policy with self-defense language, offense seriousness, officer seniority, and spousal relationship. The methodology also included a qualitative component in the form of focus groups. Four focus groups of 4-6 officers each were conducted in an effort to further explain quantitative results and attempt to probe the minds of the police officers making these arrest decisions. Additional issues raised by police officers during the focus groups were the influence of liability, field training officers, and first line supervisors. The implications of the research include an increased understanding of dual arrest, the need for better data collection, illumination of the benefits of self-defense language in departmental policies, the need for enhanced police officer training, and demonstration of the need for primary aggressor language in statutory law.

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My research interest in intimate partner violence began during a 26-year career as a police officer in Norwalk, Connecticut. I recognized early on that the actions of police officers had tremendous impacts on the lives of those involved in violent relationships. In the 1970's, we walked offenders out of the house and sent them on their way. It seemed like the right thing to do at the time. In the 1980's, we began to make arrests in the hopes that it would prevent further violence and reduce injury. It became apparent, however, that we were often arresting both parties in the incident. I wanted to be a part of explaining this phenomenon and ensuring that we were doing everything we could to provide the optimal police response. Much of my passion is driven by a desire to reduce the victimization of women. My affiliation with organizations like the Domestic Violence Crisis Center in the Norwalk/ Stamford, Connecticut area only heightened this desire.

There are many people who were instrumental in helping me reach this point in my research. I owe gratitude to the Crimes Analysis Unit of the State of Connecticut Department of Public Safety, particularly Gary Lopez, for supplying me with much needed data. The police chiefs of the departments included in the research, many of whom are personal friends, have been invaluable in providing me with officer and organizational data. They went out of their way to either get me that data themselves or assign someone the task. I extend thanks to the many officers in those same police departments who spent their time and energy to assist me in pulling this together. I thank my brother-in-law, Paul Squires, who spent many hours talking with me about statistical tests, data analysis, and interpretation of results.

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I. Introduction (including Statement of Problem)

The last forty years have seen a dramatic increase in the efforts to research and legislate the issues surrounding intimate partner violence. These efforts have changed the manner in which society has responded to this type of violence, particularly as it relates to violence against women. Once viewed almost exclusively as a private matter, intimate partner violence now occupies a position in the public sphere that has arguably led to improved responses, particularly from a criminal justice perspective.

Coinciding with the increased efforts to research and legislate intimate partner violence has been a significant change in the law enforcement response to this crime, including the willingness of police to respond and the nature of that response. Initially dictated by policies of nonarrest (Parnas, 1967; Stanko, 1989), the response of police departments nationwide is now overwhelmingly prescribed by either mandatory or preferred arrest policies, ostensibly limiting the discretion of police officers who investigate these types of incidents.

This evolution in police response has been driven by three interrelated historical occurrences. First, political pressure from the feminist movement and advocacy groups in response to nonarrest policies raised awareness of the severity of the problem of intimate partner violence and focused attention on the failure of police departments to intervene in assault incidents occurring in the family (Buzawa & Buzawa, 2003; Mills, 1999). Second, the risk of liability for the failure to arrest in an incident of intimate partner violence exposed states and municipal governments, along with individual officers, to the harsh realities of the informal response (*Bruno v. Codd*, 1979; *Monell v. New York City Department of Social Services*, 1978; *Scott v. Hart*, 1976; *Sorichetti v. City of New York*,

(1985); *Thurman v. City of Torrington*, 1984). Finally, empirical research began to highlight mandatory arrest as the most effective police response to deterring repeat intimate partner violence. The Minneapolis Domestic Violence Experiment (Sherman & Berk, 1984a, 1984b) was a driving force behind nationwide adoption of mandatory arrest policies after the researchers concluded that arrest, as opposed to mediation or temporary removal of the offender, resulted in a lower recidivism rate of intimate partner violence. Replication studies (Dunford, Huizinga, & Elliott, 1990; Sherman et al. 1992; Hirschel, Hutchison, Dean, Kelley, & Pesackis, 1991; Berk, Campbell, Klap, & Western, 1992; Pate & Hamilton, 1992) were, at times, less convincing, yet mandatory and preferred arrest policies began to proliferate across the country and have since become the prevailing response for law enforcement.

However, analyses of the official statistics on arrest for intimate partner violence following implementation of mandatory and preferred arrest policies have revealed an unanticipated phenomenon: a subsequent increase in dual arrest (Frye, Haviland, & Rajah, 2007; Martin, 1997; Miller, 2001; Osthoff, 2002). Dual arrest is the arrest by a police officer(s) of both parties in an intimate partner violence incident. This has translated into an increase in the number of women arrested for their involvement in domestic violence incidents (Chesney-Lind, 2002; Swan & Snow, 2002; Zorza & Woods, 1994). Although the number of female arrestees is still much lower than male arrestees, the increase in the percentage of women arrested is far outpacing that of men (Buzawa & Buzawa, 2002).

This unexpected occurrence has led advocates and researchers to seek explanations for law enforcement's increasing reliance on dual arrest. Previous research has identified several possible explanations. Hirschel, Buzawa, Pattavina, Faggiani and

Reuland (2007) noted that police officers may utilize a legalistic orientation in interpreting mandatory or preferred arrest laws, opting to limit their use of discretion and arrest both parties as mutual combatants. Those who subscribe to the idea of gender symmetry (Straus, 2006) would attribute a portion of the increase in dual arrest to the actual use of violence by women in intimate relationships. From that perspective, police would be inclined to arrest both parties in an incident when both engaged in an illegal act of violence. Convergence theorists (Adler, 1975) posit that crime rates between men and women will converge along with their greater equality in economic and social spheres. From this perspective, higher usage of dual arrest as a law enforcement response to intimate partner violence would be expected.

Dual arrest in intimate partner violence incidents is clearly an unintended consequence of mandatory and preferred arrest laws. There is concern that its continued use, particularly in light of the limited amount of research of its effect on victims, could result in the revictimization of women by the criminal justice system. Further research is needed to develop a greater understanding of this phenomenon, especially an analysis of the myriad of variables that correlate with the decision to arrest both parties in an intimate partner violence incident.

The Current Research

Connecticut is an optimal location in which to conduct research on dual arrest in intimate partner violence incidents because past research has indicated that police in Connecticut generate higher than average levels of dual arrest compared with other states

(Cares, 2007; Hirschel et al., 2007; Martin, 1997; Peng & Mitchell, 2001; State of Connecticut Department of Public Safety, 1991).

This study focuses on all incidents of intimate partner violence occurring in calendar year 2005 that resulted in either single or dual arrest in 21 municipalities in southwestern Connecticut. The analysis was limited to arrests involving violence between intimate partners in either spousal or nonspousal (former spouse, dating) relationships. The 21 municipalities are located in close proximity to one another geographically and are serviced by 4 of the 20 superior courts in the state. Two of those courts include specialized domestic violence docket courts that prosecute all family violence arrests. A total of 1,401 incidents were analyzed for this study. Incidents resulting in single arrest number 1,117 (79.7%) and those resulting in dual arrest make up the remaining 284 (20.3%).

The study assesses the influence of three different sets of variables on the probability of dual arrest: officer, incident, and organizational. The officer characteristics under examination include gender (male or female) and seniority (three categories of years of experience). The data were obtained from the 21 municipalities that are included in the analysis. The incident characteristics include offense seriousness (dichotomous), spousal relationship (yes or no), presence of alcohol/drugs (yes or no), and presence of children (yes or no). The data were obtained from the Family Violence Offense Report (DPS-230-C, Rev. 09/00), a state of Connecticut form that all police officers are mandated to file with the State of Connecticut Department of Public Safety when making an arrest for a family violence crime. The researcher requested this data from the Crimes Analysis Unit of the Department of Public Safety and was granted access. The data set

was supplied on a CD-ROM in Excel format. The organizational characteristics include size of the department (small or large), policies in place for the investigation of intimate partner violence that include self-defense language (yes or no), and affiliation with a domestic violence court (yes or no). This information was obtained from the departments included in the analysis.

The database contains 1,401 total incidents as described above. Each case (incident) is populated with incident, officer, and organizational variables. The data analysis was conducted in a three-step process. Univariate analyses consist of means, frequency and percentage distributions, and tabular displays of the relative distributions of scores on each variable. Bivariate analyses, consisting of chi square tests of statistical independence, were conducted for pairs of categorical variables. Finally, binary logistic regression was employed to test each of the independent variables and examine their contribution to the prediction of dual arrest. This is a common statistical modeling technique that is effective in relating one or more predictor variables to a dichotomous, categorical dependent variable. In addition, this technique has the advantage of accommodating either continuous or noncontinuous predictor variables (Grimm & Yarnold, 1995).

Importance of Studying Dual Arrest

An increasing volume of research attests to the fact that dual arrest is an important criminal justice topic (DeLeon-Granados, W., Wells, W., & Binsbacher, R., 2006; Feder & Henning, 2005; Finn, 2004; Frye et al., 2007; Hamberger, 1994; Hirschel & Buzawa, 2001, 2002; Hirschel et al., 2007; Houry et al., 2006; Martin, 1997; Miller, 2005; Osthoff,

2002; Peng & Mitchell, 2001). There is a growing understanding of the dual arrest phenomenon, but more research needs to be conducted to explain how multiple factors are associated with the decision to arrest both parties in an intimate partner violence incident. Qualitative research in this area, as it relates to police decision making, is also lacking.

Dual arrest is clearly a topic worthy of continued research as its overuse is an unintended and undesirable side effect of mandatory arrest (Chesney-Lind, 2002; Martin, 1997; Miller, 2001). Stark (1993) outlined several reasons behind the move to mandate arrest, the spirit of which are violated by high dual arrest rates. First, mandating arrest was an effort to control police behavior and reverse the pervasive pattern of nonintervention in incidents of intimate partner violence. High dual arrest rates seem to point toward overenforcement of the law by police officers (Martin, 1997). Second, mandating arrest was designed to protect the victim from further victimization. When dual arrest rates are high, the likely result is that more victims than necessary are being arrested. When victims are arrested, they may be subjected to further victimization. This can include losing their job, custody of their children and their rights as victims (Miller, 2005). Moreover, additional negative consequences could occur as a result of dual arrest, including an unwillingness to call the police for assistance when another incident takes place (Bledsoe, Yankeelov, Barbee, & Antle, 2004). Finally, mandating arrest was an effort to redistribute justice on behalf of women, thereby making the police service available as a resource to women on an egalitarian basis. When police overuse dual arrest, justice is not being served in the manner prescribed (DeLeon-Granados et al., 2006).

II. Literature Review

Traditional Law Enforcement Response

The response of law enforcement officers to reported incidents of intimate partner violence has undergone significant change since the hands-off policies of the 1970s and earlier. During that time period, officers overwhelmingly chose to handle incidents of intimate partner violence in an informal manner, avoiding arrest whenever possible (Black, 1976). In fact, one of the more respected publishers of police training information, the International Association of Chiefs of Police, printed a training key in 1967 that called for arrest avoidance in domestic disputes whenever possible (IACP, 1967). Few mandates to arrest existed, and police officers were content to minimize their involvement in an incident that was, for the most part, not regarded as a crime.

Buzawa and Buzawa (2003) cite several reasons for the failure of police to intervene. First, it was not seen as real police work. Intervening in a familial dispute, a private matter, was seen as a social work function and not worthy of a police officer's time and attention. Second, intervention in these types of incidents was not rewarded by the organization. Taking the time and effort to properly investigate a crime of intimate partner violence was deemed unproductive. It reduced the time available to the officer for responding to a felonious crime where credit for an arrest might increase the officer's chances for promotion or departmental recognition. Third, there was, and still remains, a perception that this type of call might have a greater propensity to result in the injury or death of the responding officer. This perception of risk demanded that officers extricate themselves from the situation as quickly as possible. That quick extrication minimized the chance for arrest. Finally, several studies have documented a bias against arrest in

calls involving intimate partners versus those involving non-intimates, suggesting that relational distance may play a role (Black, 1971; Eigenberg, Scarborough, and Kappeler, 1996).

Theories of Intimate Partner Violence

Theories of intimate partner violence can be broken down into three separate categories: individual (psychological), macro-oriented (structural) and micro-oriented family violence (sociological).

Individual (psychological)

Prior to the 1970s, researchers posited that battered women remained in abusive relationships because they were masochistic and psychologically damaged. This perspective was aligned with the medical model, whereby the causes of domestic violence were located in the pathologies of individual men and women.

In an effort to dispel the myths that abused women were psychologically damaged, Walker (1979) developed a theoretical perspective known as the battered women's syndrome. She sought to explain why women remained in abusive relationships. The theory is based upon the work of Seligman and Maier (1967), who coined the term "learned helplessness" to explain the failure of animals to escape the painful effects of electrical shock, despite being offered the opportunity to escape. Walker (1979) applied learned helplessness to explain a woman's failure to remove herself from an abusive relationship. Specifically, she posited that abused women developed a belief that they

were not in control of their environment and were helpless to change the abusive behavior.

Further contributing to learned helplessness is the cycle of violence in the abusive relationship. Walker (1979) identified three phases of the cycle: (1) tension-building, (2) acute battering and (3) reconciliation or honeymoon. In the tension-building phase, verbal abuse and minor physical assault occur. The female partner seeks to avoid victimization by conceding to her partner or staying out of his way. Frequently, the woman feels a sense of relief that the assaults are minor in nature. In the acute-battering phase, the tensions built in the first phase result in a more significant assault by the male partner. The violence is seen by the woman as unpredictable and uncontrollable, resulting in what appears to be a passive response. In the reconciliation or honeymoon phase, the husband expresses that he is apologetic for his actions and promises to end the violence. The batterer typically appears calm and loving and frequently showers the woman with affection. The woman may be subsequently manipulated into believing that the abuse has finally ended. This cycle is repeated over and over in an abusive relationship.

In response to criticism of the battered women's syndrome as blaming the victim, Gondolf and Fisher (1988) developed an alternative perspective commonly referred to as survivor theory. The theory centered on the help-seeking behavior of battered women as opposed to the passive learned helplessness of the battered women's syndrome. As survivors, battered women were seen as employing innovative coping strategies and actively seeking outside help in response to the violence. Despite these efforts, battered women are often confronted with insufficient or ineffective assistance, making it increasingly likely that they will stay with their batterer. The authors claimed that the

help sources developed their own learned helplessness and that efforts should focus on improving their response.

Social learning theory also provides an individual explanation of intimate partner violence. Siegel (2008) provides a summary of the theory, noting four factors contributing to the violence. First, an event occurs that heightens arousal. In the case of intimate partner violence, this event could be a verbal dispute between partners. Second, the assailant must have learned aggressive skills from observing others, either personally or vicariously through the media. That learning could have resulted from early family interactions, such as a child observing his father striking his mother. Third, the expected outcome of that aggression is that it will be rewarded. If previous assaults resulted in a reduction in tension or gained compliance from the victim, the behavior would be replicated to obtain the same favorable results. Finally, the behavior must be consistent with one's value structure. The assailant must believe, based on personal experience, that the aggression is justified and appropriate.

Similarly, Bandura (1977), another social learning theorist, posited that people were not born to be aggressive, but learned to be aggressive through their life experiences. He identified three critical concepts: observation, imitation, and modeling. The learning process involves modeling and begins with watching others act aggressively. Once it is seen that aggressive behavior is rewarded, it is modeled to achieve similar results.

Macro-Oriented Theory (structural)

Feminist theory asserts that intimate partner violence is a symptom of patriarchal society and its creation of gendered power differentials (Dasgupta, 2002). Violence

against women is seen as part of a wider system of male power that serves to maintain social and economic domination over women. The rights and privileges of women are subordinated. This system of domination extends well beyond violence and includes economic, political and sexual subordination. Brownmiller (1975) provided a poignant example of the historical roots of female subordination to men when she hypothesized that marriage was “institutionalized by the male’s forcible abduction and rape of the female.” (p. 17). For Brownmiller, marriage served to protect women from other predatory men. This need for protection placed the woman in a subordinate position, dependent upon the husband for her safety.

For most feminist theorists, violence against women is deeply rooted in history. Women have been seen as the property of men and subject to their control and discipline (Dobash & Dobash, 1979). Their social status placed them in a secondary position in the hierarchy of power and worth. As a result, women were and continue to be at a greater risk of victimization by an intimate in their own home than by a stranger outside the home. The violence serves to support and maintain the power differentials between men and women (O’Toole & Schiffman, 1997). This socially constructed justification for control and discipline led to a reduced emphasis on the significance of intimate partner assault, particularly its inclusion as a crime of violence against women. It was only in the latter part of the 20th century that intimate partner violence was elevated to that position.

Definitions of intimate partner violence and the manner in which it is measured are extremely important in informing the criminal justice response. A definition that includes the contextual experiences of the victim in an abusive relationship is closely aligned with the feminist perspective. Utilizing this framework, intimate partner violence

is seen as a gendered phenomenon, whereby men use violence to maintain power and dominance over women (Miller, 2005). Feminist studies typically draw samples from battered women shelters, hospital emergency departments, and police reports. The different sampling frames result in a different conclusion in the gender symmetry argument—that of gender asymmetry. Men are disproportionately involved as the perpetrators of violence, and that violence is motivated by the desire to maintain power and control (Saunders, 1986). According to this perspective, context also allows a better understanding of women's use of violence, to include the motivation behind that violence. Many state legislatures have incorporated the feminist perspective into statutory laws governing the law enforcement response to intimate partner violence by adding primary aggressor language. This language has the potential to reduce dual arrests by allowing police officers to consider the context in which the violence occurs.

Black (1976) posits that law can be measured as a quantitative variable and will vary from setting to setting. He links variations in law to aspects of society such as culture, organization, stratification, and morphology. His theory predicts and explains legal patterns from the behavior of law rather than from the standpoint of the deviant person. Germane to this research is the behavior of law in the family setting. The most relevant to intimate partner violence and arrest are his concepts of stratification and morphology.

Stratification refers to the vertical distance between people within a social setting and can be used to explain the criminal justice response to intimate partner violence. Reflecting the patriarchal nature of society, women have traditionally been seen as economically dependent on men. This economic dependence creates a vertical distance

between men and women, with men occupying the higher position. The lower vertical position of women predicts that when they are victims of domestic violence, they would be less likely or successful in applying the law against their male partners and would be more likely to be criticized and disciplined by their partners. The theory goes on to predict that with increased wealth and income of women, they are more likely to be successful in applying social control, thus reducing the differences in exercising criticism and discipline.

Morphology is the horizontal aspect of social life, including the level of intimacy between people. Black (1976) posits that law is relatively inactive among intimates; intimates are less likely to involve the police to resolve disputes, and police are less likely to arrest when they are called. Although societal definitions of intimate relationships have clearly changed, it can still be argued that a marital relationship is deemed to be a more intimate relationship than a non-marital one. Black (1976) would predict that there is less formal social control (police involvement and arrest) in any intimate relationship. If there was police involvement in an intimate relationship, the theory would predict less law in the more intimate marital relationship. If the theory holds true, there should be fewer arrests, both of the single and dual variety, in marital relationships. Moreover, a dual arrest involves the application of more law than a single arrest, so this framework would also predict fewer dual arrests among married couples than unmarried couples.

Micro-Oriented Family Violence Theory (sociological)

Family violence theory is commonly associated with the research of Murray Straus of the Family Research Laboratory at the University of New Hampshire, along

with his colleagues, Richard Gelles and Susan Steinmetz. They do not view intimate partner violence (i.e. spousal violence) as a separate entity, but as part of a larger pattern of violence occurring within the family (Mooney, 2000). In their research, they identify the family as a violence-prone institution with physical force being a pervasive element in its members' interactions (Straus, 1973) The causes of violence are not limited to individual pathologies or the existence of a patriarchal system, but extend to a wider explanatory framework that includes those factors. That framework includes three elements: cultural and structural factors, a general systems theory, and the traditionally subordinate position of the woman in a sexist society (Okun, 1986).

The definition and measurement of intimate partner violence is considerably different under the family violence perspective than it is under the feminist perspective. It is an incident-specific definition of violence (Stark, 2006; Straus, 1993; Straus & Gelles, 1986) and one commonly adopted by our criminal justice system. This definition equates intimate partner violence with individual acts of force that will likely result in injury to the victim. In addition to its utilization by the criminal justice system, it frames the gender symmetry argument. Researchers utilizing this perspective draw from national probability samples and typically use the Conflict Tactics Scale (Straus, 1979) or its revision, the Conflict Tactics Scale 2 (Straus, Hamby, Boney-McCoy & Sugarman, 1996), to measure violence. Use of these instruments and this definition are often criticized for their failure to recognize the context in which that violence occurs (Manning, 1996). According to many of those critics, the result has been an increase in the number of dual arrests (Das Dasgupta, 2002).

Evolving Police Response

During the late 1960s and 1970s, many police departments adopted a crisis intervention approach, with mediation being the primary technique employed. One of the more influential programs was developed by Dr. Morton Bard, a clinical psychologist at the City University of New York, who received a grant from the Law Enforcement Assistance Administration in 1967 to train New York City police officers in the management of interpersonal conflict. Bard was concerned about the danger associated with domestic violence calls, particularly to the responding police officers, and sought to train officers to mediate disputes and refer disputants to the appropriate social services. From that training, the Family Crisis Intervention Unit was created within the New York City Police Department. Initial reviews of the training showed little or no reduction in domestic violence (Sherman & Berk, 1984b), but that it was somewhat effective in reducing officer injury (Zacker & Bard, 1973). For a period of time, the technique gained broad acceptance in the law enforcement community as a viable tool for handling domestic disputes (Liebman, Jeffrey & Schwartz, 1973). Crisis mediation clearly reinforced the arrest avoidance policies of that time, which likely explains its broad acceptance by law enforcement.

External Forces for Change in the Police Response to Intimate Partner Violence

Three interrelated historical factors began to reshape the law enforcement response to intimate partner violence. The hands-off approach was challenged on many fronts as ineffective, dangerous and unconstitutional. Persistent pressure from advocacy groups, costly civil litigation awards levied against municipalities and police officers for

failing to protect battered women, and scientific research findings favoring arrest of offenders, challenged police departments nationwide to evaluate the efficacy of their arrest avoidance policies. These factors began to lead to the adoption of mandatory and preferred arrest policies for crimes involving intimate partner violence. These policies served to limit the discretion of police officers during investigation of these types of crimes, mandating or strongly suggesting arrest when probable cause for that arrest existed. In 1977, Oregon was the first state to enact a law mandating arrest in cases of domestic violence. Most states have followed suit and either mandated or preferred the arrest of offenders (Buzawa & Buzawa, 2003). Connecticut enacted its mandatory arrest law in 1986 as part of a more comprehensive plan to address family violence (Martin, 1997).

Pressure from the Feminist Movement

The first historical event that contributed to the changing law enforcement response to intimate partner violence was pressure exerted by the feminist movement. Support for battered women was an important component of the feminist movement of the 1960s and 1970s (Martin, 1977; Walker, 1984). Advocates for battered women were operating on two separate but related fronts. First, they were trying to increase the amount of government and grassroots resources that were being offered for battered women, often in the form of battered women shelters and related social services. Second, they were trying to convince the public that battering was a social issue worthy of attention by making available an increasing volume of information that was being published (O'Connor, 1999). Some of the more compelling information involved

publications documenting the number of women seeking medical assistance for injuries sustained during violence in intimate partner assaults. By making the public more aware of the physical injuries being inflicted upon women by their intimate partners, advocates hoped to sensitize more people to the magnitude and seriousness of the problem.

Additionally, serious injuries suffered by battered women prompted feminists to focus on the inadequacies of the law enforcement response to these assaults. They were largely critical of the fact that police had come to place too much emphasis on the social work aspect at the expense of the crime control aspect of the job (Langley & Levy, 1977). The social work aspect focused on mediation of the dispute, with referral to appropriate social services as needed. Feminists believed that by focusing on mediation and avoiding arrest, police officers and their departments were perpetuating the belief that intimate partner violence was a private, family matter and not a serious crime. For many feminists, arrest avoidance did not provide for the safety of the battered woman, nor did it hold the batterer accountable. The fact that many police officers were exclusively using mediation as an intervention further complicated the situation as it gave the impression that both victim and batterer were equal participants in the dispute.

A timely study conducted by Wilt and Bannon (1977) bolstered the feminist position that a policy of arrest avoidance was dangerous to women, if not deadly. The authors of the study, which focused on spousal homicides in Kansas City and Detroit, found that 85% of the homicides involving intimate partners had a previous police intervention. Moreover, 54% of those homicide cases had five or more prior police interventions. Advocates for battered women contended that a more aggressive police response might have protected many of the victims from serious physical injury or death.

The research findings were instrumental to the feminist position that existing law enforcement policies emphasizing arrest avoidance were not protecting the victims of intimate partner violence.

Legal Liability

The threat of civil litigation and the prospect of costly monetary awards have been influential in changing the hands-off policies of law enforcement to policies dominated by mandated or preferred arrest in cases of intimate partner violence. These awards not only threaten the financial well-being of municipal governments, but also that of individual officers.

Prior to 1978, municipalities and individual line officers were wholly immune from suit under 42 U.S.C. 1983 as dictated in the Court's ruling in *Monroe v. Pape* (1961). The reasoning in that decision surrounded the original intent of the Civil Rights Act and Section 1983. Specifically, municipalities were not to be included as "persons" and, thus, could not be held civilly liable. In *Monell v. New York City Department of Social Services* (1978), the Court overruled *Monroe v. Pape* (1961), allowing local governing bodies and local officials to be sued for monetary, declaratory, and injunctive relief in situations where the alleged unconstitutional action "implements or executes a policy, statement, ordinance, regulation, or decision officially adopted or promulgated by those whose edicts or acts may fairly be said to represent official policy." The implication of the ruling was that municipalities and local officials were intended to be included in the class of persons to which section 1983 applied.

In *Monell v. New York City Department of Social Services* (1978), the petitioners were a class of female employees of the city's Department of Social Services and Board of Education. The petitioners claimed that those agencies had as a matter of policy, albeit unwritten, compelled pregnant employees to take unpaid leaves of absence before those leaves were required for medical reasons. The petitioners sued both the city of New York and individual employees acting in their official capacities. As a result of the suit filed by those employees, the city of New York changed their policy on leaves for pregnant employees. In addition, the ruling paved the way for all plaintiffs to sue under section 1983. If an unconstitutional policy, custom or practice could be established, the deep pockets of municipalities were vulnerable.

In applying these lawsuits and court decisions to intimate partner violence, it is important to note that the policy statement, ordinance, regulation, or decision would not require formal approval through the body's official decision-making channels. It could consist of customs and usages that were so permanent and well-settled to have the force of the law behind them. This would have particular relevance in subsequent cases where battered women sued local governing bodies for the failure of their police departments and police officers to protect them from abusive intimate partners.

Using *Monell v. New York City Department of Social Services* (1978) as precedent, advocates for women victimized by their intimate partners began to bring legal action against police departments, their officers, and their employing municipalities for their failure to protect them from that violence. Advocates argued that since police were agents of the state, they had a legal obligation to apply the laws without discriminating against women and to protect a woman's civil right to be free from violence. By not

responding to victims' complaints and not arresting offenders in cases of domestic violence, police officers and their employers were failing to protect the inherent rights of those women.

The first class action lawsuit, *Scott v. Hart* (1976), was filed against the Oakland, California Police Department. It was followed two months later by *Bruno v. Codd* (1977), whereby activists filed suit against the New York City Police Department for failure to comply with state laws. The suit was initiated by a non-governmental organization on behalf of 12 women who had received no assistance from the police after they were attacked by their partners. The lawsuits were settled when both police departments agreed to change their practices in domestic violence cases. Despite the fact that there were no monetary awards to individual plaintiffs, the lawsuits were critical to changing those policies that were detrimental to battered women.

One of two seminal cases involving a municipality's obligation to protect battered women occurred in the state of Connecticut (*Thurman v. City of Torrington*, 1984). The suit filed by the victim, Tracey Thurman, cited the repeated failure of the Torrington Police Department to protect her from her estranged husband, Charles Thurman, thus violating her Constitutional rights. Those Constitutional rights included equal protection of the law as guaranteed by the Fourteenth Amendment. The action was brought forth pursuant to 42 U.S.C. 1983. In the opinion of Tracey Thurman and her attorney, the repeated failure of the police to intervene and arrest amounted to a pattern or practice of inadequate protection. Although the pattern or practice was not officially approved by the municipality or its police department, it amounted to lesser protection for assault victims in a domestic relationship than for assault victims in a nondomestic relationship.

The chronology of events involving Thurman and her estranged husband is critical to applying the constitutional guarantee of equal protection under the law. Between October 1982 and June 1983, Charles Thurman repeatedly harassed, attacked and threatened his estranged wife. On those occasions, the incidents were reported to the Torrington Police Department, but only one of those incidents resulted in arrest. Despite a protective order, the assaultive and threatening behavior continued, culminating in a brutal attack on June 10, 1983. In that attack, much of it witnessed by a Torrington police officer, Tracey Thurman was stabbed 13 times, kicked in the head, and severely beaten by her husband. Charles was eventually arrested at the scene, but not before Tracey suffered partial paralysis from her injuries.

Charles Thurman was convicted of assaulting his wife and sentenced to 20 years in prison. He was released after serving nine years of that sentence. Tracey Thurman was awarded \$1.9 million in a negotiated settlement. That award was instrumental in changing Connecticut law, but its effects were felt across the nation. Many states and their municipalities, concerned about costly liability awards, subsequently moved to require police officers to take more definitive action when responding to an incident of intimate partner violence, usually in the form of mandatory or preferred arrest.

The second seminal case involved the New York Police Department and their special duty to domestic violence victims when orders of protection were in place (*Sorichetti v. City of New York*, 1985). Josephine Sorichetti obtained protection orders after experiencing threats and violence involving her husband. A week after the last order was issued, Sorichetti went to a New York Police Department precinct, where she was dropping off their daughter, Dina, for court-ordered visitation. When Sorichetti's husband

picked up their daughter, he threatened to kill Josephine before leaving. She went into the station to report the threat, but police took no action and refused to send anyone to her husband's home to investigate the threat, even after Sorichetti's husband failed to return with the child. Another relative went to the home and found that Frank Sorichetti had brutally assaulted his daughter, leaving her hospitalized and permanently disabled. He was convicted of attempted murder and his daughter was awarded a \$2 million judgment. The court ruled that the city of New York had breached its duty of care and that the breach was the proximate cause of Dina Sorichetti's injuries.

Both cases and their subsequent awards signified to municipalities and their employees that there were significant financial repercussions for failing to protect women involved in abusive relationships. Clearly, that threat was one of the impetuses to change laws and departmental policies involving domestic violence crime. No governmental agency or municipal employee was interested in absorbing such a huge monetary loss.

Empirical Research Results Supporting Arrest

A critical development in the fields of criminal justice and criminology has been the emergence of evidence-based policymaking. Walker (2006) defined three specific standards for the evidence-based policy movement. First, evidence-based policymaking requires empirical evidence of effectiveness. Second, the methodology necessary for establishing credible evidence would have to involve an experimental or quasi-experimental design and thus include the random assignment of subjects to experimental and control groups. Finally, effectiveness would be dependent on replication studies. All of the standards are aimed at introducing scientific rigor into the policy debate in an

attempt to objectively evaluate effectiveness. These standards would become particularly relevant to domestic violence policy and the controversy surrounding mandatory arrest.

One of the most influential social science studies examining intimate partner violence and mandatory arrest was the Minneapolis Domestic Violence Experiment (MDVE). In that experiment, Sherman and Berk (1984a, 1984b), together with the Police Foundation, conducted the first randomized test of the effectiveness of arrest in deterring repeat offenses in misdemeanor cases of domestic violence. The results of the evaluation had a significant impact on the response of law enforcement to these types of crimes, leading to mandatory and preferred arrest policies in police departments across the nation.

In the MDVE, conducted between March, 1981 and August, 1982, the researchers conducted a classical experiment, calling for randomized assignment of misdemeanor domestic violence incidents to one of three police interventions in two Minneapolis precincts. The possible interventions were arrest, separation, or some form of advisement given by the assigned officer (mediation). Participating officers carried a pad of report forms that were color coded and randomly ordered for the three interventions. When they responded to an incident which fit the criteria, they intervened in the manner prescribed by the report form on the top of the pad. The design also included a six-month follow-up period in which to measure repeat domestic violence incidents (dependent variable). Arrest and incident reports were collected when the offender's name appeared again as an assailant. Researchers also conducted face-to-face interviews with the victims that were followed by telephone interviews every two weeks for 24 weeks. Both of these measures were designed to assess repeat victimization, supplementing the official police reports of recidivism.

The experiment generated 330 cases for analysis. The most significant finding was that arrested offenders produced the lowest rate of reoffending. After a six-month follow-up period, 10% of the arrested offenders had been re-arrested. For those who received advisement, 19% were re-arrested. The highest re-arrest rate, 24%, occurred in the group of men who had been separated. The principal investigators suggested that the lower rate of recidivism for those arrested was the result of a deterrent effect. There were numerous criticisms of the study's methodology, but the deterrent effect of arrest became a compelling reason for policy change. Within a short period of time after the results were published, police departments nationwide began to adjust their policies to either mandate or strongly encourage arrests at domestic violence incidents (Buzawa & Buzawa, 2003). Further impetus was provided by the Attorney General's Task Force on Family Violence, which endorsed the findings and made a recommendation that state and local law enforcement agencies adopt proarrest policies (United States Attorney General, 1984). This occurred despite the warnings of the authors that caution needed to be exercised in interpreting the results and that replications were necessary.

A total of five replication studies were carried out in Omaha (Dunford et al., 1989), Milwaukee (Sherman et al., 1992), Charlotte (Hirschel et al., 1991), Colorado Springs (Berk et al., 1992), and Miami (Pate and Hamilton, 1992). There was also a sixth replication site in Atlanta, but results were never made available to the public. Results of the five published replication studies produced equivocal results as to whether arrest was effective in deterring repeat domestic violence.

In Omaha, Dunford et al. (1989) improved upon the methodology of the Minneapolis experiment by matching ethnic backgrounds of the victims to female

interviewers to improve victim cooperation. The researchers concluded that arrest was no more effective in reducing or preventing repeat domestic violence than the other alternatives. The authors went on to state that reliance on arrest may be “erroneous and counterproductive” (p. 67). They also collected data over a longer follow-up period to observe recidivism (45 months) and found that 25% of the sample had assaulted their intimate partner again more than a year after the study began. Despite that, the greatest risk of recidivism occurred shortly after the initial incident.

Sherman et al. (1992) repeated their study in Milwaukee and addressed several methodological concerns in the pilot project. This included the study of minority offenders and analysis of the length of time that arrested offenders were detained. The length of time held—three hours as opposed to twelve hours—was not a predictor of recidivism. The authors concluded that arrest had a short-term effect in reducing repeat domestic violence. However, levels of repeated violence for offenders arrested versus those who were warned leveled off after eleven months into the follow-up period. There was an additional effect noted: arrest produced an escalation effect on repeat violence after the 11-month period. Another important finding was that arrest deterred employed offenders to a greater extent than unemployed offenders, suggesting informal social control mechanisms may serve as a mediating or intervening factor.

In Charlotte, a city with high levels of unemployment and a large minority population, Hirschel et al. (1991) concluded that the data did not support arrest as being more effective than the other alternatives in deterring repeat domestic violence. Any arrest effect was short term, disappearing after six months. Other methodological limitations raised during this replication were the previous criminal histories of the

offenders in their sample (69.4% of the male offender sample) and the failure of the criminal justice system to prosecute the arrests. Both issues may have an influence on the deterrent effect of arrest. Arrest and incarceration are not new to the offender with a criminal history, making them less likely to be influenced by arrest. Along the same lines, the failure of the legal system to prosecute sends a message to the offender that the certainty of punishment (beyond arrest) is negligible. Certainty of punishment has been identified as a key factor in the deterrence literature (Walker, 2006).

Berk et al. (1992) conducted a two-year follow-up study in Colorado Springs with a significantly larger sample size and expanded offense categories. Police interventions were altered as well. They included an order of protection alone, an order of protection with arrest, an order of protection with counseling, and the officer restoring order at the scene. The official data did not reveal that arrest had a deterrent effect on offenders. The study also examined the effectiveness of a specialized law enforcement unit, the Safe Streets Unit, in deterring repeated acts of violence. Those cases that were assigned to the unit were not significantly different from those not assigned in terms of subsequent violence.

In Miami, Pate and Hamilton (1992) concluded that arrest had a deterrent effect for up to six months. Analysis of victim reports of repeat violence revealed that the deterrent effect of the varying police interventions were unrelated to the offender's employment status. There was also an analysis of incidents referred to a specialized domestic violence unit (Safe Streets Unit). Revictimization did not differ between those incidents that were and were not referred to the specialized unit.

Despite the ambiguous results of the replication studies, mandatory and preferred arrest policies continued to flourish. This may relate to the overall finding that half of the studies showed a short-term (i.e. 6 months) deterrent effect resulting from arrest. Agencies implementing one of the above policies tripled in the year following the MDVE, comprising nearly one-third of all departments nationwide (Buzawa & Buzawa, 2003). The equivocal results of the replications raised criticism on several fronts, but the momentum generated by the often promising scientific results was sustained.

Research on Dual Arrest

Hirschel et al. (2007) conducted the most comprehensive national research to date on dual arrest. Their study addressed limitations of previous research by broadening the context, including examination of both acquaintance and stranger cases, expanding the range of variables to be analyzed, and increasing the number of jurisdictions studied. Using 2000 National Incident-Based Reporting System (NIBRS) data, the authors examined assault and intimidation cases in two phases in an effort to explain the phenomenon of dual arrest. The first phase was an examination of incidents (numbering over 575,000) in which there was no arrest, a single arrest or a dual arrest in intimate partner, other domestic, acquaintance and stranger cases. The second phase involved a smaller sample of incidents and included onsite visits to police departments, records examination, case follow-up and policy analysis.

The authors concluded that dual arrest rates were relatively low for all incidents included in the analysis (1.3%), but that incidents involving intimate partners had the highest rate (1.9%). States with mandatory and preferred arrest laws had significantly

higher numbers of domestic violence arrests than those states with discretionary laws. However, dual arrest was more likely in mandatory arrest states than in those with preferred arrest laws. Same sex couples were also more likely to be subjected to dual arrest than heterosexual couples.

Arrest for domestic violence was influenced by the seriousness of the offense, the presence of a minor, offender race, and whether the offender was at the scene upon officer arrival. Of significance to this proposed study is that Connecticut, a mandatory arrest state with no primary aggressor provision, was identified as having the highest rate of dual arrest (13.6%). Of the remaining 18 states in the analysis, the next highest rate came from Nebraska (5.5%), a state with a discretionary law.

In their annual report on family violence, the State of Connecticut Department of Public Safety regularly reports the rate of dual arrest in Connecticut. Dual arrest rates have been fairly consistent in recent years, averaging just over 20% of the total number of family violence incidents resulting in arrest. For calendar year 2003, the rate was 22.1%; calendar year 2004 showed a slight decrease to 20.9% (Cares, 2007). Analysis of family arrest data for calendar year 2005 indicated that the rate was slightly above 20% (State of Connecticut Department of Public Safety, 2007). Although statistics on dual arrest are not readily available from all states, rates in Connecticut are reportedly higher than many other states, including the 5.5% rate in Rhode Island (Domestic Violence Training and Monitoring Unit, 2000) and 8% rate in Arizona (Governor's Division for Prevention of Family Violence, 2001).

Several studies have analyzed family violence data in Connecticut in an effort to determine the nature and characteristics of dual arrest in the state. The State of

Connecticut Department of Public Safety (1991) studied 329 domestic violence incidents that resulted in dual arrest, comparing them with incidents resulting in single arrest. They found that those resulting in dual arrest generally involved less serious crimes such as breach of peace and disorderly conduct. Dual arrestees were more likely to be unmarried, but cohabitating, and between the ages of 16 and 30. The single arrestee was more likely to be a married partner over 30 years of age and charged with the crime of assault. Police officers were also interviewed as part of this study and reported that among the factors affecting the decision to arrest both parties, evidence of injury to both parties was the most important. Other factors, in order of importance, were establishment of independent probable cause, statements from uninvolved witnesses, assaulting or interfering with a police officer, and violation of a restraining or protective order.

Shortly after implementation of the mandatory arrest law in Connecticut, Martin (1997) carried out a study of dual arrest in that state, using family violence data from the first six months of 1988. She drew a stratified sample of cases that had been disposed of by Connecticut's criminal courts and found that 33% of the adult, intimate partner family violence arrests resulted in dual arrest. The typical profile of the defendant was described as a young, white, employed man or woman, unmarried, but cohabitating with their partner. In addition, alcohol and drugs were more likely to be involved, although the effect size could not be determined. Female dual arrestees were more likely than their male counterparts and those singularly arrested to have been previously victimized in the relationship and to have used alcohol or drugs at the time of the incident. Of equal importance for the proposed study was the observation that certain departments and

courts were more likely to routinely engage in dual arrest. Prevalence was higher in smaller cities and rural police departments.

Connecticut Statutory Law

The state of Connecticut enacted a mandatory arrest statute for family violence offenses on October 1, 1986 (Connecticut General Statutes, P.A. 86-337). The statute directed police officers not to base their arrest decision on either the victim-offender relationship or whether the victim wanted the offender arrested. It also directed police not to discourage requests for law enforcement intervention by threatening or suggesting that both parties would be arrested. In the event that complaints were made by opposing parties, police were to evaluate the complaints separately in making the decision to arrest or seek an arrest warrant.

As part of the same legislation, police departments were required to develop and implement guidelines for arrest policies in family violence incidents. The Municipal Police Training Council (MPTC), now known as the Police Officer Standards and Training Council (POSTC), was also required to establish an education and training program for police officers and state attorneys.

Effective October 1, 2004, new legislation added language to the family violence statute concerning use of force as a means of self-defense. Discussion that preceded the enactment revolved around the high rates of dual arrest that were occurring in the state. In fact, the statement of purpose was to establish considerations to be made by a peace officer prior to arresting more than one party to a family violence incident. The act was aptly entitled, “An Act Concerning Dual Arrests in Family Violence Cases” (P.A. 04-66).

Although Connecticut law has always allowed the use of force in self-defense, its application to force used within intimate partner violence incidents has been less clear, particularly as it is interpreted by police officers. In her study of dual arrest in Connecticut, Martin (1997) reported that police and prosecutors strictly adhered to the mandatory arrest provisions of the law, relying on probable cause in effecting arrests. For the most part, introduction of self-defense into the calculus was left for the court to decide post-arrest. The newer statutory language reads as follows... “when a peace officer reasonably believes that a party in an incident of family violence has used force as a means of self-defense, such officer is not required to arrest such party under this section.” Although still bordering on the equivocal, the new statute does reinforce the point that self-defense can be considered in the decision to arrest.

Correlates of Arrest in Incidents Involving Intimate Partner Violence

Because the literature on dual arrest is still being developed, discussion of its correlates must include the existent literature on the factors relating to arrest in incidents involving single offenders. This literature is much more comprehensive and serves as the basis for the research on dual arrest. The discussion that follows, organized by those correlates, includes research on both single and dual arrest.

Alcohol/ Drug Use

Research has been fairly consistent in linking substance abuse and intimate partner violence. In their study of the effect of situational characteristics of the incident on arrest in domestic disturbances, Worden and Pollitz (1984) found that the likelihood of

arrest increased if the man had been drinking. Brookoff (1997) studied domestic violence offenders in Tennessee and found that 92% had used drugs or alcohol on the day of the incident. In her landmark study of dual arrest in Connecticut, Martin (1997) found that drugs and alcohol were more likely to be involved, although the methodology did not specify whether it was the victim or offender who used the drugs and alcohol. Houry, Reddy, and Parramore (2006) found that victims who were identified as under the influence of alcohol were at a greater risk of arrest, possibly because they were less coherent and unable to provide police with critical information. The authors did not find the same effect for drug use, but cautioned that this difference might have been a result of the small sample size. In their study of race and officer decision making, Brown and Frank (2006) noted an increased likelihood of arrest for both white and black officers when the suspect showed signs of intoxication. Jones and Belknap (1999), in their study of arrest in a progressive proarrest jurisdiction, found that dual arrest was more likely when both parties were using alcohol or drugs. Stalans and Finn (1995), however, found that more experienced officers were less likely to indicate a preference for arrest after reading domestic violence scripts in which the victim was using alcohol. The authors suggested that the experienced officers considered the intoxicated victim to be less credible in court.

Departmental Policies

Certain departmental policies have been shown to increase the arrest of perpetrators in cases of intimate partner violence (Houry et al., 2006). In their study of domestic violence incidents in a midwestern city, Buzawa, Austin and Buzawa (1995)

found that policies that entailed low levels of interest in domestic violence and a lack of guidance to police officers in responding to those incidents resulted in differential treatment of domestic violence and stranger assault. Specifically, the likelihood of arrest was lower for the domestic assault than the stranger assault. Finn, Blackwell, Stalans, Studdard, and Dugan (2004) gave hypothetical scripts of domestic violence incidents to police officers and found that perceptions of their departmental policy were important in determining the arrest decision. Perceptions that their departments encouraged dual arrest resulted in more dual arrests in the scripts, and perceptions of their departments encouraging the arrest of the primary aggressor produced more arrests of husbands only.

Davis (2001) outlined a procedure in Brockton, Massachusetts, where officers were required to file a report with the chief, after supervisory review, when they were unable to identify a primary aggressor and arrested both parties to an incident. At the time, the state of Massachusetts had a preferred arrest policy, but there was concern with the number of dual arrests. The reasoning behind the policy was that by requiring such a report, officers would be more inclined to conduct a full investigation of the incident before resorting to dual arrest.

Domestic Violence Docket Courts

The domestic violence docket court represents a multidisciplinary and collaborative approach to the processing of arrests involving intimate partner violence. Because the crime of domestic violence involves unique social dynamics, court and police personnel that are specially trained in those dynamics are better equipped to deliver procedural justice (Tsai, 2000). Gover, Brank and MacDonald (2007) conducted

research at a specialized domestic violence court in South Carolina and determined that the docket courts allowed for greater interaction between criminal justice agencies, to include the participating police departments. The authors noted a spirit of cooperation between sheriff's deputies and the court that resulted in greater satisfaction on the part of both victims and defendants. The Lexington County, South Carolina Sheriff's Department created the position of criminal domestic violence investigator to meet the needs of the specialized court in properly investigating the intimate partner violence incident. This was in direct response to the creation of the docket court.

Offender Demeanor

Previous research has been fairly consistent in substantiating that disrespectful suspect demeanor increases the likelihood of arrest in domestic violence incidents (Black & Reiss, 1970; Worden & Pollitz, 1984). Demeanor, often identified as an extralegal factor in the arrest decision, frequently involves threatening or hostile conduct toward the responding police officer. For the law enforcement officer, it is seen as a threat to their authority and jeopardizes control of the situation (Manning, 1977). Klinger (1994), however, questioned the direct causal effect of suspect demeanor on arrest. His measurement of demeanor independent of crime challenged the axiom that hostility alone increases the odds of arrest. In those incidents where displays of hostility did not constitute criminal conduct, the likelihood of arrest was not increased. Suspects were more likely to be arrested because they committed crimes in the presence of police officers.

Officer Gender

Underrepresentation of women in sworn law enforcement roles remains a problem in the United States. The Federal Bureau of Investigation's Uniform Crime Report (2007) lists their representation at 11.7% of the total number of sworn police officers. Although little analysis has been conducted on the effect of gender on the arrest decision in intimate partner violence, research has been fairly consistent in showing that female officers make, proportionally, fewer arrests than male officers (Bloch & Anderson, 1974; Martin, 1993; Robinson, 2000). In a study that did assess the influence of officer gender on the arrest decision in domestic violence incidents, Robinson and Chandek (2000) found that female officers were less likely than male officers to make arrests. The authors noted that female officers might have been more likely to listen to victim preferences than adhere to policy mandates. The results were tempered, however, by selective completion of the attitudinal measures by respondent officers. Although her sample of female police officers was small, Ferraro (1989) found mixed opinions in relation to support for a mandatory arrest policy. Stalans and Finn (2000) found no difference in the arrest rates between male and female police officers after they read domestic violence scripts. Lord (1995) found that female patrol officers were more sensitive to citizen needs and had a style more reflective of community policing. They were less likely to be physically aggressive and sought ways to calm violent situations without resorting to force. Homant and Kennedy (1985) administered a questionnaire to 151 male and female police officers in Michigan to assess their perceptions of female police officers' handling of domestic violence situations. Male police officers complained about the female

officers' lack of assertiveness, while female police officers overwhelmingly found other female officers less likely to escalate a conflict.

Officer Race

Brown and Frank (2006) indicated that few studies prior to theirs compared white and black police officers on arrest outcomes. Using police-citizen encounters in Cincinnati, Ohio as their data source, the authors found that the race of the police officer did have a direct influence on the arrest decision. Overall, white officers were more likely to make arrests. Black officers, however, were more likely to arrest when the offender was black. Worden (1989) found that officer characteristics, including race, had little influence on the arrest decision. The meta-analyses that have been conducted in this area have generally found that officer race is not a significant predictor of arrest (Brooks, 2001).

Offender Presence

Prior research shows that offenders who leave the scene prior to police arrival are less likely to be arrested than those offenders who remain at the scene (Eigenberg et al. 1996; Feder, 1996; Worden & Pollitz, 1984). Robinson and Chandek (2000) studied this phenomenon in a medium-sized midwestern police department and found that offender presence upon police arrival was, in fact, the strongest predictor of arrest. Hall (2005) found that the overall effect of the offender leaving the scene was a reduced probability of arrest. However, one of the three study sites experienced an increase in official police action for less serious domestic violence incidents when offenders left the scene. A

possible explanation for this finding was that victims may have been more willing to pursue criminal complaints when they did not feel the pressure of the offender's presence at the scene.

Officer Seniority

Stalans and Finn (1995) used domestic violence scripts to test the influence of numerous variables, including officer seniority, on the arrest decision. The researchers manipulated the social class of the couples and the wives' mental states in an effort to determine how officers of differing seniorities would interpret potential domestic violence situations. They found that experienced officers focused their arrest decision on more pragmatic reasoning, including their ability to successfully substantiate the claim in court. The less experienced officers were more inclined to base their arrest decision on blameworthiness. Finn et al. (2004) found that experienced police officers were more likely than novice officers to use dual arrest in hypothetical scripts of domestic violence incidents. The explanation was that experienced officers had well-developed attitudes about domestic violence and that they were resistant to new policies. The authors suggested that experienced officers needed additional training and monitoring to insure compliance. Brown and Frank (2006) found an inverse relationship between seniority and likelihood of arrest among black officers. In contrast, Saunders (1995) showed two different domestic violence vignettes to police officers in several Wisconsin departments and found that the tendency to arrest victims was not influenced by years of policing.

Presence of Children or Witnesses

Buzawa and Austin (1993) found that the presence of witnesses dramatically increased the chances of arrest when compared to those incidents without witnesses present. They observed the same effect for children, although it was to a lesser degree. On the contrary, Houry et al. (2006) found that the presence of children was significant in reducing the likelihood of dual arrest. They attributed the finding to the need to leave the child in the custody of one of the parents. These inconsistencies in the impact of children on arrest decisions may be explained or mediated by the age of the child. Holmes (1993) found that the presence of witnesses, not including children, was significant in predicting arrest, but that the effect disappeared when controlling for variables such as the presence of weapons and location of the incident.

Presence of Restraining Orders or Protective Orders

Houry et al. (2006), in her study of victims of intimate partner violence in Atlanta found that the presence of a restraining order did not have an independent effect on dual arrest. On the other hand, Kane (1999) found that the presence of a restraining order had a positive effect on arrest, but that the effect was moderated by other variables, including the presence of a weapon. Holmes (1993), in his study of domestic violence incidents in Massachusetts, reported that police were one and one-half times more likely to make an arrest if a court order had been violated.

Presence of a Weapon

The presence of a weapon, particularly a gun, increases the risk in an incident involving intimate partner violence, making an arrest more likely. Kane (1999), in his study of police responses to restraining orders, noted that the custody threshold was quickly reached when a weapon is present. The resulting police action was more likely to be an arrest because it eliminated the risk to the victim through incapacitation of the offender. Mignon and Holmes (1995), in their study of 24 police departments in Massachusetts, also found that weapon use was a significant predictor of arrest. Over half of the offenders who used weapons during the incidents were arrested compared to only 20% of those who did not use weapons.

Previous History of Violence in the Relationship

Research surrounding the influence of previous history of violence on arrest has been equivocal. Waaland and Keeley (1985) administered questionnaires to 36 male and female patrol officers in a metropolitan police department in Oregon which were designed to measure their responses to various wife assault cases. Almost half (n=16) of those officers did not weigh the previous assault history of the offender in their decision to arrest. On the other hand, Dolon, Hendricks and Meagher (1986) reported that evidence of past violence in the relationship influenced the arrest decision, resulting in more arrests. They posited that it made the victim appear more credible and less blameworthy.

Severity of Injury

The research surrounding the severity of injury and the likelihood of arrest is ambiguous. Buzawa and Buzawa (2003) report that the seriousness of injury does influence police decision-making, while Fyfe, Klinger and Flavin (1995) report that it does not increase the likelihood of arrest. Some studies have found additional support for the correlation between victim injuries and the likelihood of arrest (Feder, 1996; Ferraro, 1989). Other research has found no such relationship between the two (Robinson & Chandek, 2000; Feder, 1998).

Victim-Offender Race, Gender and Age

Berk and Loseke (1980, 1981), using a sample of domestic disturbance incidents in Santa Barbara County, California, found that the characteristics of the disputants were not significant in predicting arrest. Conversely, Hirschel et al. (2007) found that offender race was significant in predicting arrest and that white offenders were more likely to be arrested. Gender was not found to be a predictor. They did, however, find that incidents with a minority female victim and a male offender were not as likely to result in arrest. Finally, the authors found that gender was significant in predicting dual arrest. When the primary aggressor was a male, the female was less likely to be co-arrested. Brown and Frank (2006) found that black offenders were more likely to be arrested, particularly when the police officer was black.

Victim-Offender Relationship

Many studies of the police response to domestic violence incidents have supported Black's theory of the behavior of law (1971) and the finding that the closer the relationship between the victim and the offender, the less likely the police are to arrest. This is referred to by Black as morphology, or the horizontal aspect of social life. Black predicts a curvilinear relationship between law and relational distance. As such, law will be inactive among intimates, increase with distance between people, and decrease as people live separately. Worden and Pollitz (1984) found that arrest was less likely when the disputants were married. Kane (1999), in his study of domestic violence incidents in Boston, found that cohabitants were more likely to be arrested. Similarly, Martin (1997) found that incidents of intimate partner violence resulting in dual arrest were more likely when the disputants were unmarried, but living together. Houry et al. (2006) studied dual arrest in Atlanta and found that unmarried cohabitants were more likely to be coarrested than any other victim-offender intimate relationship. The researchers posited that the lack of a socially defined relationship may have contributed to the increased risk of dual arrest, but that it was more likely to have involved an inability by the police to determine the actual nature of the dispute. Buzawa and Austin (1993) found that the odds of arrest increased twofold when the victim and offender shared the same residence, but that marital status was not predictive of arrest.

Victim Preference

Mandatory and preferred arrest laws were intended to deemphasize victim preference and remove much of the discretion that plagued traditional responses to

domestic violence. Despite that, Buzawa and Austin (1993) found that victim preference was a significant factor in the decision to arrest. Bayley (1988), on the other hand, reported that the arrest decision was not highly correlated with the opinions of the victim. Police officers in British Columbia, Canada were surveyed regarding the importance of victim preference in the decision to arrest for violation of a court order. They ranked victim preference sixth out of twelve situational variables in influencing the arrest decision (Rigakos, 1997).

Much of the criticism of the growing body of literature on dual arrest surrounds the use of single jurisdictions in the available analyses (Hirschel et al., 2007). Despite this criticism, it is important to explain high levels of dual arrest that occur in distinct geographical areas. This research serves that purpose by analyzing data in the state of Connecticut, previously identified as having higher than average rates of usage. It takes many of the incident variables that have been previously identified as predictors (i.e. relationship of victim and offender, offense seriousness, presence of children, substance abuse), and includes them with officer and organizational variables. The combination of situational and organizational variables provides the opportunity for a more comprehensive explanation of dual arrest decisions. Of particular importance are the domestic violence docket court and departmental policies. Both have the potential to improve the law enforcement response to intimate partner violence and reduce the number of dual arrests by allowing police officers to incorporate the context of the violence into their decision-making process. In addition, little is known about the officer

characteristics that predict dual arrest. Incorporating officer gender and seniority as variables may provide valuable insight into those characteristics that predict dual arrest.

Although the data in the proposed research does not allow for testing of the theories outlined earlier, it should shed light on the importance of feminist theory to the criminal justice response to intimate partner violence. The system is currently incident-driven, more closely aligned with the family violence perspective. An incident-driven system does not motivate police officers to consider the social context of the violence that occurs in incidents involving intimate partners. Dual arrest is an outcome consistent with the incident-driven system. The proposed research is an effort to explain the higher levels of dual arrest in the state of Connecticut and determine if particular officer, organizational, and incident variables are predictive of dual arrest.

III. Hypotheses:

Organizational-Related Hypotheses

Hypothesis 1: Police officers from departments affiliated with a domestic violence docket court will make fewer dual arrests than officers from departments not affiliated with a docket court.

Hypothesis 2: Police officers from departments with self-defense policies will make fewer dual arrests than officers from departments without those policies.

Hypothesis 3: Police officers from large departments will make more dual arrests than those from small departments.

Hypothesis 4: Police officers from large departments affiliated with a domestic violence docket court will make fewer dual arrests than officers from large departments without that affiliation.

Hypothesis 5: Police officers from large departments with self-defense policies instructing officers will make fewer dual arrests than officers from large departments without those policies.

Incident-Related Hypotheses

Hypothesis 6: Police officers overall will make fewer dual arrests for serious crimes than for nonserious crimes.

Hypothesis 7: Police officers will make fewer dual arrests in incidents involving spousal relationships than in incidents involving nonspousal relationships.

Officer-Related Hypotheses

Hypothesis 8: Female police officers overall will make fewer dual arrests than male police officers.

Hypothesis 9: Female police officers from departments affiliated with a domestic violence docket court will make fewer dual arrests than female officers from departments not affiliated with domestic violence docket courts.

Hypothesis 10: Female police officers from departments with self-defense policies will make fewer dual arrests than female officers from police departments without self-defense policies.

Hypothesis 11: Police officers with less than two years of seniority will make fewer dual arrests than officers with more seniority.

Hypothesis 12: Police officers with less than two years of seniority from departments affiliated with a domestic violence docket court will make fewer dual arrests than officers with less than two years of seniority from departments without that affiliation.

Hypothesis 13: Police officers with less than two years of seniority from departments with self-defense policies will make fewer dual arrests than officers with less than two years of seniority from departments without those policies.

IV. Methodology

Study Site: The study site includes 21 municipalities in southwestern Connecticut, all of which are serviced by either a municipal police department or the Connecticut State Police. Those 21 municipalities are located within three Connecticut judicial districts, each of which is responsible for prosecuting incidents resulting in criminal arrests. Those judicial districts are divided into four geographical areas. Each geographical area has its own court, two of which have specialized domestic violence dockets. Each municipality processes arrests through one and only one court.

Time Frame: This research examines all incidents of family violence involving intimate partners that resulted in either single or dual arrest in calendar year 2005 (January 1 to December 31, 2005) in those 21 municipalities noted above.

Sampling Frame:

The sampling frame includes all family violence incidents (identified as such by the investigating police officers) that occurred from January 1, 2005 through December 31, 2005 in the 21 municipalities identified above that resulted in either single or dual arrest. In order for the incident to be included in the sampling frame, it had to involve an intimate relationship. An intimate relationship (as identified by the investigating officer) is defined as spousal or nonspousal (former spouse; persons in, or who have recently been in, a dating relationship).

Independent Variables

Police Officer Characteristics

Officer Gender: The information on officer gender was obtained from the individual police departments.

Officer gender
0 = male
1 = female

Officer Seniority: The information on officer seniority was obtained from the individual police departments and was coded into a three-category ordinal variable. Seniority accrued from the date that the police officer was hired by the employing agency until the date that the intimate partner violence incident was investigated. As an example, an officer hired on July 1, 2000 who investigated an incident on February 16, 2005 would have four years of seniority and be placed into the middle category (2 years to less than 5 years of service). If that officer investigated another incident on or after July 1, 2005, the officer seniority for that particular incident would increase to five years. It is not uncommon for police departments to hire experienced police officers. It reduces training costs (there is often no need to send the officer to a training academy) and allows municipalities to immediately benefit from that officer's expertise. It would have been preferable to add a police officer's years of service with another agency to their seniority, but this data was not available from the participating police departments. The first category of seniority is defined as less than two years of service as a sworn police officer. Because newly hired police officers in the state of Connecticut undergo a mandatory period of basic training (approximately 19 weeks), followed by a mandatory period of field and department training (minimum of 10 weeks), this time period allows for

inclusion of the training requirements. This period is intended to represent the least experienced police officers. The second category of seniority is two years to less than five years of service as a sworn police officer. The third category of seniority is five or more years of service as a sworn police officer and represents the most experienced police officers.

Officer seniority

0 = less than two years of service

1 = two years to less than five years of service

2 = five years or more of service

Incident Characteristics

The independent variables relative to the intimate partner violence incident were drawn from data collected on the Family Violence Offense Report (DPS-230-C, rev. 09/00).

This is a State of Connecticut Department of Public Safety form that must be completed by each police officer in the state who makes an arrest for an incident involving family violence. Once the arrest is made, the form is forwarded to the Department of Public Safety for compilation and analysis.

Offense Seriousness: The Family Violence Offense Report contains nine categories that represent the most serious charge filed by the police officer:

Offense seriousness (original variable)

0 = assault

1 = kidnapping

2 = sexual assault

3 = criminal mischief

4 = risk of injury

5 = breach of peace

6 = disorderly conduct

7 = other/ violation court order

Offense seriousness (recoded variable)

0 = no (Criminal Mischief, Risk of Injury, Breach of Peace, Disorderly Conduct, Other/ Violation Court Order)

1 = yes (Assault, Kidnapping, Sexual Assault)

A preliminary analysis was completed using both variables with no significant differences in the results. Results of the statistical analysis are reported using the second recoded variable, where the offense seriousness was collapsed into two categories: serious (yes/no).

Relationship between victims and offenders: The Family Violence Offense Report lists six different categories of relationships, three of which were eliminated because incidents under these categories did not fit one of the criterion for inclusion, an intimate relationship. Incidents from the category listed as “other relative residing in the home,” were eliminated from the sampling frame (relative and not intimate partner). Incidents from the category listed as “other relative not residing in the home,” were also eliminated from the sampling frame (relative and not intimate partner). The third category that was eliminated was “persons who are presently living together, have lived together, or ever had a child together.” The intention had been to include incidents from this category, as incidents involving intimate partners were certainly included within it, but it was not possible to separate intimates from people living together as roommates. This will be discussed later in the limitations section (also see discussion in Appendix F footnote, pages 170-171).

Relationship between victims and offenders (original variable)

0 = spouse

1 = former spouse

2 = persons in, or have recently been in, a dating relationship

Spousal relationship (recoded variable)

0 = no

1 = yes

A preliminary analysis was completed using both variables with no significant differences in the results. Results of the statistical analysis are reported using the second recoded variable, where the relationship was collapsed into two categories: spousal (yes/no).

Presence of Alcohol or Drugs: The Family Violence Offense Report has three categories (yes, no, and unknown). The “unknown” category was collapsed into the no responses for the present research. It is the investigating officer’s judgment whether or not drugs or alcohol were involved in the incident. The manner in which it is reported, however, does not allow one to determine who used the alcohol or drugs or its perceived effect on the incident. This will be discussed further in the limitations section. It should be noted that the state of Connecticut issued a new Family Violence Offense Report in 2007 (DPS-230-C; rev. 07/07) that allowed the officer to specify which individuals involved in the incident used drugs or alcohol.

Presence of alcohol or drugs

0 = no

1 = yes

Presence of Children: On the Family Violence Offense Report, children are defined as individuals under the age of 18. The Family Violence Offense Report lists three possible

categories. The categories labeled, “involved as a victim, offender, or both” and “was present” was coded as yes. The category labeled “N/A” was coded as no.

Presence of children

0 = no

1 = yes

Organizational Characteristics

Department Size: This variable represents the number of sworn police officers employed by the agency. In one sense, this variable was a proxy for call volume. Generally, larger departments have higher call volumes, which could negatively impact an officer’s ability to spend the necessary time at the scene of an incident involving intimate partner violence. The pressure to move on to the next call can be an issue. The inability to conduct a thorough investigation might result in the increased use of dual arrest because an officer, pressured by time, is not afforded the opportunity to sort through the evidence and identify a single aggressor. An attempt had been made to obtain a measure of call volume from the agencies included in this research, but it proved difficult. Departments included a variety of call types in their measurements and it became apparent that a standardized measure would not be easily obtained. The number of sworn personnel was obtained from representatives of the agencies included in the analysis.

Department size (original variable)

0= small (0-49 sworn officers)

1= medium (50-124 sworn officers)

2=large (125 sworn officers and more)

Department size (recoded variable)

0 = small (0-124 sworn officers)

1 = large (125 sworn officers and more)

A preliminary analysis was completed using both variables with no significant differences identified in the results. Results of the statistical analysis are reported using the second recoded variable, where department size was collapsed into two categories: small and large.

Affiliation with a Domestic Violence Docket Court: There are four courts that police departments included in this research send their arrest reports to for prosecution. Two include a specialized domestic violence docket court. This variable was coded as either yes or no. Those incidents investigated by officers from police departments sending their arrest reports to a domestic violence docket court for prosecution were coded as yes and those incidents investigated by officers from police departments sending their arrest reports to a traditional docket court were coded as no.

Affiliation with a domestic violence docket court

0 = no

1 = yes

Domestic Violence Policy Referencing Self-Defense: Incidents investigated by police officers from departments with domestic violence policies that included self-defense language were coded as yes. Those incidents investigated by officers from police departments with domestic violence policies without that language were coded as no.

Domestic violence policy referencing self-defense

0 = no

1 = yes

Dependent Variable:

Dual Arrest: This variable was coded as either no or yes. The Family Violence Offense Report (DPS-230-C, Rev. 09/00) includes a category for “Status Code.” When police

officers arrest both parties in an incident involving family violence, they place a “B” in this category, indicating that both parties were arrested. Status codes that list victim (V) and offender (O) indicate that a single arrest was made. The investigating police officer determines the victim and offender status for involved parties when making a single arrest.

Dual arrest

0 = no

1 = yes

Data

Incident Data

The Crimes Analysis Unit of the State of Connecticut Department of Public Safety supplied the incident data for this research. The initial dataset, provided on a CD-ROM in Excel format, contained 3,438 incidents of family violence that occurred during the time frame in the specified municipalities. Because the focus of the research was on intimate partner violence, it was necessary to eliminate those family violence incidents that did not involve intimate partners. The definitions of family violence in the state of Connecticut are encompassed under Section 46b-38a of the Connecticut General Statutes. That statute defines family violence as “an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical harm, bodily injury or assault between family or household members.” Family or household members are further defined as: “(A) spouses, former spouses; (B) parents and their children; (C) persons eighteen years of age or older related by blood or marriage; (D) persons sixteen years of age or older other than those in subparagraph C presently residing together or who have resided together; (E) persons who have a child in common

regardless of whether they are or have been married or have lived together at any time; and (F) persons in, or have recently been in, a dating relationship.”

The Family Violence Offense Report (DPS-230 Rev. 09/00), from which the incident data is drawn, has 6 relationship codes that encompass the family and household members noted above. The first two are spouse and former spouse, both of which are self-explanatory. All incidents that were coded as either spouse (n=835) or former spouse (n=73) were included in the present analysis. The third and fourth relationship codes were family violence involving relatives residing inside and outside the home. Incidents coded under those categories (n=950) were eliminated from the present analysis as they involved related family members and not intimate partners. The fifth relationship code involved violence between people who were living together, had lived together, or ever had a child together. The intention was to include this category of incidents in the analysis, but it was impossible to determine whether the incidents involved intimate relationships. As an example, people living together as roommates (non-intimates) were intermingled with people who had a child together (intimate). Incidents coded under this category (n=1,083) were eliminated as a result (see discussion in Appendix F footnote, pages 170-171). The sixth and final relationship code involved persons in, or recently in a dating relationship. Incidents coded under this category (n=493) were included in the present analysis.

Additionally, four intimate partner homicides occurred during the 2005 calendar year in the 21 municipalities included in the research. Because there was no possibility that these homicides could have resulted in dual arrest, they were eliminated from the dataset. Removing those 4 homicides resulted in a dataset containing 1,401 incidents.

Officer Data

The police officers who made the arrests in the incidents included in the dataset were originally identified by officer identification numbers on the Family Violence Offense Report described above. Once the information from that form was obtained from the Crimes Analysis Unit of the Connecticut Department of Public Safety, individual police departments were contacted (either chiefs or their representatives) and asked to provide information (gender, age, seniority) on the officers as indicated by that identification number. Most of the departments supplied the gender, date of birth, and dates of hire for each officer, leaving it in the researcher's hands to calculate the appropriate age and seniority of a particular officer on the date the intimate partner violence incident occurred. Several departments were not comfortable releasing the personal information of their officers and made the calculations themselves. They were supplied with the data from the state and calculated officer age and seniority for each incident. Once those calculations were made, they were then submitted to the principal investigator for analysis. Either way, anonymity was maintained. The police departments did not provide the names of the officers with the accompanying data, nor did the data from the Department of Public Safety include any names. Two police departments having officers who made arrests in incidents included in the dataset were unresponsive to my requests for information. This missing information amounted to officer data in 24 incidents, or 1.7% of the total.

Organizational Data

The data relating to family violence offense policy (whether it included self-defense language), affiliation with a domestic violence docket court, and department size (number of sworn officers) were obtained from the individual police departments and the state of Connecticut. The majority of police departments provided the written family violence/ domestic violence policies that were in place in 2005, although some police chiefs or their representatives chose not to release the actual policy and described the information verbally. Two of the smaller departments did not respond to my requests for policy information, either verbally or in writing. Officers from those departments investigated 16 of the incidents included in the database, or 1.1% of the total .Whether or not a department was affiliated with a domestic violence docket court was obtained from both the individual police department and the State of Connecticut Judicial Branch. The number of sworn officers in 2005 was obtained from the individual police chiefs or their representatives.

Method of Analysis

Selection of the method of analysis was dictated by the type of data and nature of the hypotheses. For this research, there were nine independent variables and one dependent variable for which data were collected. The dependent variable is dichotomous – presence of dual arrest or not. All of the independent variables are categorical. Therefore, the analyses had to be capable of accommodating the categorical data. For the research hypotheses, some contain single independent variables, while others contain multiple variables. For those reasons, the statistical method involved multivariate analysis.

A statistical method that is capable of accommodating a dichotomous dependent variable (categorical) and multiple independent variables (categorical) is binary logistic regression (Grimm & Yarnold, 1995). For this research, it is an appropriate technique for model building. In binary logistic regression, the researcher attempts to fit a logistic model, not a linear model, to a set of observations. In binary logistic regression, the dependent variable is assumed to be dichotomous and the independent variables can be either categorical or continuous. This statistical method is appropriate to the types of variables examined in this study.

Steps in the Analyses

Prior to the multivariate analysis, both univariate and bivariate statistics were employed to better understand the characteristics and distribution of the variables. Means, frequencies and percentage distributions, and tabular displays (numerical) of the relative distributions of scores on a variable, were obtained for each of the study variables and categorical responses. The researcher examined the distributions of the continuous variables to ensure they were normal; all of them were recoded into ordered categories. For example, the distribution of years of seniority was recoded into three ordered categories for analysis.

Bivariate analyses, using two variables at a time, were obtained for the independent variables and dependent variable to test specific hypotheses. This enabled the researcher to obtain an understanding of the simple relations among all of the variables included in the study. The chi-square test of statistical independence was used to perform bivariate analyses for pairs of categorical variables.

After examining the data at both the univariate and bivariate levels, binary logistic regression was used to test the research questions. An initial model included all of the independent variables. This method tested each of the independent variables separately and examined their contribution to the prediction of dual arrest. A final model is presented that only includes significant predictors of dual arrest, excluding those variables that do not contribute to the explained variance.

V. Quantitative Results

Descriptive Statistics

Incident Characteristics. Incident characteristics were gleaned from the Family Violence Offense Report (DPS-230-C; Rev. 09/00). Police departments in Connecticut are mandated to file this form with the State of Connecticut, Department of Public Safety, when an officer makes a family violence arrest. Data are then compiled and analyzed by the Crimes Analysis Unit. That unit supplied the 2005 incident data (n=1,401) from the 21 police departments included in this research. Dual arrests were made in 284 incidents, accounting for 20.3% of the total number of incidents. The days of the week with the highest number of incidents were Saturday (n=235) and Sunday (n=257). Incidents occurring on those two days represented 35% of the total number of incidents. Dual arrests, however, occurred more frequently on Sunday (n=56; 19.7% of the total number of dual arrests) and Monday (n=43; 15.1% of the total number of dual arrests). The percentage of dual arrests on those days was not significantly different from the remaining weekdays (see Table 5).

Physical force was used in 952 of the incidents (68%). Of those 952 incidents, a weapon was used 14.5% of the time (n=138). In those 138 incidents, a firearm was the weapon in 15 incidents (10.9%), a knife in 48 incidents (34.8%), and other weapons in 75 incidents (54.3%). Serious incidents (n=525) accounted for 37.5% of the total number of incidents. The crimes included in this category were assault (n=519), kidnapping (n=1), and sexual assault (n=5). Serious physical injury (physical injury which creates a substantial risk of death, or which causes serious disfigurement, serious impairment of health or serious loss or impairment of the function of any bodily organ) occurred in only

1.8% of the incidents (n=25). Those incidents only resulted in two dual arrests (8%). Children were involved in or present in 420 incidents (30%). Alcohol or drugs were involved in 465 incidents (33.2%). Prior court orders existed in 237 of the incidents (16.9%).

Officer Characteristics. The individual police departments supplied data on the officers involved in the incidents. Officer characteristics were available for 1,377 of the 1,401 incidents. Departments were unable or unwilling to supply information on officers in the 24 missing cases (1.7%). The percentages that follow are based upon the population of 1,401 incidents. In 87.7% of the incidents (n=1,228), investigating officers were identified as males. Female officers investigated 10.6% of the incidents (n=149). In 74.9% of the incidents (n=1,050), the investigating officers were white. Officers had a mean age of 37. Additionally, the majority (54.1%) had 5 or more years of seniority. No significant differences were found in relation to dual arrest between officer races, nor were there any significant differences in dual arrests between officer age categories (see Tables 3 and 4).

Organizational Characteristics. The individual police departments supplied organizational data for their departments. Organizational data relating to policy were not available for 16 of the incidents (1%). Those 16 incidents were from two small police departments included in the sample. Of the remaining 19 police departments included in the analysis, 7 (37%) had self-defense language in their family violence policies. Those 7 departments, however, accounted for 659 of the 1401 incidents in the dataset (47%).

Smaller departments (0-124 officers) accounted for 513 of the incidents (36.6%) and larger departments (125 and more officers) accounted for the remaining 888 incidents (63.4%). Department size was not associated with dual arrest, but individual police departments did differ significantly in their usage of dual arrest. Frequencies and percentages for each department are presented in Table 6. Departments are listed by letter (A-U) to maintain confidentiality. Nine of the 21 departments (42.8%) were affiliated with a domestic violence docket court. Officers from those departments investigated 880 of the 1401 incidents (62.8%).

Table 1 Descriptive Statistics (n=1,401)

Dependent Variable	Coding	%	n
Dual Arrest	0 = no	79.7	1,117
	1 = yes	20.3	284
Independent Variables			
Officer Characteristics			
Gender ¹	0 = male	87.7	1,228
	1 = female	10.6	149
Seniority ¹	0 = < two years	20.1	281
	1 = 2 yrs to < 5 yrs	24.1	338
	2 = 5 yrs. or more	54.1	758
Incident Characteristics			
Offense Seriousness	0 = no	62.5	876
	1 = yes	37.5	525
Spousal Relationship	0 = no	40.4	566
	1 = yes	59.6	835
Alcohol or Drugs	0 = no	66.8	936
	1 = yes	33.2	465
Presence of Children	0 = no	70	981
	1 = yes	30	420
Organizational Characteristics			
Department Size	0 = small	36.6	513
	1 = large	63.4	888
Affiliation w/ Docket Court	0 = no	37	519
	1 = yes	63	882
Self Defense Policy ²	0 = no	51.8	726
	1 = yes	47	659

¹ missing officer gender/ seniority in 24 incidents (1.7% of total)

² missing self defense policy information in 16 incidents (1.1% of total)

Table 2 Descriptive Statistics (n=1,401)
Comparison of Dual and Single Arrest Incidents

Independent Variables	Coding	Dual		Single	
		%	n	%	n
Officer Characteristics					
Gender ¹	0 = male	89.6	251	89.1	977
	1 = female	10.4	29	10.9	120
Seniority ¹	0 = < two years	24.6	69	19.3	212
	1 = 2 yrs to < 5 yrs	22.2	62	25.2	276
	2 = 5 yrs. or more	53.2	149	55.5	609
Incident Characteristics					
Offense Seriousness	0 = no	70.4	200	60.5	676
	1 = yes	29.6	84	39.5	441
Spousal Relationship	0 = no	35.2	100	41.7	466
	1 = yes	64.8	184	58.3	651
Alcohol or Drugs	0 = no	71.1	202	65.7	734
	1 = yes	28.9	82	34.3	383
Presence of Children	0 = no	68.7	195	70.4	786
	1 = yes	31.3	89	29.6	331
Organizational Characteristics					
Department Size	0 = small	36.6	104	36.6	409
	1 = large	63.4	180	63.4	708
Affiliation w/ Docket Court	0 = no	43	122	35.5	397
	1 = yes	57	162	64.5	720
Self Defense Policy ²	0 = no	62	175	50	551
	1 = yes	38	107	50	552

¹ missing officer gender/ seniority in 24 incidents (1.7% of total)

² missing self defense policy information in 16 incidents (1.1% of total)

Table 3 Officer Race/ Ethnicity and Dual Arrest					
n=1,377					
		dual arrest			
			no	yes	Total
officer race	White	Count	837	213	1,050
		%	79.7%	20.3%	100.0%
	Hispanic	Count	104	20	124
		%	83.9%	16.1%	100.0%
	African American	Count	151	42	193
		%	78.2%	21.8%	100.0%
	Other	Count	5	5	10
		%	50.0%	50.0%	100.0%
	Total	Count	1,097	280	1,377
		%	79.7%	20.3%	100.0%

$\chi^2=7.243$; $df=4$; $p>.05$

Table 4 Age of Officer (categories of years) and Dual Arrest					
n=1,377					
		dual arrest			
			no	yes	Total
age of officer in categories	21-29	Count	239	61	300
		%	79.7%	20.3%	100.0%
	30-39	Count	484	139	623
		%	77.7%	22.3%	100.0%
	40-49	Count	374	80	454
		%	82.4%	17.6%	100.0%
	Total	Count	1,097	280	1,377

$\chi^2=3.566$; $df=2$; $p>.05$

Table 5 Day of Week Incident Occurred and Dual Arrest					
n=1,401					
			dual arrest		
			no	yes	Total
day of week	Monday	Count	146	43	189
		%	77.2%	22.8%	100.0%
	Tuesday	Count	158	35	193
		%	81.9%	18.1%	100.0%
	Wednesday	Count	138	40	178
		%	77.5%	22.5%	100.0%
	Thursday	Count	132	32	164
		%	80.5%	19.5%	100.0%
	Friday	Count	143	42	185
		%	77.3%	22.7%	100.0%
	Saturday	Count	199	36	235
		%	84.7%	15.3%	100.0%
	Sunday	Count	201	56	257
		%	78.2%	21.8%	100.0%
	Total	Count	1,117	284	1,401
		%	79.7%	20.3%	100.0%

$\chi^2=6.465$; $df=6$; $p>.05$

			dual arrest		
			no	yes	Total
municipality (A-U)	A	Count	11	3	14
		%	78.6%	21.4%	100.0%
	B	Count	331	59	390
		%	84.9%	15.1%	100.0%
	C	Count	12	7	19
		%	63.2%	36.8%	100.0%
	D	Count	102	15	117
		%	87.2%	12.8%	100.0%
	E	Count	9	6	15
		%	60.0%	40.0%	100.0%
	F	Count	12	2	14
		%	85.7%	14.3%	100.0%
	G	Count	24	9	33
		%	72.7%	27.3%	100.0%
	H	Count	59	15	74
		%	79.7%	20.3%	100.0%
	I	Count	14	3	17
		%	82.4%	17.6%	100.0%
	J	Count	23	2	25
		%	92.0%	8.0%	100.0%
	K	Count	22	3	25
		%	88.0%	12.0%	100.0%
	L	Count	166	66	232
		%	71.6%	28.4%	100.0%
	M	Count	7	6	13
		%	53.8%	46.2%	100.0%
	N	Count	149	40	189
		%	78.8%	21.2%	100.0%
	O	Count	74	20	94
		%	78.7%	21.3%	100.0%
	P	Count	10	1	11
		%	90.9%	9.1%	100.0%
	Q	Count	4	1	5
		%	80.0%	20.0%	100.0%
	R	Count	44	7	51
		%	86.3%	13.7%	100.0%
	S	Count	7	7	14
		%	50.0%	50.0%	100.0%
	T	Count	26	6	32
		%	81.3%	18.8%	100.0%
	U	Count	11	6	17
		%	64.7%	35.3%	100.0%
	Total	Count	1117	284	1,401
		%	79.7%	20.3%	100.0%

$\chi^2=49.442;df=20;p<.05$

Bivariate Analysis

Bivariate measures of association were used to examine the relationship between variables. Association is one of the three criteria that is necessary for causal assertion. The remaining two are time order and nonspuriousness. The chi-square, an inferential statistic used to test hypotheses about relationships between variables, tests those relationships in crosstabulations (Bachman & Schutt, 2007). The statistic is used when data are collected at the categorical level. Because data were coded for all variables at that level, the bivariate analyses consist of chi-square tests of statistical independence.

Analyses were run for all stated hypotheses. Tables were constructed from the crosstabulations and include the observed frequencies, percentages, chi square values, degrees of freedom, and significance levels (whether above or below .05). Each hypothesis is listed with a brief description of the results, followed by the aforementioned tables. Hypotheses 1, 2, 3, 9, and 10 are followed by additional crosstabulations that further explore relationships between combinations of independent variables and dual arrest.

The hypotheses are organized in three clusters. Organization-related hypotheses (1-5) relate to the domestic violence docket court, departmental policy, and department size. Incident-related hypotheses (6-7) relate to crime seriousness and spousal relationship. Officer-related hypotheses (8-13) relate to gender and seniority. Following each cluster of hypotheses is a brief summary of the results.

Hypothesis 1: Police officers from departments affiliated with a domestic violence docket court will make fewer dual arrests than police officers from departments not affiliated with a docket court.

The results from Table 7 support Hypothesis 1. As predicted, arrests made by police officers from departments affiliated with a domestic violence docket court were less likely to entail dual arrests. The group percentages as highlighted compare the percentage of dual arrests for incidents involving officers from departments affiliated with a domestic violence court with those from departments without that affiliation. About 24% of arrests that were not affiliated with a docket court were dual arrests, compared to 18.4% of arrests that were affiliated with a docket court.

**Table 7 Affiliation with DV Docket Court and Dual Arrest
n=1,401**

			dual arrest		
			no	yes	Total
affiliation with dv docket court	no	Count	397	122	519
		Percentage	76.5%	23.5%	100.0%
	yes	Count	720	162	882
		Percentage	81.6%	18.4%	100.0%
Total	Count	1,117	284	1,401	
	Percentage	79.8%	20.2%	100.0%	

$\chi^2=5.340$; $df=1$; $p<.05$

To further investigate whether the domestic violence docket court has a specific effect on dual arrest in nonserious incidents, the following analysis was conducted:

Table 8 includes only those incidents from the dataset identified as nonserious. In those nonserious incidents, police officers from departments affiliated with a domestic violence docket court made significantly fewer dual arrests than their counterparts from departments without that affiliation. The observed percentages were 19.3% and 27.2% respectively.

**Table 8 Affiliation with DV Docket Court and Dual Arrest
(nonserious incidents only)
n=876**

			dual arrest		
			no	yes	Total
affiliation with dv docket court	no	Count	284	106	390
		Percentage	72.8%	27.2%	100.0%
	yes	Count	392	94	486
		Percentage	80.7%	19.3%	100.0%
Total	Count	676	200	876	
	Percentage	77.2%	22.8%	100.0%	

$\chi^2=7.544$; $df=1$; $p<.05$

To further investigate whether the domestic violence docket court has a specific effect on dual arrest in incidents involving nonspousal relationships, the following analysis was conducted:

Table 9 only includes incidents involving nonspousal (former spouse, dating) relationships. The results from this table, although in the hypothesized direction, are not statistically significant. A comparison of the percentage of dual arrests made by officers from departments affiliated with a domestic violence docket court with those not having that affiliation reveal that 16% and 21.2% of the incidents resulted in dual arrest, respectively.

**Table 9 Affiliation with DV Docket Court and Dual Arrest
(incidents involving nonspousal relationships only)
n=566**

			dual arrest		
			no	yes	Total
affiliation with dv docket court	no	Count	141	38	179
		Percentage	78.8%	21.2%	100.0%
	yes	Count	325	62	387
		Percentage	84.0%	16.0%	100.0%
Total	Count	466	100	566	
	Percentage	82.3%	17.7%	100.0%	

$\chi^2=2.282$; $df=1$; $p>.05$

Hypothesis 2: Police officers from departments with self-defense policies will make fewer dual arrests than officers from departments without those policies.

The results from Table 10 support Hypothesis 2. The table compares the percentage of dual arrests in incidents investigated by officers from departments with self-defense language in their policies with the percentages of dual arrests in incidents investigated by officers from departments without that language. Those percentages are highlighted below, indicating that dual arrest occurred in 16.2% of incidents where self-defense language existed, compared to about 24% of cases where self-defense policy did not exist.

Table 10 Self-Defense Policy and Dual Arrest
n=1,385¹

			dual arrest		
			no	yes	Total
self-defense policy	no	Count	551	175	726
		Percentage	75.9%	24.1%	100.0%
	yes	Count	552	107	659
		Percentage	83.8%	16.2%	100.0%
Total	Count	1,103	282	1,385 ¹	
	Percentage	79.6%	20.4%	100.0%	

$\chi^2 = 13.836$; $df=1$; $p<05$

¹total is less than 1,401 due to 16 incidents where no policy information was available

To further investigate whether self-defense policy has a specific effect on dual arrest in nonserious incidents, the following analysis was conducted:

Table 11 includes only those incidents from the dataset identified as nonserious (n=867). Again, after comparing the percentage of dual arrests in incidents investigated by police officers from departments with self-defense policies (16.8%) with the percentage in incidents involving officers from departments without those policies (27.8%), the difference is significant. Self-defense policy is clearly associated with a reduction in the use of dual arrest as an enforcement option in nonserious incidents of intimate partner violence.

**Table 11 Self-Defense Policy and Dual Arrest
(nonserious incidents only)
n=867**

			dual arrest		
			no	yes	Total
self-defense policy	no	Count	343	132	475
		Percentage	72.2%	27.8%	100.0%
	yes	Count	326	66	392
		Percentage	83.2%	16.8%	100.0%
Total	Count	669	198	867	
	Percentage	77.2%	22.8%	100.0%	

$\chi^2=14.620$; $df=1$; $p<.05$

To further investigate whether self-defense policy has a specific effect on dual arrest in nonserious incidents, the following analysis was conducted:

Table 12 includes only those incidents from the dataset identified as involving nonspousal relationships. The percentage of dual arrests in incidents investigated by officers from departments with self-defense policies (14.2%) was significantly less than the percentage of dual arrests in incidents investigated by officers from departments without those policies (21.3%). Those percentages are highlighted below.

**Table 12 Self-Defense Policy and Dual Arrest
(incidents involving nonspousal relationships only)
n=561**

			dual arrest		
			no	yes	Total
self-defense policy	no	Count	225	61	286
		Percentage	78.7%	21.3%	100.0%
	yes	Count	236	39	275
		Percentage	85.8%	14.2%	100.0%
	Total	Count	461	100	561
		Percentage	82.2%	17.8%	100.0%

$\chi^2=4.889$; $df=1$; $p<.05$

Taken as a whole, these findings suggest that the domestic violence docket court is associated with the reduced use of dual arrest in incidents of intimate partner violence at the bivariate level. Generally, the docket court and its personnel discourage the use of dual arrest because of its negative effect on domestic violence victims. It is possible that officers from departments with this type of court affiliation (specialized docket courts) are actively discouraged from making dual arrests and are responding accordingly.

Introducing the domestic violence docket court does reduce the percentage of dual arrest in nonspousal relationships, but does not reach the requisite level of significance to support the hypothesized relationship.

The hypothesized relationship between self-defense policy and dual arrest is significant for overall incidents, nonserious incidents, and incidents involving nonspousal relationships. Consistent with Carter and Barker (1994), the presence of a self-defense policy appears to inform officers of expected standards of behavior with regards to dual arrest and provide for more equal protection under the law for victims of intimate partner violence. Evaluating physical contact between intimate partners and determining whether that contact constitutes self-defense can be extremely difficult for police officers. A policy that emphasizes self-defense and instructs officers that arrests do not have to be made if it exists appears to reduce the likelihood of dual arrest.

This is an important relationship given the difficulty that many officers have in establishing blame in nonserious incidents of intimate partner violence. Nonserious incidents frequently involve no obvious injury or other signs of the violence, such as property damage. Sorting through the evidence takes time and patience-resources that responding police officers may not have. A policy that includes self-defense language

may encourage officers to be less act-oriented and more in tune with the social and interpersonal context in which the violence occurs. It appears to encourage more extensive investigations that are able to uncover additional evidence that can be used to identify a single offender, a primary aggressor.

The bivariate results also point to a reduced use of dual arrest in nonspousal relationships. The literature is fairly consistent in reporting that unmarried partners are more likely to be dually arrested. A self-defense policy may mediate the tendency of police officers to be more punitive in a less clearly defined relationship.

Hypothesis 3: Police officers from large departments will make more dual arrests than those from small departments.

The results from Table 13 do not support the hypothesized relationship between department size and dual arrest as stated above. The percentage of dual arrests in incidents involving officers from large departments (20.3%) does not differ with the percentage of dual arrests in incidents involving officers from small departments (20.3%). Those percentages are provided below.

**Table 13 Department Size and Dual Arrest
n=1,401**

			dual arrest		
			no	yes	Total
department size	small (0-124)	Count	409	104	513
		Percentage	79.7%	20.3%	100.0%
	large (≥ 125)	Count	710	180	888
		Percentage	79.7%	20.3%	100.0%
Total		Count	1,117	284	1,401
		Percentage	79.8%	20.3%	100.0%

$\chi^2=.000$; $df=1$; $p>.05$

Hypothesis 4: Police officers from large departments affiliated with a domestic violence docket court will make fewer dual arrests than officers from large departments without that affiliation.

The results from Table 14 support Hypothesis 4. The table includes only those incidents from the dataset investigated by police officers from large departments. In comparing the percentage of dual arrests between incidents investigated by police officers from large departments affiliated with a domestic violence docket court with those from large departments without that affiliation, there was a significant difference. Officers from departments affiliated with domestic violence docket court were less likely to use dual arrest (17.4%) than their counterparts in large departments without that affiliation (28.4%).

Table 14 **Affiliation with DV Docket Court and Dual Arrest**
(incidents involving large departments only)
n=888

			dual arrest		
			no	yes	Total
affiliation with dv docket court	no	Count	166	66	232
		Percentage	71.6%	28.4%	100.0%
	yes	Count	542	114	656
		Percentage	82.6%	17.4%	100.0%
Total	Count	708	180	888	
	Percentage	79.7%	20.3%	100.0%	

$\chi^2=12.996$; $df=1$; $p<.05$

Hypothesis 5: Police officers from large departments with self-defense policies will make fewer dual arrests than officers from large departments without those policies.

The results from Table 15 support Hypothesis 5. The table includes only those incidents investigated by officers from large departments. The percentage of incidents resulting in dual arrest that were investigated by officers from large departments with self-defense policies was significantly lower (15.9%) than the percentage of dual arrest incidents investigated by officers from large departments without those policies (25.2%).

**Table 15 Self-Defense Policy and Dual Arrest
(incidents involving large departments only)
n=885**

			dual arrest		
			no	yes	Total
self-defense policy	no	Count	315	106	421
		Percentage	74.8%	25.2%	100.0%
	yes	Count	390	74	464
		Percentage	84.1%	15.9%	100.0%
Total	Count		705	180	885
		Percentage	79.7%	20.3%	100.0%

$\chi^2=11.606$; $df=1$; $p<.05$

Although department size was not associated with dual arrest, the results from the last two tables provide further support for the impact of the domestic violence docket court and self-defense policy on dual arrest. The domestic violence docket court may strengthen the relationship between law enforcement and the judicial system, with an emphasis on the crime of domestic violence and its proper investigation (Gover, A., Brank, E. & MacDonald, J., 2007). Many departments that have affiliations with specialized docket courts have gone on to establish domestic violence units, resulting in increased resources directed toward those types of investigations, to include enhanced training opportunities. Coupled with the docket courts' general discouragement of dual arrest, its use by investigating police officers should be reduced as the relationship between police and the courts improves.

Previous research has identified a relationship between policy and police behavior. White (2001), in his study of departmental policy and police use of force, found that the implementation of a guiding policy reduced police-involved shootings. These results appear to mirror those findings as they relate to self-defense policies and dual arrest. Officers from large departments with self-defense policies were significantly different in their use of dual arrest than officers from similar sized departments without those policies. The clear mandate of the policy with self-defense language appears to provide direction for the police officer. When the responding police officer is guided by a policy that allows and recommends consideration of self-defense in the decision-making process, that officer is more likely to identify a single aggressor and less likely to use dual arrest.

Hypothesis 6: Police officers overall will make fewer dual arrests for serious crimes than for nonserious crimes.

The results from Table 16 support Hypothesis 6. As predicted, incidents categorized as serious (assault, kidnapping, sexual assault) were less likely to result in dual arrest than those categorized as nonserious (criminal mischief, risk of injury, breach of peace, disorderly conduct, other/violation of a court order). Table 16 compares the percentage of dual arrests in serious incidents with those that were nonserious. Almost 23% of nonserious offenses resulted in dual arrest, compared to 16% of serious offenses.

Table 16 **Offense Seriousness and Dual Arrest**
n=1,401

			dual arrest		
			no	yes	Total
offense seriousness	no	Count	676	200	876
		Percentage	77.2%	22.8%	100.0%
	yes	Count	441	84	525
		Percentage	84.0%	16.0%	100.0%
Total		Count	1,117	284	1,401
		Percentage	79.7%	20.3%	100.0%

$\chi^2=9.478$; $df=1$; $p<.05$

Hypothesis 7: Police officers will make fewer dual arrests in incidents involving spousal relationships than in incidents involving nonspousal relationships.

The results from Table 17 do not support Hypothesis 7. The percentage of dual arrests occurring in incidents involving spousal partners was significantly higher than incidents involving nonspousal partners. Table 17 compares the percentage of dual arrests in incidents involving nonspousal relationships with those involving spousal relationships. Those percentages are highlighted. Specifically, 22% of the incidents involving spousal relationships resulted in a dual arrest as opposed to 17.7% of nonspousal cases.

**Table 17 Relationship and Dual Arrest
n=1,401**

			dual arrest		
			no	yes	Total
spousal	no	Count	466	100	566
		Percentage	82.3%	17.7%	100.0%
	yes	Count	651	184	835
		Percentage	78.0%	22.0%	100.0%
Total		Count	1,117	284	1,401
		Percentage	79.7%	20.3%	100.0%

$\chi^2=3.982$; $df=1$; $p<.05$

With respect to crime seriousness, it was hypothesized and found that police officers made fewer dual arrests in serious incidents than in nonserious incidents. While the differences were statistically significant, they were not substantively large. It may be that serious incidents provide for less ambiguity as to probable cause and more often point to a primary aggressor. This reduces the likelihood that a second person would be arrested. The greater ambiguities in nonserious incidents, particularly as they relate to establishing independent probable cause, may push police officers towards dual arrest as a default course of action.

The hypothesis for fewer dual arrests in incidents involving spousal relationships was not supported. Black (1976), in describing the behavior of law, posited that law would be less active between intimates, increasing as relational distance increased. The hypothesized relationship was predicated on the fact that a spousal relationship is more intimate than a nonspousal relationship. It could well be that the changing nature of intimate relationships, including more cohabitation without marriage, might help to explain the unexpected results from the data analysis.

Hypothesis 8: Female police officers overall will make fewer dual arrests than male officers.

The results from Table 18 do not support Hypothesis 8. There is no significant difference in the percentage of dual arrests between male and female police officers in incidents involving intimate partner violence. A comparison of the percentage of dual arrests made by male officers (20.4%) with that made by female officers (19.5%) indicates that arrest patterns across officer gender groups are quite similar.

Table 18 **Officer Gender and Dual Arrest**
n=1,377¹

			dual arrest		
			no	yes	Total
officer gender	male	Count	977	251	1,228
		Percentage	79.6%	20.4%	100.0%
	female	Count	120	29	149
		Percentage	80.5%	19.5%	100.0%
	Total	Count	1,097	280	1,377 ¹
		Percentage	79.7%	20.3%	100.0%

$\chi^2=.078$; $df=1$; $p>.05$

¹ total is less than 1,401 due to 24 incidents where no officer information was available

Hypothesis 9: Female police officers from departments affiliated with a domestic violence docket court will make fewer dual arrests than female officers from departments not affiliated with domestic violence docket courts.

The results from Table 19 do not support Hypothesis 9. The table includes only those incidents involving female officers. The percentage of dual arrests in incidents involving officers from departments affiliated with a domestic violence docket court was 21.9%, in comparison to 11.4% dual arrests from departments without that affiliation.

Table 19 **Affiliation with a DV Docket Court and Dual Arrest**
(incidents involving female officers only)
n=149

			dual arrest		
			no	yes	Total
affiliation with dv docket court	no	Count	31	4	35
		Percentage	88.6%	11.4%	100.0%
	yes	Count	89	25	114
		Percentage	78.1%	21.9%	100.0%
	Total	Count	120	29	149
		Percentage	80.5%	19.5%	100.0%

$\chi^2=1.884$; $df=1$; $p>.05$

To further investigate whether officer gender has a specific effect on dual arrest in incidents involving domestic violence docket court affiliation and drugs or alcohol, the following analysis was conducted:

Table 20 includes only those incidents that involved female officers and only those incidents that involved drug or alcohol use. Female officers from departments affiliated with a domestic violence docket court made more dual arrests (24.4%) than those from departments without that affiliation (3.8%). This difference should be viewed with some caution given the small sample size within this subset of data.

**Table 20 Affiliation with a DV Docket Court and Dual Arrest
(incidents involving female officers and drug/ alcohol use only)
n=104**

			dual arrest		
			no	yes	Total
affiliation with dv docket court	no	Count	25	1	26
		Percentage	96.2%	3.8%	100.0%
	yes	Count	59	19	78
		Percentage	75.6%	24.4%	100.0%
	Total	Count	84	20	104
		Percentage	80.8%	19.2%	100.0%

$\chi^2=5.283$; $df=1$; $p<.05$

To further investigate whether officer gender has a specific effect on dual arrest in nonserious crimes, the following analysis was conducted:

Table 21 includes only those incidents involving female officers and those where children were present. The results point in the opposite direction; female officers from departments with domestic violence docket courts make slightly more dual arrests (20.3%) than their counterpart female officers from departments without that affiliation (14.8%). The difference, however, is not significant and the sample size is small.

**Table 21 Affiliation with DV Docket Court and Dual Arrest
(incidents involving female officers and children present only)
n=106**

			dual arrest		
			no	yes	Total
affiliation with dv docket court	no	Count	23	4	27
		Percentage	85.2%	14.8%	100.0%
	yes	Count	63	16	79
		Percentage	79.7%	20.3%	100.0%
Total	Count	86	20	106	
	Percentage	81.1%	18.9%	100.0%	

$\chi^2=.389$; $df=1$; $p>.05$

Hypothesis 10: Female police officers from departments with self-defense policies will make fewer dual arrests than female officers from departments with self-defense policies.

The results from Table 22 do not support Hypothesis 10. The table includes only those incidents involving female officers. The results are in the hypothesized direction, but are not significant.

**Table 22 Self-Defense Policy and Dual Arrest
(incidents involving female officers only)
n=149**

			dual arrest		
			no	yes	Total
self-defense policy	no	Count	53	15	68
		Percentage	77.9%	22.1%	100.0%
	yes	Count	67	14	81
		Percentage	82.7%	17.3%	100.0%
	Total	Count	120	29	149
		Percentage	80.5%	19.5%	100.0%

$\chi^2=.538$; $df=1$; $p>.05$

To further investigate whether officer gender has a specific effect on dual arrest in incidents investigated by officers from departments with self-defense policies and with incidents involving alcohol or drug use, the following analysis was conducted:

Table 23 includes only those incidents involving female officers and only those incidents where alcohol or drug use was involved. The results are in the predicted direction, but are not significant. Female officers in departments with self-defense policies are no different in their reliance on dual arrests than female officers in departments without self-defense language in their policies.

**Table 23 Self-Defense Policy and Dual Arrest
(incidents involving female officers and drug/ alcohol use only)
n=104**

			dual arrest		
			no	yes	Total
self-defense policy	no	Count	37	10	47
		Percentage	78.7%	21.3%	100.0%
	yes	Count	47	10	57
		Percentage	82.5%	17.5%	100.0%
	Total	Count	84	20	104
		Percentage	80.8%	19.2%	100.0%

$\chi^2=.231$; $df=$; $p>.05$

To further investigate whether officer gender has a specific effect on dual arrest in incidents investigated by officers from departments with self-defense policies and with incidents where children were present, the following analysis was conducted:

A department's self-defense policy was not associated with dual arrest in incidents involving female police officers and where children were present.

**Table 24 Self-Defense Policy and Dual Arrest
(incidents involving female officers and children present only)
n=106**

			dual arrest		
			no	yes	Total
self-defense policy	no	Count	38	11	49
		Percentage	77.6%	22.4%	100.0%
	yes	Count	48	9	57
		Percentage	84.2%	15.8%	100.0%
	Total	Count	86	20	106
		Percentage	81.1%	18.9%	100.0%

$\chi^2=.763$; $df=1$; $p>.05$

Overall, although it was hypothesized that there would be a gender difference, male and female police officers did not differ significantly in their use of dual arrest when investigating intimate partner violence incidents. While previous research on gender and the arrest decision had been equivocal, there was some indication that female police officers were more empathetic and adept at preventing the escalation of violence in incidents involving intimate partners (Homant & Kennedy, 1985; Pike, 1985). However, this may not counteract the socialization of the female officer and her assimilation into a male-dominated profession. The strength of the police culture may blur the line between the genders and produce officers who perform similarly at crime scenes. As the number of female officers increase, including their numbers in the supervisory ranks, it is plausible that a female officer's skills as a mediator might become more valued in the police subculture. That acceptance has the potential to uncover the gender differences. It may also allow male officers who exhibit those same characteristics to be recognized as high-performing employees based on a different set of performance indicators. Until that time, the performance of female and male police officers may be difficult to distinguish.

Introducing the domestic violence docket court and self-defense policy as variables in the bivariate analysis produced similar results. Neither was associated with female officers' overall use of dual arrest, their use in incidents where children were present, when considering self-defense policy, nor in incidents involving alcohol or drug use. These results provide additional support for the lack of an association between gender and dual arrest.

Hypothesis 11: Police officers with less than two years of seniority will make fewer dual arrests than officers with more seniority.

The results from table 25 do not support Hypothesis 11. The findings are actually in the opposite direction, but not significant. In comparing the percentage of dual arrests in incidents involving officers with less than two years of experience with the percentage involving officers with two years or more of seniority, the least experienced officers actually have the highest percentage among the three categories of seniority. Those percentages are 24.6% for the least experienced officer, 18.3% for the officers with moderate experience, and 19.7% for officers with the most experience.

Table 25 Officer Seniority and Dual Arrest
n=1,377¹

			dual arrest		
			no	yes	Total
officer seniority	less than 2 years	Count	212	69	281
		Percentage	75.4%	24.6%	100.0%
	2-4 years	Count	276	62	338
		Percentage	81.7%	18.3%	100.0%
	5 years or more	Count	609	149	758
		Percentage	80.3%	19.7%	100.0%
Total		Count	1,097	280	1,377 ¹
		Percentage	79.7%	20.3%	100.0%

$\chi^2=4.056$; $df=2$; $p>.05$

¹ total is less than 1,401 due to 24 incidents where no officer information was available

Hypothesis 12: Police officers with less than two years of seniority from departments affiliated with a domestic violence docket court will make fewer dual arrests than officers with less than two years of seniority from departments without that affiliation.

The results from Table 26 do not support Hypothesis 12, although they are in the predicted direction. In comparing the percentage of dual arrests in incidents involving officers with less than two years of seniority with those involving officers with more seniority, those officers from departments affiliated with a domestic violence docket court did make a lower percentage of dual arrests than those without that affiliation, but the association was not significant. The percentages are highlighted below.

**Table 26 Affiliation with DV Docket Court and Dual Arrest
(incidents involving officers with < two years of seniority only)
n=281**

			dual arrest		
			no	yes	Total
affiliation with dv docket court	no	Count	87	34	121
		Percentage	71.9%	28.1%	100.0%
	yes	Count	125	35	160
		Percentage	78.1%	21.9%	100.0%
Total	Count	212	69	281	
	Percentage	75.4%	24.6%	100.0%	

$\chi^2=1.512$; $df=1$; $p>.05$

Hypothesis 13: Police officers with less than two years of seniority from departments with self-defense policies will make fewer dual arrests than officers with less than two years of seniority from departments without those policies.

The results from table 27, which include only those incidents involving police officers with less than two years of seniority, do support hypothesis 13. Officers from departments that have self-defense language in their policies make significantly fewer dual arrests (15.6%) than officers from departments with that language in their policies (33.6%).

**Table 27 Self-Defense Policy and Dual Arrest
(incidents involving officers with < two years of seniority only)
n=281**

			dual arrest		
			no	yes	Total
self-defense policy	no	Count	93	47	140
		Percentage	66.4%	33.6%	100.0%
	yes	Count	119	22	141
		Percentage	84.4%	15.6%	100.0%
Total		Count	212	69	281
		Percentage	75.4%	24.6%	100.0%

$\chi^2=12.467$; $df=1$; $p<.05$

The prediction that the least experienced officers, those with less than two years of experience, would make fewer dual arrests was not supported by the data. This hypothesized relationship was based on the premise that officers recently out of the police academy would be trained in the proper methods of investigating incidents involving intimate partners. They would also be fully aware of the state law, including the fact that self-defense should be considered in the investigation and that arrest was not mandated if it could be substantiated. It is possible that the influence of a second, more experienced officer at the scene mitigates the effect of the academy training on the decision to use dual arrest. It is also possible that the influence of first line supervisors, particularly those who fear liability, may influence a less experienced officer's decision to arrest. More experienced officers may also be more skilled at identifying and analyzing critical information in the field to ascertain who the primary aggressor was. These potentially mitigating variables will be discussed in later sections.

The domestic violence docket court was not associated with a reduction in the use of dual arrest for the least experienced officers. It was hypothesized that the docket court would discourage the use of dual arrest, particularly for the more impressionable junior officers. It may be that other variables, such as partners and supervisors, may confound that effect.

Self-defense policies, consistently associated with the reduced use of dual arrest, were also associated with fewer dual arrests for the least experienced officers. The policies appear to provide clear direction in the investigation of intimate partner violence and may reinforce recent academy training in the consideration of self-defense. Those

officers from departments without such policies may make more dual arrests because of a perception that their department does not discourage its use.

Multivariate Analysis

Stepwise logistic regression was conducted to determine which of the nine variables in the previous analysis (self-defense policy, affiliation with a domestic violence docket court, department size, officer gender, officer seniority, incident seriousness, presence of alcohol or drugs, presence of children, and spousal/nonspousal relationship) were statistically significant predictors of dual arrest in incidents involving intimate partner violence. The results of the logistic regression indicate the overall model contains four predictors (self-defense policy, officer seniority, incident seriousness, and spousal/nonspousal relationship) that were statistically significant in distinguishing between dual and single arrest decisions. The likelihood ratio test for the analysis was significant and the estimate for Nagelkerke R^2 indicates that the model accounts for 3.6% of the variance in the dependent variable. It is important to note that the purpose of this analysis was not to explain a high percentage of the variance in dual arrest, but rather to identify which correlates in the existing literature were significant predictors when controlling for multiple variables. The model correctly classified 79.7% of the cases. Regression coefficients are presented in Table 28.

Three of the four significant predictors (self-defense policy, officer seniority, and incident seriousness) reduced the likelihood of a dual arrest occurring in an intimate partner violence incident. The odds ratio for the effect of self-defense policies on dual arrests was .617. In other words, incidents investigated by officers from police departments with self-defense language in their policies were about one and a half times less likely to result in dual arrest ($1/.617 = 1.62$). For officer seniority, the reference category was officers with less than two years police experience (<2 years). The middle

category, officers with two to less than five years of experience, did not differ significantly from the reference group. However, the category representing the most senior officers, with five or more years of experience, was significantly different from the reference group. Specifically, there was a lower probability of a dual arrest occurring when the arresting officer had five or more years of experience, controlling for the other predictors in the model. The most senior officers were 40% less likely to make a dual arrest than their counterpart officers with less than two years of experience ($1/.699 = 1.4$). Incident seriousness was also a significant predictor in the final model. Incidents that were classified as serious were associated with a reduced likelihood of dual arrest. While holding the other variables constant, dual arrests were almost 50% less likely for serious incidents than nonserious incidents ($1/.688 = 1.45$).

Contrary to what was hypothesized, the presence of a spousal relationship (as opposed to dating/former spouse) increased the probability of a dual arrest by over 30%. In responding to incidents that involved intimate partners who were married, police officers made significantly more dual arrests. This is noteworthy considering that much of the previous research consistently identifies lower rates of dual arrest in spousal relationships as compared to nonspousal relationships (Martin, 1997, State of Connecticut Department of Public Safety, 2001).

It was also notable that affiliation with a domestic violence docket court, which was significantly associated with dual arrest at the bivariate level and hypothesized to be a significant predictor in the multivariate analysis, was not predictive in the final logistic regression model. Other variables that were used in the initial stepwise regression model that were not identified as significant predictors included the presence of alcohol

(yes/no), children in the household (yes/no), the size of the police department (small/large), and the arresting officer's gender (male/female).

In order to insure that the model was specified correctly, a series of interaction terms was created using each of the significant predictors in the final model to test for any interaction effects that were theoretically relevant. These terms were created and specified in a series of explanatory models to insure that the impact of certain predictors was not contingent on the value of any other predictor. The interaction terms included self-defense policy x officer seniority, self-defense policy x offense seriousness, self-defense policy x spousal relationship, officer seniority x offense seriousness, officer seniority x spousal relationship, and offense seriousness x spousal relationship. Only one interaction term, self-defense policy x officer seniority, was statistically significant ($p < .05$). The use of dual arrests by officers in the middle seniority category (2 yrs. to < 5 yrs.) was, to some extent, mediated by the presence of self-defense language in domestic violence policy. This interaction term was omitted from the final model because it was not particularly intuitive or theoretically relevant.

Table 28 Binary Logistic Regression (backwards stepwise)**Initial Model**

Independent Variables	B	S.E.	Wald	df	Sig.	Exp(B)
Self-Defense Policy	-.468	.143	10.647	1	.001	.626
Officer Seniority (<2 yrs.)			4.239	2	.120	
Officer Seniority (2 yrs. To<5yrs.)	-.301	.203	2.195	1	.138	.740
Officer Seniority (5yrs or more)	-.344	.170	4.088	1	.043	.709
Incident Seriousness	-.354	.149	5.599	1	.018	.702
Alcohol or Drugs Involved	-.261	.149	3.092	1	.079	.770
Spousal/ Nonspousal	.307	.148	4.272	1	.039	1.359
Officer Gender	-.008	.223	.001	1	.971	.992
Children Involved	-.046	.154	.091	1	.763	.955
D/V Court Affiliation	-.167	.148	1.268	1	.260	.846
Department Size	.146	.150	.957	1	.328	1.158
Constant	-.859	.217	15.664	1	.000	.424

Final Model

Independent Variables	B	S.E.	Wald	Df	Sig.	Exp(B)
Self-Defense Policy	-.483	.139	12.025	1	.001	.617
Officer Seniority (<2 yrs.)			4.849	2	.089	
Officer Seniority (2 yrs. To <5yrs.)	-.342	.200	2.924	1	.087	.710
Officer Seniority (5yrs or more)	-.358	.169	4.506	1	.034	.699
Incident Seriousness	-.375	.146	6.591	1	.010	.688
Alcohol or Drugs Involved	-.255	.148	2.951	1	.086	.775
Spousal/ Nonspousal	.289	.141	4.199	1	.040	1.335
Constant	-.842	.184	21.009	1	.000	.431
Log Likelihood	1359.24					
R square (Nagelkerke)	.036					
Chi Square	31.530					
DF	6					
Significance	.000					
N	1377					

VI. Qualitative Results

As noted in the previous chapter, the primary goal of the quantitative analysis was to examine existing variables in the past literature to understand the predictors of dual arrest. The objective was not to identify all predictors that impact dual arrest decisions, thereby increasing explained variance in the model. Nonetheless, the low pseudo R^2 value does suggest that studies to date have not considered many factors and conditions that impact dual arrest decisions. It is with this knowledge that the principal researcher conducted a series of focus groups of police officers to begin identifying important predictors that have been omitted from past investigations.

Quantitative data derived from official sources invariably have potential limitations. The State of Connecticut Family Violence Offense Report, the primary source for incident-level data in this research, is no exception. Selection of variables is limited to those contained on the state-mandated form. In addition, there are limits to data interpretation due to the manner in which it is collected and categorized. For instance, if drugs or alcohol are involved in a family violence incident, the investigating officer is required to check a box indicating that they are involved, not involved, or it is unknown. But there is no indication as to what person used the drugs or alcohol, or what effect it had on the outcome of the incident. The police report (narrative) would have to be obtained in order to gather this information. Those reports are only available through the individual police departments or the court having jurisdiction over the arrest. This obviously limits the ability to assess the nature of the impact of drug or alcohol use on the officer's decision to arrest based on the data from the form. The form also fails to provide

the necessary social context and interpersonal dynamics involved in the police officer's decision to arrest one or both parties in an incident involving intimate partner violence.

Selection of Focus Group Officers

To address the quantitative data limitations and improve our understanding of the reasoning behind the dual arrest decisions, focus groups of police officers were assembled. Police departments were asked, through high ranking supervisors, to provide a representative sample of officers for participation. The four focus groups consisted of 4 to 6 police officers each and were conducted at four police departments in southwestern Connecticut in January, February, and March of 2009. The total number of police officers participating in this component of the research was 20. The focus groups were conducted in conference rooms with only the principal investigator and the police officers present. Although police supervisors facilitated officer selection and handled logistics, they were not present in the room when the focus groups were conducted. The participants were patrol officers and had varying levels of experience in the investigation of intimate partner violence. Focus group sessions were approximately one hour in length. All officers who participated were on duty. The six departments that supplied officers were among the 21 departments included in this research.

Informed Consent Procedures

Once officers were selected, they were given a consent form (Appendix A) that explained the nature of the research, the risks and benefits of participation, and assurance that their responses would remain confidential. Officers were also provided with contact

information for the principal investigator in case questions or concerns arose at a later date. All participating officers signed the consent forms. To insure confidentiality, no demographic information was collected on the participating officers. References within this chapter to specific officer quotations do include general descriptive information, particularly as it relates to department size, officer gender, officer race/ethnicity, and officer seniority. Reasonable efforts were made to prevent the attribution of a specific quote to an individual officer. Researcher field notes are the only written records of the focus groups. No video or audio recordings were made. These steps were put into place to insure confidentiality and increase the comfort level of officers during the focus group discussions.

Interview Questions

A structured set of questions (Appendix B) revolved around the study variables and the results of the quantitative analysis. Discussion flowed from those questions and eventually led to explanations for dual arrest in addition to those included in the questions. Again, the goal of the focus groups was to probe the minds of the police officers to better understand the social mechanisms that lead to dual arrest in incidents involving intimate partner violence.

Focus Group Results

Aware of the history of the law enforcement response to domestic violence, it is appropriate to begin the write-up of the focus group results with an officer quote.

“Arguments between two people, even if there is minor physical contact, are private business. You hope that you won’t have to make an arrest once you get there. It’s usually not the kind of call we should be going on.”

The officer who made the comment was male, white, from a larger department, and had what would be described as low seniority. A comment like this suggests that there is still reluctance on the part of some police officers to consider the crime of intimate partner violence as worthy of police investigation (unless it rises to a particular level of severity). His remark seems to be a remnant of the “hands-off” policies of the past, where violence between intimates was deemed to be a personal matter and outside the scope of a police officer’s duties. In discussing this comment within that particular focus group and others, the prevailing sentiment was much different. The majority of officers showed little support for the comment and felt that the intimate partner violence incident deserved the same level of investigation as any other criminal investigation, regardless of severity. The reaction of other focus group officers indicates that attitudes have changed for many police officers. What seemed evident was a realization that intimate partner violence was a crime deserving of police intervention. For many, there was genuine concern for the victim, yet awareness that it was often difficult to assign blame and establish probable cause because of conflicting evidence. An officer noted:

“No one deserves to be treated badly and we should do everything we can to make sure that doesn’t happen. Sometimes it is hard with these types of cases,

though. You don't always have a lot to go on. It's he said, she said. You do what you can to be fair."

Factors Influencing the Arrest Decision

In response to the question surrounding major factors influencing the decision to arrest, probable cause was, in most officers' eyes, the most critical factor in determining whether to arrest one or both intimate partners. Most officers expressed the view that arresting both parties should depend upon establishing independent probable cause. A senior officer from a larger department commented:

"It's your job to individually assess each case for probable cause. You look for evidence of a crime. Probable cause gives me what I need to arrest someone. That means one or both people. If both need to be arrested, they will be."

If the investigation failed to yield the evidence necessary to make that determination, there should be a reduced likelihood of dual arrest. Responding to the scene and conducting a full investigation, complete with interviews and evaluation of the physical evidence, was necessary in establishing that probable cause. Evidence such as physical injury and property damage were keys in determining whether to arrest one or both parties.

Responding multiple times to the same address and knowing the history of violence in the home was also seen as an important predictor. Officers were in agreement

that an arrest was likely if there was past violence, particularly past violence involving injury. An officer noted:

“It’s a good bet that I’m going to make an arrest if I’ve been to the home before and there has been domestic violence. If I know someone was hurt before, I’m going to remember that. I don’t forget things like that.”

When asked about the relationship to dual arrest, the consensus was that repeat calls would have an increased likelihood of dual arrest. When asked why it might lead to more dual arrests, some officers said that it could be the frustration of continually responding without a resolution. Others felt that repeat calls often have escalating levels of violence and that the independent probable cause noted above is easier to establish in those incidents.

Liability

Liability was a recurring theme in the focus groups. Most officers were aware of the potential to be held liable for failing to act, yet there was a difference of opinion about how that actually impacted the arrest decision. One officer said that she had watched a documentary on the Tracey Thurman case while at the police academy and that she was fully aware of the liability issue. She noted that the film had a tremendous impact on her, despite the fact that she had been out of the academy for many years. The realization that a municipality and an individual officer could be held liable for a failure to act impacted on her decision to conduct a thorough criminal investigation. She was less clear as to how

it actually affected her arrest decision. She stated that it still boiled down to establishing probable cause, but that her confidence in making the right decision was buoyed by conducting a comprehensive investigation.

Another officer, a racial minority with a great deal of seniority, made the following comment that seems to reflect some of the concern with the liability issue:

“You have to be sensitive and have an open mind. Don’t be biased towards the man or the woman. If you fail to apply the law as required, you expose yourself to liability. They say that you are protected when you arrest based on probable cause, but you never really know.”

Tied to the liability issue was the presence of state law and departmental policy in mandating arrest. One older officer, white and from a smaller department, with a great deal of experience in responding to domestic violence, made the following comment:

“Our policy has made my job much easier. I know what the law is with regard to family violence and our department’s policy mirrors that law. I feel like it sometimes limits my options, but it does protect me from a lawsuit. I don’t really think about the policy when I am investigating this kind of call, but at least I know that it is clear.”

The officer’s comment is somewhat conflicted in that he feels comforted by the fact that his liability is reduced, yet not always happy to have policy or law that limits his decision

making. When he was later asked how it actually impacted arrest, he said that it probably increased its chance, to include dual arrest. It would force an arrest in some incidents where he might feel a better option existed.

Changes in departmental policy are communicated to officers in varying forms. According to the focus group officers, many departments now communicate policy changes through their municipal e-mail accounts. In many cases, officers are eventually required to sign a form attesting that they read the policy or legal update and that they understood it. When asked if they received any actual training on the new policy, many officers answered that they had not. Some officers indicated that their departments handed out written copies of policy amendments and legal updates at roll call. Supervisors were supposed to be well-versed on the issues and the intention was for them to conduct training in those areas. For many of the officers, however, that discussion did not occur and there was no genuine effort to address any potential misunderstandings or misinterpretations. One officer made the following comment:

“You go to line-up and they pass out the new or revised policy. No one explains it and no one makes sure that everyone understands it. You are really on your own to interpret it.”

Another officer, commenting on the use of departmental e-mail to communicate policy changes, stated:

“I think the system could work. We try to take advantage of the technology that we have. The problem is that a lot of officers don’t read the stuff, including the supervisors. Sometimes they are acting based on outdated policies and that’s a problem.”

Some differentiation between officers from small and large departments appeared to exist in this regard. Officers from smaller departments had more positive comments about the communication of policy change than those from the larger departments. An officer from one of those smaller departments commented:

“We talk about any changes in our policies and laws. I think our administration makes a real effort to get us updates. It’s important to have this information and we do a better job when we have it.”

Time Constraints During Investigations

Some officers working in what would be considered busier police departments and municipalities cited the inability to devote the necessary time to conduct full investigations. They indicated that running from call to call did not afford them the time to carefully investigate, but there was disagreement about the impact that a shortage of time had on their decision to arrest. A few officers felt that it would result in more dual arrests, based on the inability to devote the time to establish independent probable cause. A few officers called attention to the misdemeanor summons, a “paper” arrest where no custody is required. Officers might be more inclined to issue a misdemeanor summons to

both parties to quickly resolve an investigation, particularly if the incident did not involve physical violence or injury. With no need to transport and process a custody arrest, officers would be free to clear the call and be available for a new assignment. Other officers felt that the pressure to move on to the next call would result in fewer findings of probable cause and, subsequently, fewer arrests, both single and dual. One possible outcome was reclassifying the call to something other than a domestic incident. By notifying communications personnel of that fact and writing up the report to reflect the change in classification, there would be no mandate to arrest. A divide clearly existed between more and less senior officers with regard to the impact of increased call volume. The more senior officers felt that their years of service allowed them the ability to conduct full investigations and not be pressured to compromise an investigation, particularly a complicated one involving intimate partner violence. The more complete investigation, in their mind, would result in fewer dual arrests because the culpable party could be identified. Less senior officers, on the other hand, were more sensitive to the pressure to move on to the next call and felt it could compromise the investigation, resulting in more dual arrests. An officer with low seniority commented:

“Things can get really busy out there. There are nights when you are bouncing from call to call without much of a break. When that happens, you want to do your part. We all count on each other. I’m not saying that you’ll do less when you go to a domestic violence call, but you’ve got to pull your weight. That’s the reality of it. If it’s jumpin’ out there and you’ve got two people with conflicting stories, you might be more inclined to give them both summonses. I mean, you

still want to make sure you don't put anyone at risk, so you'll take a hard look at that. I don't want to see anyone get hurt. If you're satisfied, then a summons serves the same purpose has a custody arrest. You can finish up the call and move on to the next one."

Incident Seriousness

The participants reported mixed reactions as to whether crime seriousness was a predictor of dual arrest. The majority of officers felt that it was secondary to establishing probable cause for arrest. There was acknowledgement, however, that probable cause was much more difficult to establish in less serious crimes. This was often related to the fact that no visible injury to either party was evident. Without observable signs of injury, officers were left to evaluating verbal accounts of the incidents from both parties, interviewing witnesses (if any), and documenting evidence such as property damage. The more serious incidents, which occurred much less often, usually involved visible injury to one or both parties, making the establishment of probable cause much easier. In the event that only one party was injured, it was easier to identify a victim and an offender, reducing the likelihood of dual arrest.

Spousal and Nonspousal Relationship

Officers were briefed on the results of the quantitative research relative to more dual arrests occurring in spousal relationships than in nonspousal relationships. The police officers were unanimous in expressing that the relationship of the parties had nothing to do with the arrest decision. One officer commented:

“The law protects equally. It does not distinguish between spousal and nonspousal relationships. The relationship has nothing to do with the legal issue or the decision to arrest.”

Many officers, particularly those from larger departments, made the point that nonspousal relationships were becoming much more common, partly attributable to the rising Latino population in southwestern Connecticut. A consensus of officers indicated that domestic violence incidents in the Latino community typically involved nonspousal partners. Further, the officers suggested that there were cultural differences in the acceptance of domestic violence, with greater acceptance by the Latino community. Some officers predicted that this would eventually result in a higher percentage of dual arrests in nonspousal relationships for that ethnic category. A female minority officer noted:

“We’re arresting more and more Latinos for domestic violence. A lot of times they’re not married. Violence in the home is part of their culture and that’s not going to change overnight. I think we’ll see more arrests, both single and dual, in the short term.”

One female officer discussed the complexity of the marital relationship and the commitment that went with that complexity. She said that she could understand the increased number of arrests in marital relationships. First, they are less likely to have somewhere else to go because they shared a home. Second, the marriage signaled a greater commitment to the relationship, making them less likely to attribute blame and

threaten the investment made in that relationship. There was less agreement on this interpretation. Other officers felt that the nonspousal relationship was becoming more and more common and that differences in levels of commitment between spouses and nonspouses were likely converging.

One officer called attention to the dating relationships and felt that they may account for some of the differences in single and dual arrests between departments. He said that the family violence statute did not mandate arrest in a dating relationship as it did in the other relationship categories. He was aware that departments differed in their use of arrest with regard to people who were dating. His department was less apt to classify a dating relationship as family violence if only one or two dates had taken place. In his mind, this had an end result of fewer arrests, both single and dual. He was aware that other departments classified any dating relationship, regardless of the number of dates, as family violence. This would have the effect of increasing the number of single and dual arrests (still dependent upon the establishment of independent probable cause), particularly in incidents involving the threat of violence. Simply looking at statistics would make it appear as if one department was involved in more domestic violence investigations and making more arrests as well. Thus, policy can have the effect of increasing dual arrests by increasing the number of incidents classified within the domain of domestic assault.

Self-Defense

When officers were asked about self-defense, they were largely aware that it was part of the statute and that they could consider it when determining probable cause to

arrest. Several officers, however, acknowledged the difficulty in determining when physical contact was a product of self-defense. One officer made the following comment:

“I look to see if there was a possibility of retreat. Was there any open space where that person could have retreated to or were they boxed into a corner with nowhere to go? If there was open space and that person did not retreat, it would be difficult to justify it.”

The law in Connecticut relating to self-defense is somewhat ambiguous when it comes to retreating within one’s home, particularly in the investigation of an intimate partner violence incident. There is no duty to retreat in the home, but that does not apply to the person who is the initial aggressor. Further, identification of the primary aggressor is not part of the family violence statutory language in Connecticut, but it is important in determining whether a party to a family violence incident can claim self-defense. This is an area of confusion for many investigating police officers and is borne out in the comment above.

Primary Aggressor Language

Some discussion occurred about the need for primary aggressor language in the state statute and whether they thought it would reduce the number of dual arrests. While no general consensus existed among the officers, all were familiar with the term. Many of the officers stated that they already made conscious efforts to identify the primary aggressor, although some of the obstacles already noted occasionally stood in their way.

No negative feedback was given when it was suggested that primary aggressor language should be a part of the current family violence law.

Several officers noted that women had become more aggressive in the last few years and, in some cases, had learned how to manipulate the system. For example, it was noted that those who repeatedly called the police learned what to tell the call taker and the responding officers. They understood the requirements of probable cause and said the right things to insure that the standard was met. Although not expressed by the majority of officers, the increasing aggressiveness of females was offered by some as an explanation for the higher number of dual arrests.

Suspect Demeanor

A spirited discussion took place in some of the focus groups about suspect demeanor, particularly female demeanor, and its impact on the arrest decision. One junior officer made the following comment:

“When you go to the scene, especially those where you’ve been before, you definitely are influenced by people mouthing off. When they disrespect you, you have a tendency to take them in. A lot of times, that’s why the woman goes.”

This prompted an exchange between officers about the role of suspect demeanor in the arrest decision. A more experienced officer from a large department countered that he did not agree with arresting a woman simply because she mouthed off and that the arrest should be based on the probable cause established at the scene. Despite this comment,

the officers still came to a general agreement that dual arrest was less likely when the parties were cooperative with the responding police officers. Disrespectful or hostile demeanor, an extralegal factor, was clearly a challenge to officer authority and could easily lead to arrest, both single and dual.

The Patrol Supervisor

Another potential predictor of dual arrest that arose from the focus groups was the influence of the first line supervisor (patrol sergeant). A number of officers cited the inexperienced or overly cautious patrol sergeant as having the potential to increase the number of dual arrests. The consensus was that inexperience, combined with the fear of litigation, allowed little flexibility in dealing with these types of incidents. The increase in dual arrests was explained as an attempt to err on the side of caution. This was more evident in those incidents where there was difficulty in determining independent probable cause. A senior officer made the following comment:

“That young supervisor may have that CYA (Cover Your Ass) attitude and actually encourage dual arrest. He believes running everyone in protects him and the department from liability. It goes hand-in-hand with the mentality that the court should be responsible for getting to the bottom of it. That doesn’t make any sense. It’s the easy way out. I think a full investigation is warranted when you have conflicting evidence and counter-complaints. You don’t just throw up your hands and hope someone else figures it out.”

Several participants expressed their displeasure with meddling, micromanaging supervisors, but indicated that it did not affect their decision to arrest. Some of the more senior officers who shared that view did say that if a supervisor was persistent and demanded a dual arrest, they asked that supervisor to take over the investigation and handle the rest of the investigation, including the arrest decision. That would usually convince the “meddling” supervisor to back off and allow the officer to take charge again. The supervisor that would most likely fit into that category was one who was recently promoted.

Continuing the discussion of the influence of the first line supervisor, one officer explained:

“There are times when you go to a domestic violence scene and you have a gut that a crime didn’t occur. You have two people who are verbally abusive and some of the language is perceived as threatening. When you sit everyone down, you find that it was blown out of proportion. You’re comfortable with classifying the call as a verbal, not a domestic. You feel no one’s actually been threatened and you can leave feeling everybody’s safe. Then, a supervisor shows up and takes an entirely different position. He’s inflexible and says an arrest has to be made because there’s been a threat of violence. You’ve done the investigation and you know no crime was committed and no purpose is served by arrest. Well, that supervisor feels much differently and mandates an arrest. You’re stuck because he’s running the show.”

Interestingly, what made that supervisor inflexible proved to be elusive. The officer who made the comment said that it was probably experience, but that there were also seasoned supervisors, albeit fewer in number, who exhibited the same inflexibility. Much of the rigidity seemed to relate back to the fear of liability.

Another aspect of supervision that was raised concerned the failure of some first line supervisors (sergeants) to keep current on the family violence laws and policies. Several officers acknowledged that a number of changes were made in the laws over the past twenty years and that a few senior sergeants continued to operate under outdated laws/policies. There was little agreement in the focus groups as to whether that was due to resistance to the changes or lack of knowledge. Some of the conversation shifted toward the mentality that dual arrest had once been a preferred disposition in certain departments and that those senior sergeants continued to support that mentality. This would certainly point toward resistance. There was, however, a consensus that most supervisors, particularly those with less seniority, were aware that the current laws and policies discouraged dual arrest.

Arrest for the Purpose of Forcing Resources

Invoking the criminal justice process to resolve problems in the intimate relationship was another area of discussion. Some officers felt strongly that arrest should not be used as a vehicle to provide resources and services to intimate partners. For them, arrest needed to be based on probable cause that a crime was committed, not on whether a couple or family would benefit from services. They were cognizant of the need for services and the subsequent benefits, but felt that there were many other methods to

deliver services without arrest. They also acknowledged the challenges that children presented. When children were present or involved, it was more difficult to avoid arrest. Children were seen as innocent victims and those same officers felt an obligation to provide for their safety. Arresting for the purpose of bringing in social services for those children became a much greater possibility. However, a number of officers felt frustrated by repeat calls for service at the same household, regardless of the presence of children, and thought that arrest would bring much needed resources for all involved. The general consensus was that this would result in more dual arrests.

Field Training Officers

Several officers, experienced and inexperienced, referred to the influence of the field training officer on the decision to use dual arrest. In the state of Connecticut, officers must complete 400 hours of field training after graduation from the police academy in order to become certified. Those 10 weeks are spent with one or more field training officers from the employing agency (certified as such by the state of Connecticut's Police Officer Standards and Training Council) who are responsible for training and evaluation. Who the field training officer was and how they prioritized the various police responsibilities seemed to be critical to many of the focus group officers. One officer noted:

“If you did most of your field training with a motor vehicle guy, there is a good chance you'll do the same. On the other hand, if your FTO was big on domestic

violence, you probably would take that on as a priority and learn how to do it right.”

Many departments actually rotate new hires between several field training officers so that they are exposed to a variety of policing styles and specializations. Despite that rotation, many of the focus group officers felt that they connected with one particular field training officer and that his or her priorities would have an impact on their future policing style.

Domestic Violence Docket Court

Little discussion took place regarding the influence of the domestic violence docket court on the decision to arrest. Most officers felt that the court process, including the docket court, had a minimal impact on their domestic violence arrest decision. In their minds, the docket court was an asset after arrest in providing services for those in troubled relationships. Forcing services on reluctant partners was in the back of some officers' minds, but they maintained that establishing probable cause for the arrest was foremost in their arrest decision. Many officers agreed that the creation of a domestic violence unit, which often coincides with the docket court affiliation, might reduce dual arrest. Initiatives such as reviewing officer reports by the domestic violence unit might lead to more effective report writing and better incident investigation. As mentioned before, many participants also believed that a complete investigation would reduce the incidence of dual arrest.

Family Violence Offense Report

Focus group officers were asked about the Family Violence Offense Report and whether they were comfortable with its format or thought it needed revision. The main frustration concerned entering the number of weapons used, which was reported to have nothing to do with the arrest decision. Relationship categories occasionally proved confusing, particularly the situation where an unmarried couple was living together. Officers were not consistent as to what category was appropriate for that relationship (dating category or persons who are presently living together category). Overall, officers were accustomed to filling out the form as part of the required paperwork and did not think it was difficult or cumbersome to complete.

More often than not, officers felt that they operated autonomously when investigating intimate partner violence. This allowed them to take the time to fully investigate the incident and exhaust all possibilities before engaging in a dual arrest. This included assessing and treating injuries, determining who called in the complaint, checking for prior court orders, interviewing witnesses (including children who might be present or involved), and interviewing each party separately. There seemed to be a clear mandate that the dual arrest should be avoided.

VII. Discussion

Departmental Policy with Self-Defense Language

A substantial amount of research suggests that women's use of violence in intimate relationships is motivated by self-defense (Barnett, Lee, & Thelen, 1997; DeKeseredy, Saunders, Schwartz, & Alvi, 1997; Hamberger, Lohr, Bonge, & Tolin, 1997; Swan & Snow, 2003). With that in mind, it is critical for police officers to separate violence that is used in self-defense from that used in either mutual combat or primary aggressiveness.

The quantitative findings point to the importance of departmental policy in predicting dual arrest in incidents involving intimate partner violence. Specifically, officers from departments with policies that include self-defense language were less likely to use dual arrests than officers from departments without such policy language. This was the strongest predictor of dual arrest in the multivariate analysis (logistic regression). In the bivariate analyses, it was consistently associated with reduced use of dual arrest. Qualitatively, the focus group officers seemed conflicted about the actual impact of policy on the arrest decision. This ambiguity occurred regardless of whether or not they were employed by a department that had self-defense language in the policy. What was evident from most of the officers, however, was that policies gave them clear direction in the investigation of family violence. The quantitative results seem to confirm that policy provides direction, particularly policy that had self-defense language in it. It had the effect of reducing the incidence of dual arrest.

For this study, operationalization of the policy variable centered on whether or not a department's policy had self-defense language in it. An example of self-defense

language in a family violence policy from one of the departments included in this research is as follows:

“When officers reasonably believe that a party used force as a means of self-defense, the officers are not required to arrest such party.”

For those departments that had self-defense language in their policies, this was the standard terminology. The above language is drawn from the state’s family violence statute (Appendix D), making it apparent that Connecticut’s police departments do tend to mirror state language when developing their own policies. With that said, it becomes critical for the state to draft definitive language in their statute that directs the police officer in assessing self-defense. The current language, however, is too vague and does not provide enough direction to the officer on how to ascertain or discern self-defense behavior. This vagueness carries over to departmental policies.

Tennessee’s statute provides an example of language that provides that guidance. Tennessee is a preferred arrest state with both primary aggressor and self-defense language (TCA 36-3-619; Officer Response-Primary Aggressor-Factors-Reports)

B. If a law enforcement officer has probable cause to believe that two (2) or more persons committed a misdemeanor or felony, or if two (2) or more persons make complaints to the officer, the officer shall try to determine who was the primary aggressor. Arrest is the preferred response only with respect to the primary aggressor. The officer shall presume that arrest is not the appropriate response for

the person or persons who were not the primary aggressor. If the officer believes that all parties are equally responsible, the officer shall exercise his or her best judgment in determining whether to arrest all, any or none of the parties.

C. To determine who is the primary aggressor, the officer shall consider:

1. The history of domestic abuse between the parties;
2. Evidence from the persons involved in the domestic abuse;
3. The likelihood of future injury to each person;
4. Whether one of the persons acted in self-defense; and
5. Evidence from witnesses of the domestic abuse.

D. An officer shall not:

1. Threaten, suggest, or otherwise indicate the possible arrest of all parties to discourage future requests for intervention by law enforcement personnel, or
2. Base the decision of whether to arrest on:
 - a. The consent or request of the victim; or
 - b. The officer's perception of the willingness of the victim or of a witness to the domestic abuse to testify or participate in a judicial proceeding.
3. Issue a misdemeanor citation in lieu of arrest.

E. When determining primary aggressor and self-defense during an investigation of domestic abuse, the officer should consider the following:

1. Pursuant to TCA 39-11-611, the Self-Defense statute, a person is justified in threatening or using force against another person when and to the degree the person reasonably believes the force is immediately necessary to protect against the other's use or attempted use of force. The person must have a reasonable belief that there is an imminent threat of death or serious bodily injury. The danger creating the belief of imminent death or serious bodily injury must be real, or honestly believed to be real at the time, and must be founded upon reasonable grounds. There is no duty to retreat before a person threatens or uses force.

F. If a law enforcement officer decides to arrest two or more parties, the officer shall include in the report the grounds for arresting two or more parties.

Sufficient detail is included in the statute to direct an officer's investigation. A presumption is made that arrest is not preferred for anyone other than the primary aggressor. Officer considerations for determining the aggressor are listed, as are the definitions of self-defense and the issue of whether retreating is required before force is used. Finally, the state mandates that officers who make dual arrests document the grounds for this course of action in their report.

For this study, operationalization of policy was based on the premise that self-defense language should send a message to the responding officer that a full investigation be conducted to assess whether or not the violence was used in that manner. Full

investigations are more likely to examine the context of the violence and to actually identify when the violence used was defensive in nature. In turn, it should reduce the frequency of dual arrest because more violence would be categorized as defensive. Because state statute in Connecticut allows the officer to forgo arrest if it is determined that the violence is defensive, fewer victims would be co-arrested with their criminal partners. Departmental policies with self-defense language were associated with reductions in dual arrest in this study. Strengthening the language, both in the state law and in departmental policy, may serve to further reduce the incidence of dual arrest.

In responding to incidents of intimate partner violence, patrol officers are guided by both state law and departmental policy. Existing research indicates that officers do not always adhere to state law mandates, such as failing to fully investigate counterclaims in domestic violence cases. Finn and Bettis (2006) note that this will continue to be problematic until those legal mandates are accompanied by departmental monitoring of the arrest policies and “officer compliance with those policies,” (p. 284).

In order to encourage officers to comply with law and policy, strategies should be developed to that end. Officers may be more inclined to spend the time necessary to investigate the violence in greater detail if they are required to file a report justifying their use of dual arrest (as in the Tennessee statute). Justifying a dual arrest in writing holds the officer accountable and permits monitoring of the arrest decision. The logic is that if there is effective monitoring of an officer’s decision, that officer will more carefully consider that decision. The reporting requirement has been observed in some departmental policies, but there has been limited research on its effect in reducing dual arrest. A study that did assess the impact of a departmental requirement of written

justification for a domestic violence arrest (and failure to arrest) was conducted by Lawrenz, Lembo, and Schade (1988). The authors examined the average number of domestic violence arrests per day using an interrupted time series design. The intervention was a directive that was issued requiring the written justification. Little evidence suggests that the directive significantly increased the number of arrests in the 15-month evaluation period. It may be that in the 20 years since that study was published, more police focus has been placed on domestic violence, resulting in a greater inclination to follow law and policy directives.

Policies should encourage officers to examine the social dynamics and broader context of the violence, and then insure compliance through follow-up in the form of supervision and monitoring of results. Examination of the context can facilitate a thorough investigation, including interviews, recording history of violent behavior, collection of available evidence, and effective report writing. Intuition would lead one to believe that a full contextual examination would result in domestic violence incidents that are less likely to result in dual arrest. For too long, police officers have looked at domestic violence incidents as individual crimes. This incident-specific definition of violence may be one of the reasons that dual arrests have flourished after the legislation of preferred and mandatory arrest laws. Change may come in the form of carefully worded policies that require the same type of complete investigation for domestic violence as is expected in any crime of violence. Theoretically, this is consistent with the feminist perspective, in that officers see violence as more than simply an act, but as a product of the social setting in which it occurs (Kimmel, 2000).

Offense Seriousness

Other than departmental policy with self-defense language, offense seriousness was the strongest predictor of dual arrest. Specifically, more serious offenses were less likely to result in dual arrest than less serious offenses. This finding has been consistently documented in the dual arrest literature. Incidents that are categorized in this research as serious (kidnapping, sexual assault, and assault) are generally less ambiguous. The facts are laid out for the police officer so there is less difficulty in assigning blame.

Establishing a primary aggressor is much easier and requires less effort on the part of that officer. The results of the focus groups make this clear. Officers indicated that the more serious the incident, the less difficulty in determining who was to blame. With the blameworthy party identified, other arrests become unnecessary.

Part of the challenge for law enforcement rests with the culture of policing. That culture has evolved over the years, redefining the role of the police officer in the process. Police historians have identified three distinct eras of policing. The Political Era (1840-1930) was characterized by close ties between police and political organizations. Officers were intimate with their communities and performed a variety of functions in addition to crime control, many of which were social service in nature. The Reform or Professional Era was characterized by an emphasis on crime control, rapid response to crime, and a professional remoteness from the community. Officers in that era (1930-1980) saw themselves as crime fighters and not social service providers. Although some dispute exists about the current era of policing, historians have labeled it as the Community Era (1980-present). Community Era officers offer a broad range of services to the community, including crime control and social services.

There is little doubt that many present-day officers still characterize themselves as crime fighters and associate themselves with the Professional Era. This presents some problems for investigation of the domestic violence crime, particularly one that is deemed less serious. Misdemeanor domestic violence was not traditionally seen as a crime that was worthy of police involvement. It differed markedly from a gun call or burglary in progress, where the excitement was the reward for officer involvement. Many officers hold that same opinion today. The challenge for law enforcement is to have the same level of commitment to the less serious domestic violence incident as there is for the felony crime. The challenge can be met through training and supervision. If officers are provided the skills to conduct thorough investigations (i.e. identifying the primary aggressor), even on a misdemeanor domestic violence call, the result will be fewer dual arrests. Once trained, officers must be supervised closely enough to insure that they are complying with the mandate to treat all domestic violence incidents as serious crimes, but perhaps not so closely that field supervisors are overly concerned about liability so as to encourage dual arrests.

Spousal Relationship

Contrary to the hypothesized relationship, quantitative results indicate that a greater likelihood of dual arrest exists in spousal relationships. This is inconsistent with Black's theory of the behavior of law (1971), where a more intimate relationship receives less formal social control (arrest). Black's theory posits that there is less social control in the married relationship (fewer arrests, including dual arrests). That, of course, is premised on the idea that a spousal relationship is more intimate than one of a nonspousal

variety. It may very well be that relationships have changed over the years and the nonspousal relationship, particularly a cohabitating one, is as intimate (or at least as common) as the married relationship of Black's era.

Explanations for why spousal partners are more likely to be dually arrested might include their reluctance to implicate their partner and risk their marriage (i.e. has more to lose). Marriage is a stake in conformity in our society and it may be that spouses, even after calling the police and reporting violence, may have second thoughts about risking the investment they have made in their relationship, children, assets, etc. As a result, they may be less likely to follow through and provide the police with the necessary evidence to identify a primary aggressor. This becomes problematic when it is a misdemeanor crime with no visible physical injury and no other witnesses to interview. Both are common fact patterns for these types of cases. Police may have little else to evaluate, creating the ambiguity that may result in dual arrest. In contrast, the unmarried (nonspousal) partners may have less of a stake or investment because they have not legally formed their relationship. As a result, there may be less resistance to providing information to the police, making determination of a primary aggressor (single offender) a greater probability.

It would seem that married partners may be more likely share a home (cohabitate) than nonspousal partners. The data for this research did not allow determination of cohabitation, so obtaining the percentage of nonspousal partners who were sharing the same residence was not possible. Future research should consider cohabitation as a variable. Unfortunately, the Family Violence Offense Report does not specify cohabitation, making it necessary to read case narratives to glean that information. If

married partners are more inclined to live together, they may have fewer options for leaving their home than an unmarried person. This may lead to reluctance to speak candidly with the police about the incident, resulting in a lack of information exchange and greater odds of dual arrest.

It may also be that the greater investment for the married partner includes consideration of her economic dependence on her spouse. Although the status of women has improved considerably in this country, women still earn much less than men, even for comparable jobs. This structural impediment to women means that they are often compelled by society to rely on their spouse for money and support. Moreover, it may be that the greater the length of the marriage, the greater the economic and emotional dependence. The alternative might be a life of economic hardship for both her and her children. In addition, women bear the greater burden of caring for children and keeping the family intact. This unpaid work is undervalued in American society. When a woman makes a decision to report violence by her spouse, she may have second thoughts about providing information that will identify him as the primary aggressor and place him in jail. A spouse in jail can obviously no longer provide the economic support for the family. Because police have less information to evaluate the violence, they have less opportunity to identify a single offender. The chances of dual arrest are elevated.

Women's responsibility to keep a family intact, which is particularly strong in certain cultures, can also be an impediment to full disclosure to the police. Women are often socialized to nurture both their husband and children. When domestic violence threatens to break up a family, the woman may be implicitly or explicitly blamed and labeled a failure. As with economic dependence, it has the potential to increase dual

arrest because women are less likely to provide incriminating evidence and risk the stigma of a family break-up.

Several officers in the focus groups indicated that they were observing more and more domestic violence arrests in the Latino community, where there are cultural differences in the acceptance of violence. They felt that there were a higher percentage of nonspousal relationships (anecdotal) and that, in time, statistics would show an elevated level of single and dual arrests of nonspousal partners. Future research should focus on racial and ethnic differences to determine if cultural variants increase the risk of domestic violence.

Officer Seniority

In the present research, officers with five years or more of seniority were less likely to use dual arrest than their less experienced colleagues. This finding was contrary to the predicted relationship of less experienced officers, fresh out of the academy and well versed on proper domestic violence investigation, making fewer of those arrests. That hypothesis was based on the fact that newer officers would receive more sophisticated training on domestic violence, dual arrest and the consideration of self-defense. The hypothesis also predicted that increased usage by more experienced officers was based on existing research that old habits were hard to break. In essence, experienced officers would be more resistant to new policies and less likely to comply.

Several factors may explain the experienced officer's less frequent use of dual arrest. Foremost would be the officer's experience in handling domestic violence calls. The experienced officer is a better investigator because of more extensive experience in

dealing with countless numbers of domestic violence calls. He or she is likely to be more confident in knowing what questions to ask, and can pick up on situational cues that an inexperienced officer cannot. As better investigators, they are perhaps more adept at identifying the primary aggressor.

Experienced officers are also less likely to be influenced by first line supervisors, particularly those with little seniority in rank. A number of focus group officers indicated that supervisors who were concerned with liability were more likely to require patrol officers to arrest both parties to the incident. Experienced officers, however, were more likely to report challenging a supervisor, particularly a less experienced one, on the decision to use dual arrest. They tend to act more independently at crime scenes, again by virtue of the fact they have more years of experience in doing so.

One of the impediments to conducting a full criminal investigation is the pressure in busier jurisdictions to move on to the next call. With calls stacking up in dispatch centers, communications personnel are pressured to clear officers from one assignment so they can dispatch them to the next. That pressure is also felt by officers at crime scenes, including domestic violence calls. Less experienced officers in the focus groups were clearly more impacted by this process. They felt the pressure to clear and do their part to reduce call volume. In their mind, it would lead to more dual arrests because there would not be the time necessary to fully investigate and identify the primary aggressor. More senior officers were less concerned with the pressures to clear calls. They felt that their experience empowered them with the liberty to spend the extra time needed to conduct the investigation.

Suspect Demeanor

One of the issues raised by focus group officers was the effect of suspect demeanor on dual arrest. Although Klinger (1994) disputed the notion that suspect demeanor was responsible for an increase in arrests, other researchers have found evidence to the contrary (Worden & Pollitz, 1984). Suspects who present affronts to authority are seen as disrespectful. Although there was not a consensus that an uncooperative victim might be more likely arrested, several younger officers said it did increase that risk. Domestic violence victims may perceive that they are not being treated justly, reacting with what the officer deems to be disrespect. If suspect demeanor is a predictor of dual arrest, it would stand to reason that less experienced officers would be more inclined to use it when their authority was challenged. Their experience in dealing with people in volatile situations is limited and they may therefore overreact when challenged. The senior officer should be better equipped to engage the person verbally. Again, this is where training and knowledge of domestic violence comes into play. Officers need to allow, to a certain degree, victims to vent without being subjected to arrest. This is difficult for many officers to swallow because it is a challenge to their authority. The domestic violence incident is traumatic and not all victims react in the same manner. Officers should be aware of this fact and have the patience to allow the purging of built-up frustration. Training should also provide the skills to de-escalate a potentially violent reaction. Both may result in the reduced use of dual arrest.

Field Training Officer

Interestingly, focus group officers, particularly those who were less senior, felt that the influence of a field training officer (FTO) impacted handling of domestic violence calls. Officers who were trained by an FTO who had a motor vehicle background were more likely to focus on motor vehicle law, while those who were trained by an FTO who emphasized domestic violence investigation seemed more capable with those types of incidents. Many departments attempt to avoid this problem by rotating new officers among a group of field training officers. This exposes that officer to a variety of policing styles and personalities, making identification with one officer less likely. Despite rotation of field training officers, some focus group officers felt that one influential officer could still have long-term effects on policing priorities. This certainly calls attention to the fact that younger officers are impressionable, making selection of FTO's a critical management decision. Candidates for the position should be screened to insure that well-rounded officers are selected. Their training should include the importance of conveying the same message to their trainees: well-rounded officers are preferred. Field training officers should also be compensated fairly as they are evaluating probationary police officers, a key task in the development of an effective police force. Fair compensation should increase the pool of prospective field training officer candidates.

VIII. Limitations

Although the research design and data analysis in this study builds upon much of the prior research on dual arrest, the analysis used did not include all of the variables that affect the arrest decision. This was apparent in the final model's inability to account for a substantial portion of the variance in dual arrest. The research is necessarily limited by the instrument that is the source of much of the data, the State of Connecticut Department of Public Safety Family Violence Offense Report (DPS-230-C, Rev. 09/00). At issue is not only the number of variables, but the manner in which the information is collected. Some of those variables could include additional or revised categories to allow for more effective data interpretation. It does, however, include many of the variables that are correlated with intimate partner violence. Analysis of the interaction among those variables allows for valid conclusions to be drawn on the characteristics of dual arrest. Future research efforts should continue to expand upon the number of relevant variables to assess their impact on the decision to arrest in an incident involving intimate partner violence.

The limitation on the number of variables and the manner in which they are collected also limits the ability to test specific theoretical orientations. The theoretical orientations that are relevant to this research are the feminist and family violence perspectives and Black's theory of law, each of which were described earlier. Despite this limitation, analysis of the data did identify predictors of dual arrest that offer valuable insight into the why the feminist perspective draws more support.

Previous research has suggested that there is a need to broaden the context when studying dual arrest to include expanding the ability to generalize results beyond the

study site (Hirschel et al., 2007). A clear limitation of this research is that all of the data were obtained from a single county in the state of Connecticut. It is not possible to generalize the findings beyond this jurisdiction, particularly with the departmental differences in law enforcement practices and the variations in state domestic violence laws. Despite that, it remains an important research objective to better understand dual arrest in Connecticut, particularly in light of its reliance on this outcome in the investigation and prosecution of intimate partner violence. Future research might involve replicating this study in other geographical regions. Another area of future research should involve a time series analysis of dual arrests. Continuing to track the rates of dual arrest, particularly as new initiatives are introduced, may shed more light on the best practices for improving the police response to intimate partner violence.

The typical response to the intimate partner violence incident involves more than one officer and this could present problems in interpreting the influence of officer characteristics on the arrest decision. For the present research, there was no attempt to identify a second responding officer. The initial dataset supplied by the State of Connecticut Department of Public Safety's Crimes Analysis Unit listed some of the identification numbers of back-up officers, but the listing was incomplete. The decision was made to limit the analysis to the officer who was listed first in the dataset when more than one officer was identified as a responder. As a result, the influence of that second officer (or any other unidentified responding officer) was not assessed. That influence could come from either another patrol officer or a responding supervisor. Future research should attempt to include officer characteristics for all responding officers to better understand their influence.

Thinking of hypothetical response scenarios provides an example of the potential issue. Hypothetically, an officer with less than two years of experience is assigned as the investigating officer for the incident and is assisted by an officer with 20 years of experience. Will that inexperienced officer's arrest decision be affected by the more experienced officer and would the decision been different with an assisting officer with less experience? It could also be that the senior, more experienced officer was actually assigned to the call, but turned it over to the junior officer during the investigation. That senior officer's experience in handling incidents of intimate partner violence might have influenced the decision to arrest one party, both parties, or no one at all.

The influence of an officer's experience in investigating domestic violence while employed by another department may also influence the arrest decision. It is not uncommon for departments to accept either lateral transfers of officers or to hire experienced officers from other departments at the entry level. It makes fiscal sense because it may preclude the need to send that officer through costly and time-consuming academy training. Much of an officer's previous academy training may be accepted, shortening the time from date of hire to actual deployment as a patrol officer. As a limitation of this study, it was not possible to capture previous employment with another agency. The ideal situation would be to incorporate measures of past experience as a police officer to determine its impact on the arrest decision. As an example, a detective who recently retired from a large department included in this research was hired by a small police department as an entry-level patrol officer. His 20 years of service will certainly influence his investigation of domestic violence crimes and his presence as a

back-up officer would undoubtedly impact junior officers in their first two years of service.

The influence of a patrol sergeant or other supervisor might also have an impact. As gleaned from the focus groups, some officers thought that there were supervisors who directed their decisions during investigations. For instance, a supervisor obsessed with liability might direct the patrol officer to arrest all parties, despite the fact that it might result in the arrest and prosecution of a victim. That supervisory recommendation might have a greater impact on the less experienced officer, as that officer would be less likely to express their opinion and challenge authority. The senior officer would undoubtedly be more comfortable coming forward with that challenge and question the supervisor's decision, particularly if the supervisor was less experienced. These multiple influences are difficult to disentangle and the present research makes no effort to account for them in the arrest decision.

Reliance on police reports and their accuracy is always a cause for concern. Police officers differ in their attention to detail when filling out a form and the researcher must necessarily rely on accurately reported data so as to draw reliable conclusions. The entries on the form that supplies much of the incident data are often handwritten by the investigating police officer. That form is submitted, usually after review by a supervisor, to the State of Connecticut Department of Public Safety. Analysts from that agency's Crimes Analysis Unit transfer those handwritten entries to a computerized database from which the data in this proposed study was drawn. Handwriting that is difficult to read and forms that contain inaccurate entries have the potential to be problematic. There is also the potential for missing data. In the event of missing incident data, listwise deletion was

utilized to omit cases which did not have data on all variables. It may be time for the state to modernize the data collection system and mandate online submission of the Family Violence Offense Report. This could reduce the potential for error in transferring data from the handwritten form to the state's database.

On a similar note, police departments were asked to supply officer and organizational data for this research. The majority of the departments provided the researcher with the raw data (officer gender, date of birth, dates of hire, copies of the domestic violence policy), which were then entered into an SPSS database. Having raw data allowed the researcher to make the necessary calculations, such as the seniority of the officer on the date of the incident, and to have confidence in those calculations. Some departments were not comfortable releasing confidential information and made those calculations themselves. A few were uncomfortable releasing departmental policy and verbally told the researcher whether or not their policy contained self-defense language. In those cases, the researcher was dependent on the department's representative to provide the correct data for analysis.

Data for this study has been drawn from incidents in which a police officer effects an arrest. No attempt was made to compare the characteristics of incidents involving arrest with those for which an arrest was not made. Hirschel et al. (2007) identified this as a weakness of previous studies because it does not allow readers to distinguish the potentially different characteristics of arrest and nonarrest situations. Along a similar vein, this study made no attempt to determine whether the response to intimate partner violence differed from the response to other assaults in the jurisdictions under study.

Finally, this research does not distinguish incidents involving violence between same sex couples from those involving violence between heterosexual couples. The dataset included only 25 incidents involving same sex couples, less than 2% of the total number of incidents. Twelve of those incidents involved males and 13 involved females. Of the 25 incidents, eight resulted in dual arrest (32%), four involving males and four involving females. The small number of incidents did not lend itself to a separate statistical analysis. As a result, those incidents were analyzed collectively with the remaining 1,376 incidents. There is, however, a distinct possibility that the original dataset received from the state contained many more incidents involving same sex partners. As stated before, an entire category of incidents was removed from the analysis because it was impossible to separate intimate and non-intimate partners (see Appendix F footnote on pages 170-171). It is probable that same sex partners were included in that category as roommates, although the exact numbers are unknown. It is clear that there is a growing need to research gay and lesbian couples. Their numbers continue to grow and, as with heterosexual couples, violence is an issue (McClennen, 2005). In the present study, the availability of data on gay and lesbian intimate partner violence is limited. As the number of couples who openly identify themselves as gay or lesbian continues to grow, so will the number of reported incidents of violence. The state of Connecticut also created more opportunity for research in this area because the legislature recently legalized marriage between same sex couples. Legally recognized status should make it easier to identify the same sex couple in order to conduct that research.

IX. Implications

Martin (1997) provided an initial analysis of dual arrests in Connecticut using family violence arrest data from calendar year 1988 and found high levels of usage. Peng and Mitchell (2001) highlighted the problem in their research as well. Using National Incident-Based Reporting System (NIBRS) data from calendar year 2000, Hirschel et al. (2007) noted that Connecticut had the highest dual arrest rate in their analysis. The present research, using family violence arrest data from calendar year 2005, confirms that those levels remain high, at least in the municipalities in southwestern Connecticut. Although dual arrest can occasionally be justified because probable cause exists to arrest both parties and no primary aggressor can be identified, high rates of usage are considered undesirable by police leadership. This research serves to provide an increased level of understanding of the phenomenon of dual arrest in the state of Connecticut. It improves upon the Martin (1997) and Peng and Mitchell (2001) studies by increasing the number of variables analyzed, particularly organizational and officer variables. It also identifies additional predictors based on the qualitative inquiry. This allows for a more comprehensive explanation of dual arrest. Utilizing binary logistic regression as the quantitative method of analysis also increased the ability of the researcher to test the interaction of multiple variables in predicting dual arrest.

By understanding the predictors of dual arrest, strategies can be developed at the state and local level to improve the police response to intimate partner violence. A 20% rate of dual arrest in incidents involving intimate partners is unacceptable. Recognizing that the rates of dual arrest are high in the state of Connecticut and devising strategies to reduce those rates are steps in the right direction.

Training for Patrol Officers and Supervisors

One implication of the quantitative and qualitative findings is the need for additional training for police officers. Officers should have the resources to conduct thorough investigations with the goal of identifying the primary aggressor. Without those resources, victims will continue to be arrested and potentially revictimized by the criminal justice system. Victims should not be subject to prosecution and policymakers should take efforts to prevent that from happening.

An issue with police training is determining which subject matter is most important for placement on the training docket. The time devoted to any particular subject area will demonstrate to the rank-and-file the commitment to, and importance of, that subject by the department. Police departments should already be aware of the high percentage of calls that involve domestic violence and that should factor into the decision to include more training.

Anne O'Dell (2007), a retired San Diego Police Department detective sergeant, describes training scenarios in her former department that might well serve as a model for Connecticut agencies. She describes challenging police officers to compare their own use of force against suspects with the force used by domestic violence victims against their attackers. The scenarios highlight the "the officer's right to defend him- or herself from imminent threat, as well as any other citizen's right to do the same as protected under the U.S. Constitution: that is, the right to be free from physical harm" (p. 59). Making comparisons between the two types of force helps officers understand how apparent aggressors might actually be people legally protecting themselves. Using a similar strategy, O'Dell informally challenges officers to investigate complex domestic violence

incidents the same way that they would want internal affairs personnel to investigate their own use of force in an incident. They would obviously want to allow as much time as necessary to conduct a complete and thorough investigation of that use of force. The domestic violence victim deserves no less.

The state of Connecticut has made improvements in domestic violence training. At the state level, the Division of Criminal Justice recently assigned inspectors to conduct statewide training to police officers on domestic violence issues. The inspectors travel to departments statewide, conducting local and regional training on proper police investigation of domestic violence. During these training seminars, departments are provided with additional resources, such as cameras to document injury, to enhance their ability to investigate these crimes.

A recent day-long, state-sponsored training seminar (March 11, 2008) at a local university focused on strangulation investigations in domestic violence incidents. The state brought in a renowned forensic pathologist from Indiana and a former domestic violence prosecutor from California to discuss strangulation cases and the challenges they present for investigators. Attending officers were provided with investigation checklists, sample police reports, and techniques for identification of the primary aggressor. The experts cautioned that visible injuries might produce a knee-jerk reaction to arrest, and that a thorough investigation should precede that decision. Officers were instructed to consider the height and weight of the parties, the level of fear, the history of violence, alcohol or drug use, whether injuries were consistent with statements, the signs of strangulation (which might not be immediately obvious), and the presence of offensive or defensive injuries. Resources such as these only serve to improve the police response.

Another aspect of the police response that may be improved with additional training is the questioning and labeling of domestic violence victims by police. Rajah and colleagues (2006) used symbolic interactionism as the theoretical framework in their interviews with nine domestic violence victims in New York City. They found that police often challenged the identity of the women as victims. The challenge created confusion for the victim because she saw herself as noncriminal. The resulting confusion obstructed communication between the police and the victim, hampering exchange of information that might make the difference between a single and a dual arrest. If victims sense that they are being labeled as a criminal, they may withhold that crucial information which may ultimately assist police in determining a primary aggressor. Another reaction to an identity challenge might be disrespect of the police officer and an apparent disregard for the potentially negative consequences. Officer seniority may be significant here. The more senior officer may be better equipped to de-escalate the situation, reducing the likelihood that a victim is arrested. Police officers need to be cognizant of both of these effects and approach domestic violence victims accordingly. Training that involves role-playing may be an appropriate tool to educate the police. Officers need to be placed in the role of the victim to truly appreciate what the victim experiences.

Continual review of state law and departmental policy is critical. Relying on police officers to read and interpret law and policy changes may not suffice. Focus group officers raised this issue on several occasions. There needs to be an improved mechanism for insuring that officers actually understand those law and policy changes. Face-to-face interaction between officers and supervisors to discuss law and policy changes appears to be a wise investment in time and resources. The fairly consistent response of the focus

group officers was that leaving it to line officers to read and interpret these changes does not work. Since the roll call still prevails in most departments, this may be one of the few locations and opportunities for this training to occur (absent formally scheduled trainings). It allows for an exchange between a supervisor who should understand the policy or law and the officer who ultimately has to apply it in the field.

Intimate partner violence is a complicated criminal investigation and officers need training to apply the optimal response. Whether it is reviewing existing statutory language, evaluating completed investigations, or participating in role-playing exercises, officers should learn the skills that will allow them to effectively intervene in incidents involving intimate partner violence.

Domestic Violence Docket Court

Although the domestic violence docket court did not prove to be a statistically significant predictor in the regression model, it is still worthy of additional study. One particularly interesting area of research would be to determine if the use of dual arrest was reduced in municipalities where a specialized docket court was introduced. That exact situation has occurred in Fairfield County, Connecticut. Four of the municipalities included in this research that did not have a docket court in 2005 now have one. It is an ideal situation in which to assess the impact of the docket court with pre- and posttest measurements of domestic violence arrests. Similarly, as the docket court becomes more entrenched in the judicial system, it will be important to assess the impact of existing docket courts, possibly using similar time series designs. In addition to the docket courts, it would be prudent to include those officer and organizational variables that were

identified as predictors in the current research. For example, has the family violence policy changed during the study period or has the training for police officers been enhanced?

Officers from police departments that are serviced by such courts could have a better grasp and appreciation of the dynamics of intimate partner violence. Concerted efforts must be made to integrate the docket court with police departments so that patrol officers who investigate these incidents realize the benefits they provide. Some of the focus group comments indicate that officers do not fully recognize those benefits and see the specialized court as merely providing post-arrest services that reluctant couples would otherwise not volunteer to receive. This can be facilitated by joint trainings, a specialized domestic violence unit, a court liaison officer, or the active involvement of the prosecutorial staff with police investigations. Having victim advocates from the docket court actively working with the police department has the potential to show patrol officers the impact that their decisions have on the victims of domestic violence. As with the training noted above, increased awareness has the potential for more effective and fair criminal investigations with consideration for all involved parties. For the purposes of this research, the net result should be a reduction in dual arrests, placing Connecticut more in line with the rest of the country.

Statutory Language: Primary Aggressor Law

From a legislative perspective, it may be time in the state of Connecticut to adopt a family violence statute that includes primary aggressor language. This type of language provides guidance to the officer to help distinguish the offender from the victim in an

incident involving intimate partner violence. In theory, it encourages the investigating officer to be less incident-driven and more attuned to the broader context in which the violence occurs. Considerations in determining the primary aggressor vary by statute, but include comparative extent of injuries, threats of future harm, prior history of violence, and self-defense. The importance of this language is shown by its adoption in 24 states as of calendar year 2000 (Hirschel et al., 2007). Current statutory language in Connecticut does not include the requirement to identify a primary aggressor, nor does it provide clear direction to the police officer on factoring self-defense into the arrest decision.

Primary aggressor language has not proven to be the magic bullet for reducing intimate partner violence. Finn and Bettis (2006) used domestic violence scripts to explore officer justifications for dual arrest in a preferred arrest jurisdiction with primary aggressor language in the state statute. Despite the fact that the statute instructed officers on factors to consider, not one of the officers weighed all of the factors in their decision-making process and not one officer mentioned self-defense. The overriding concern was the risk of future violence. The authors noted that officers were incident-based (act-based) in their investigation and failed to consider the backdrop of the violence, even though mandated to do by state statute.

The state of Nevada provides an example of a law that includes primary aggressor language. The language provides direction to the police officer in making that determination.

NRS 171.137 Arrest required for suspected battery constituting domestic violence; exceptions.

1. Except as otherwise provided in subsection 2, whether or not a warrant has been issued, a peace officer shall, unless mitigating circumstances exist, arrest a person when he has probable cause to believe that the person to be arrested has, within the preceding 24 hours, committed a battery upon his spouse, former spouse, any other person to whom he is related by blood or marriage, a person with whom he is or was actually residing, a person with whom he has had or is having a dating relationship, a person with whom he has a child in common, the minor child of any of those persons or his minor child.

2. If the peace officer has probable cause to believe that a battery described in subsection 1 was a mutual battery, he shall attempt to determine which person was the primary physical aggressor. If the peace officer determines that one of the persons who allegedly committed a battery was the primary physical aggressor involved in the incident, the peace officer is not required to arrest any other person believed to have committed a battery during the incident. In determining whether a person is a primary physical aggressor for the purposes of this subsection, the peace officer shall consider:

- (a) Prior domestic violence involving either person;
- (b) The relative severity of the injuries inflicted upon the persons involved;
- (c) The potential for future injury;
- (d) Whether one of the alleged batteries was committed in self-defense; and
- (e) Any other factor that may help the peace officer decide which person was the primary physical aggressor.

It should be noted that the statute recognizes that self-defense could be classified as battery, but that no arrest is required. The statute requires the officer to consider the social background of the violence to determine if it was used in self-defense. By delving into past history of violence, the officer might be able to uncover a pattern of violence used by the primary aggressor. Severity of injury and whether that injury appears consistent with the verbal statements of the involved parties helps the officer distinguish offensive from defensive injury.

The California Penal Code, section 13701, has effective language for guiding the officer in identification of the primary aggressor:

These policies shall discourage, when appropriate, but not prohibit, dual arrests. Peace officers shall make reasonable efforts to identify the dominant aggressor in any incident. The dominant aggressor is the person determined to be the most significant, rather than the first aggressor. In identifying the dominant aggressor, an officer shall consider the intent of the law to protect victims of domestic violence from continuing abuse, the threats creating fear of physical injury, the history of domestic violence between the persons involved, and whether either person acted in self-defense.

If there is resistance to changing the statute to include primary aggressor language in Connecticut, an alternative would be to pilot primary aggressor policies in a number of municipalities. Using language already in place in other police agencies, those test sites

could amend current policies and add primary aggressor language. The policy change would have to receive the full support of the department's administration.

Departmental Policy: Self-Defense Language

Departmentally, policies that include language on dual arrest and self-defense, mirroring some of the current model policies crafted by several contributing agencies (Office of the Chief State's Attorney, Police Officer Standards and Training Council, and the Connecticut Coalition Against Domestic Violence) seem warranted. With the current research identifying inclusion of self-defense language in domestic violence policy as a significant predictor of the reduced use of dual arrest, evidence exists to support the change. Change would not be extraordinarily difficult because these model policies already exist. For instance, a publication entitled "Police Response to Crimes of Family Violence: Model Policies, Procedures and Guidelines," was recently issued to all Connecticut police departments. It includes an entire page on dual complaints and self-defense. That page gives guidance on the consideration of self-defense and the mandate to thoroughly investigate dual complaints to insure that victims are not unnecessarily revictimized by the legal system.

It is informative that departments in the state generally follow the model policies when formulating their own policies. Unfortunately, the state's model policy was not modified until December 12, 2006, over two years after the self-defense language was incorporated into the state statute. Police departments were certainly notified of the change in statute through other means, but it might be prudent to immediately revise the state's model policy as an example to the agencies in the state.

Specialized Domestic Violence Units

Police departments should also consider the formation of a domestic violence unit in order to improve their response. It was not added as a variable in the current research because so few of the departments included in the research had them in place in 2005. As of 2009, however, several of the departments had formed these units. Their responsibilities vary and can include referral, training, review of patrol reports, risk assessment, investigation, home visits, arrest, liaison with outside agencies, data analysis, community education, and policy advisement. Future research should focus on evaluating their effectiveness and establishing the appropriate outcome variables for measurement.

Although research in this area has been fairly sparse, some research indicates that a domestic violence unit can have a positive impact on the police response. Bledsoe, Sar, and Barbee (2006) studied a coordinated community response to intimate partner violence in Jefferson County, Kentucky that included a specialized domestic violence unit. They found that the unit, comprising only 1.6% of the sworn personnel in the department, accounted for over 35% of the arrests for intimate partner violence. Conviction rates for the specialized unit arrests were higher than the rates for the patrol division, although the difference was not statistically significant ($p=.054$). Average jail sentences were longer, indicating greater accountability for offenders. In addition, officers assigned to specialized unit were able to devote the necessary time to conduct investigations, allowing for evidence-based prosecution. Policy implications that were identified by the authors included additional training and development of expertise in investigative techniques.

Not all of the research has shown that the units have been effective in reducing domestic violence. Farrell and Buckley (1999) studied a domestic violence unit in Great Britain, focusing on repeat victimization as their measure of police performance. The research produced mixed results, with repeat calls declining in the experimental division, but repeat calls to chronic case households (eight or more calls during the study's time frame) increasing or remaining constant. The authors suggested that the unit may have had a greater impact on the less entrenched cases of domestic violence. The authors recommended that specialized units focus on chronic case households to increase their effectiveness and efficiency. It may be that the chronic case household should be the focus of specialized units because the risk of repeat violence is greater. Future research of these units should evaluate the different strategies utilized and assist in formulating best practices.

What these units may also allow for is a continuing change in the culture surrounding the police response to intimate partner violence. Assigning officers who are specially trained in domestic violence and allowing them to work in that capacity may send a message to other officers in the department about the commitment of the organization to that particular crime. As part of a comprehensive strategy demonstrating organizational commitment (including policy amendment and training), this specialized unit appears to have promise in reducing the incidence of domestic violence and improving the overall police response. It is certainly an area ripe for additional research, particularly with the economic pressures facing state and municipal agencies. Formation of a domestic violence unit can be a sizeable investment in personnel in economically lean times for state and municipal agencies. With the current pressures to reduce

expenditures, any significant changes must demonstrate evidence of their effectiveness to justify allocation of resources.

Data Collection: Family Violence Offense Report

The research has identified shortcomings of the Family Violence Offense Report, the primary method of collecting data on intimate partner violence in the state of Connecticut. In fairness, a great deal of critical information is collected on the form pertaining to family violence. There also appears to be a genuine effort to address problems with the form and revise it when necessary. For instance, the version of the form used for this research (rev. 09/00) had an entry for alcohol (identified as liquor on the form) and drug involvement in the incident. Officers could check one of three possible response categories: yes, no, or unknown. Other than in a narrative, officers could not attribute the alcohol or drug use to any particular person involved in the incident. This limited the ability to assess the impact of alcohol or drugs on the incident unless the narrative was read. Knowing that they are involved is certainly critical to understanding the violence, but even more critical is who used the alcohol and drugs and how that use might be related to the violence. In fact, this limitation was identified in previous research on dual arrest by Martin (1997). In a 2007 revision to the form, the same three response categories were included, but the officer now has the ability to check whether each person identified on the form had liquor or drug involvement. This adds more accurate information about the influence of alcohol and drugs in the incident. It may allow researchers to delve into the influence of alcohol and drugs as a predictor of

violence and assess its impact on offenders, victims, and children. This is a substantial improvement.

Another suggested improvement to the form and one that would significantly improve the ability of researchers to study intimate partner violence is the recategorization of relationship codes. Connecticut's form is an attempt to collect information on family violence, which includes much more than what is described in this research as intimate partner violence. As an example, the form collects information on roommates (non-intimates) and relatives residing in the same home and outside the home. For the most part, categories are mutually exclusive and focus group officers were not particularly confused on the categorization of a relationship. One exception was noted and this exception points to the need to separate intimate partner violence from other forms of family violence (relatives, other family members, etc.)

The categories for relationship codes on the current Family Violence Offense Report are: **A.** spouse; **B.** former spouse; **C.** other relative residing in the home; **D.** other relative NOT residing in the home; **E.** persons who are presently living together, have lived together, or ever had a child together; **F.** persons in, or who have recently been in, a dating relationship.

Categories A, B, and F are clearly intimate partners and were the categories included in this research. Categories C and D, populated by non-intimates, were excluded from this research. Category E, however, is too broad in scope and is populated with couples who are both intimate and non-intimate partners. For instance, two people who have ever had a child together should be categorized as intimate partners, yet they are included in a category along with non-intimate roommates. People who were never

married but who currently live or had ever lived together could also be placed into that category. As confirmed by some focus group officers, a couple in an unmarried, cohabitating relationship might not be considered as dating and be placed into category E because they were seen as persons living together. For this research, that entire category had to be eliminated from the dataset because there was no way to separate intimate and non-intimate relationships. Because category E contained such a large number of incidents (n=1,083), it would have been preferable to include the percentage of those incidents in that category that involved intimate partners (see discussion in Appendix F footnote, pages 170-171). Recategorization would allow inclusion of those incidents where intimate partners were involved. The recommendation is that an additional category be created to capture those intimate partners who had children together, but were never married. In addition, it would be helpful to define the dating relationship so there is no confusion in that area. An example of the present confusion was raised by a focus group officer who commented that differences in family violence arrests between police departments might be explained in part by their interpretation of the dating relationship. According to that officer, his department included fewer dating relationships because a first date *might* not be included as a family violence incident. Another department *might* include a first (or second) date as family violence and report the incident accordingly. There was confirmation of this differing interpretation from a supervisor from one of the larger municipalities whose department did not include violence on a first date in the family violence statistics. Standardization must be designed into the process to insure that officers and departments are reporting information to the state as consistently as possible.

X. Conclusion

Consistent in the research is that police agencies in the state of Connecticut are more reliant on dual arrest than agencies in other states. From Martin's groundbreaking Connecticut study (1997) to the national study by Hirschel and his colleagues (2007), there are consistent results. The current study, using data from the 2005 calendar year, continues the trend. With a database containing 1,401 incidents of intimate partner violence occurring in 21 municipalities in southwestern Connecticut, it was determined that 284 of those incidents, or 20.3% of the total, resulted in dual arrest. The percentage is too high and this research was undertaken for two reasons: to understand the dual arrest decision and to make recommendations to reduce it to a more reasonable level.

When improperly applied, dual arrest has devastating effects on victims of intimate partner violence. The effects range from revictimization by our criminal justice system to discouraging future victims of violence from reporting the incident for fear of arrest. An additional effect may be that the domestic violence victim is placed in greater danger. If they hesitate to report future violence, their next victimization may be more severe or potentially lethal. The criminal justice system has a responsibility to victims of domestic violence to provide the optimal response and prevent that from happening.

That said, there may be circumstances where dual arrest is the appropriate law enforcement response. When an officer has evidence that the involved parties engaged in mutual combat, and a full investigation has ruled out self-defense, it may be the correct arrest decision.

Significant Predictors of Dual Arrest

This research has added to the literature on dual arrest by identifying four significant predictors that reduce its incidence. First, dual arrests are reduced when a domestic violence or family violence policy that includes self-defense language is in effect. Such a policy gives direction to the investigating officer and signals the need to conduct a thorough criminal investigation to uncover the context of the violence. That context has the potential to make it easier to identify a primary aggressor. Considering past history of violence, the nature and severity of the injuries, the statements of witnesses and involved parties, and other available evidence are elements of a proper criminal investigation. The domestic violence incident, regardless of its severity, deserves exactly that. A carefully worded policy that provides direction to the police officer in determining self-defense has that effect.

Second, the more serious the incident, the less likely an officer is to resolve it with a dual arrest. Because less ambiguity exists in the serious incident, it is easier to identify the culpable party and make a single arrest. For the most part, it is less difficult for the officer to sort through the evidence and establish the required probable cause. Despite the fact that much of the evidence is laid out for the officer, the serious incident, because of its severity, gets a full investigation. It is the nature of police work to want to solve the serious crime and make the arrest. Officers need to take a similar approach with the less serious domestic violence incident and conduct a thorough investigation to establish probable cause. There is little doubt that probable cause is more difficult to establish in less serious incidents. Less evidence may be present, including physical injury, making interpretation of verbal statements difficult and establishment of

independent probable cause problematic. This may lead to frustration for the officer and the arrest of both parties as the easy way out. Conducting a thorough criminal investigation for the less serious incident will lead to fewer dual arrests. With a similar effect as self-defense language in policy, uncovering the history behind the violence will more often lead to identification of a primary aggressor, a single offender.

Third, the more senior the officers, the less likely they are to resort to dual arrest. In the current study, officers with five or more years of experience were less likely to use dual arrest than the reference group, officers with fewer than two years of seniority. Some experienced officers may have handled hundreds of domestic violence calls. That experience allows them to ask the appropriate questions and pick up on situational cues in the environment that inexperienced officers cannot. Having investigated more of these types of cases, they know when an injury is offensive and when it is defensive. They may use this expertise to challenge verbal statements that are inconsistent with those injuries. This knowledge allows them to be more independent at the crime scene. The bottom line is that they are on average better investigators than their less experienced counterparts. The experience gives them the tools to uncover the truth and place the violence into context. The result is fewer victims being arrested and more accountability for the actual offender. Can the less experienced officer reap some of the benefits of that experienced officer? Training and supervision are paramount. All officers, both experienced and inexperienced, need to actively critique actual police investigations and determine where mistakes were made. Training should provide for that. Supervisors should provide oversight while not being overbearing. Police officers should know that their domestic

violence investigations, even those categorized as less serious, will be scrutinized and monitored.

Finally, and contrary to expectations, police officers in the study were more likely to use dual arrest in spousal than in nonspousal relationships. Research has been fairly consistent in reporting that arrests, both single and dual, are more prevalent in nonspousal relationships than in spousal relationships. Some researchers posit that it is a societal punishment for the nonmarital, cohabitating relationship: a failure to see it as a legitimate union. Others feel that the marital relationship is more intimate and, as such, generates less social control (Black, 1971). Explanations for the findings in this research revolved around time and emotional investment. Married couples who reported violence may have had second thoughts once police arrived on the scene. Because a legal marriage signals a greater stake than a nonmarital relationship, one or both parties may be reluctant to provide crucial information to the police because they fear harming something quite valuable to them: their spouse or children. Without critically needed evidence, police are unable to establish a primary aggressor and more likely to arrest both parties as a default. Training that includes the dynamics of domestic violence might provide the insight so that officers recognize what is happening and tailor their investigation accordingly.

Policy Recommendations

The domestic violence docket court and specialized domestic violence units in police agencies deserve a closer look. Connecticut already uses the docket court across the state; expansion, even in difficult economic times, would be prudent. Relative to dual arrest, researchers should assess the effectiveness of the docket court in reducing it. It

should be a priority given the results of this research. The docket court should be more effectively integrated into the police department so that its effectiveness and benefit can be realized by the individual patrol officers and their supervisors. It should not be viewed as merely providing services for those in need and for prosecuting those responsible for the violence. Police officers must see the docket court as a valuable tool in their investigation of domestic violence. This can be accomplished through joint trainings (police and court personnel) and consistent exchange of information.

The specialized domestic violence unit has proven successful in other jurisdictions. It is a worthwhile investment in police resources and one that could benefit victims of domestic violence. It might be a difficult sell in the current economic climate, but if it reduces domestic violence and dual arrest, it will pay for itself. A department that staffs such a unit signals to the community that it considers domestic violence a serious crime. It sends the same signal to the police officers who investigate these crimes. Officers assigned to specialized units develop the necessary expertise to follow-up on difficult domestic violence cases and act as a resource for patrol officers. They should have an active role in training, using their expertise to provide information that will actually help patrol officers in their investigations. Similar to the docket court, the specialized unit must provide a benefit to the patrol officer for it to be successful.

What Have We Learned in Connecticut?

Connecticut is somewhat unique in the fact that its 169 municipalities operate with a great deal of independence. With the absence of county government, the burden of advancing consistent statewide law enforcement practices falls upon the state government.

Without it, individual police departments and their officers will continue to produce inconsistent results when investigating intimate partner violence incidents. Focus groups in this research identified the threat of liability as influencing their arrest decision in these types of incidents. Because one of the seminal cases involving liability occurred in the state of Connecticut (*Thurman v. City of Torrington*, 1984), this threat may have particular significance for police officers in the state. That threat, coupled with the current state law and many of the departmental policies, adversely impacts the dual arrest rate. Officers who are preoccupied with liability issues and do not have clear direction in regards to law and policy may err on the side of caution, resulting in the arrest of potential victims of intimate partner violence. These factors, in combination with other predictors not distinctive to Connecticut, accumulate to create a high dual arrest rate. Strategies to reduce dual arrest cases must revolve around law, policy, training and supervision. The more information the police have about domestic violence, the better equipped they are to conduct comprehensive investigations. If police officers have clear policy mandates crafted from statutory language, they will have the necessary guidance. Once they are provided with that mandate and given the specific skills, it is up to the police departments to monitor compliance and correct deficiencies.

Consideration of primary aggressor law in state statute should be on the horizon. Although evidence is still being collected as to its effectiveness, Connecticut's high dual arrest rate warrants that the language be considered. There are states who have adopted it already, so there is model statutory language to follow. Despite the fact that police officers do not always follow mandates, compliance can be garnered through proper monitoring and supervision. The statutory language should reduce reliance on dual arrest

because officers will more likely investigate the context of the violence. Context will allow them to separate offensive from defensive violence, making identification of the primary aggressor possible. Should the state be concerned with the existing empirical support demonstrating the effectiveness of primary aggressor language, then pilot studies could be undertaken in a small number of agencies. Changing policies to include primary aggressor language would have the same effect as statutory change and would allow the state to first examine effectiveness at the local level.

An initial strategy recommendation involves enhanced training. Police officers in Connecticut have always received training in the area of domestic violence. There has definitely been an increased emphasis on it in the past 20 years. Despite that, officers need more of it and it has to emphasize reducing dual arrests. Many officers receive nothing more than a few hours in domestic violence investigation every three years (mandated in-service training is a total of 80 hours every three years in all areas). Officers should be armed with knowledge of the dynamics of domestic violence so they understand and properly react to victim behaviors. Role-playing exercises might allow police officers to assume a different role, such as the victim of domestic violence. Actual case investigations need to be critiqued in order to identify errors that resulted in dual arrests. The state and its police departments need to continually evaluate their training to insure that it is in line with identified best practices across the country. Once officers receive this enhanced training, it is up to their supervisors to monitor compliance. It is imperative that supervisors receive the same training as their patrol officers and that their supervision is monitored as well.

Future research on dual arrest should endeavor to identify additional predictors that affect the arrest decision. The explanatory power of the final model in this research was weak, indicating that there is a significant amount of unexplained variance in the dependent variable, dual arrest. It seems plausible that policy, training, and supervision may be some of the more important variables to identify. Qualitative inquiry may be a useful method for this purpose.

Understanding the predictors of dual arrest and implementing best practices to address those predictors have the potential to reduce the high dual arrest rates in the state. The improper use of dual arrest has a devastating impact on victims of domestic violence. It compromises their safety and may unfairly subject them to revictimization by the criminal justice system. If the state of Connecticut and its police departments intend to treat domestic violence as the serious crime that it is, both need to direct adequate resources to insure the optimal law enforcement response. A reduction in dual arrest along with the fair and equitable treatment of victims of domestic violence is the reward.

XI. Appendix A

Informed Consent

You are invited to participate in a research study on dual arrest in intimate partner violence incidents. The purpose of this research is to gain a more comprehensive understanding of the arrest decision in incidents that result in dual arrest (both parties arrested) in order to improve the law enforcement response. The study will involve 20 police officers in 4 focus groups. If you decide to participate, you will be asked to discuss the decision-making process in these types of incidents and for your opinion on my research findings. Participation should take about 30-45 minutes.

The foreseeable risks of participation in this study are minimal. The possible benefit to you is a better understanding of the decision-making process in incidents involving intimate partner violence. The potential benefit to society is an improved law enforcement response to these types of incidents.

Your participation in this study is completely voluntary. You have a right to refuse to participate without consequences. If you decide not to participate your decision will not affect your relationship with John Jay College or your police department. If you decide to participate you may discontinue participation at any time. You may refuse to answer any specific questions or refuse to engage in any task at any time during the study. Withdrawal or refusing to answer specific questions or engage in specific tasks will not result in any consequences to you and will not affect your relationship with John Jay College or your police department. Your individual responses to questions during the focus group will be used for research purposes only. Your name will not be attached to any of your responses. Information concerning police officer identity from the consent form will remain confidential and will not be divulged to anyone. The consent forms will not be stored in a file server or in any other computational domain where others could access them. They will remain under lock and key with the principal investigator.

Your signature below means that you have read this consent form, that you fully understand the nature and consequences of participation and that you have had all questions regarding participation in this study answered satisfactorily. If you have further questions about this research please feel free to contact the Principal Investigator, Patrick Morris at 203-505-8357. If you have any questions regarding your rights as a research participant please feel free to contact the John Jay Institutional Review Board Office at jj-irb@jjay.cuny.edu, or (212) 237-8961.

Participant Name

Participant Signature

Principle Investigator

Date

Witness Signature

Date

Appendix B

Protocol Title: Dual Arrest in Intimate Partner Violence Incidents: The Influence of Police Officer, Incident, and Organizational Characteristics

Protocol #: JJ-07-187

Principal Investigator: Patrick Morris

List of Questions for the four focus groups:

1. When you have an arrest decision in a DV incident involving intimate partners, what factors influence that decision to arrest only one versus both individuals?
2. How familiar are you with your department's policy on family violence?
3. How is this policy usually communicated to officers in your department?
4. Do you think that the policy has had an effect on your decisions to use dual arrests (for example, the frequency of dual arrests that you've made)?
5. If you're from a department that is affiliated with a domestic violence docket court, do you think that affiliation has affected your decision to use dual arrest?
6. To what extent does the seriousness of the crime, as compared to other factors, influence your decision to use dual arrests in incidents involving intimate partner violence?
7. To what extent does the relationship of the two parties (spousal or nonspousal), as compared to other factors, influence your decision to use dual arrest in incidents involving intimate partner violence?
8. Is the Family Violence Offense Report clear or would you suggest any improvements in the form?
9. I would recommend a couple of changes to the form based on the results of my research. I'd like to get your thoughts on them.
10. I've been researching the use of dual arrests in departments across Connecticut. As a whole the data shows something interesting:... I'd like to get your sense of why this pattern has occurred.

Appendix C

Sec. 53a-19. Use of physical force in defense of person. (a) Except as provided in subsections (b) and (c) of this section, a person is justified in using reasonable physical force upon another person to defend himself or a third person from what he reasonably believes to be the use or imminent use of physical force, and he may use such degree of force which he reasonably believes to be necessary for such purpose; except that deadly physical force may not be used unless the actor reasonably believes that such other person is (1) using or about to use deadly physical force, or (2) inflicting or about to inflict great bodily harm.

(b) Notwithstanding the provisions of subsection (a) of this section, a person is not justified in using deadly physical force upon another person if he knows that he can avoid the necessity of using such force with complete safety (1) by retreating, except that the actor shall not be required to retreat if he is in his dwelling, as defined in section 53a-100, or place of work and was not the initial aggressor, or if he is a peace officer or a private person assisting such peace officer at his direction, and acting pursuant to section 53a-22, or (2) by surrendering possession of property to a person asserting a claim of right thereto, or (3) by complying with a demand that he abstain from performing an act which he is not obliged to perform.

(c) Notwithstanding the provisions of subsection (a) of this section, a person is not justified in using physical force when (1) with intent to cause physical injury or death to another person, he provokes the use of physical force by such other person, or (2) he is the initial aggressor, except that his use of physical force upon another person under such circumstances is justifiable if he withdraws from the encounter and effectively communicates to such other person his intent to do so, but such other person notwithstanding continues or threatens the use of physical force, or (3) the physical force involved was the product of a combat by agreement not specifically authorized by law.

Appendix D

Sec. 46b-38b. Investigation of family violence crime by peace officer. Arrest.

Assistance to victim. Guidelines. Education and training program.

(a) Whenever a peace officer determines upon speedy information that a family violence crime, except a family violence crime involving a dating relationship, has been committed within such officer's jurisdiction, such officer shall arrest the person or persons suspected of its commission and charge such person or persons with the appropriate crime. The decision to arrest and charge shall not (1) be dependent on the specific consent of the victim, (2) consider the relationship of the parties, or (3) be based solely on a request by the victim. Whenever a peace officer determines that a family violence crime has been committed, such officer may seize any firearm at the location where the crime is alleged to have been committed that is in the possession of any person arrested for the commission of such crime or suspected of its commission or that is in plain view. Not later than seven days after any such seizure, the law enforcement agency shall return such firearm in its original condition to the rightful owner thereof unless such person is ineligible to possess such firearm or unless otherwise ordered by the court.

(b) No peace officer investigating an incident of family violence shall threaten, suggest or otherwise indicate the arrest of all parties for the purpose of discouraging requests for law enforcement intervention by any party. Where complaints are made by two or more opposing parties, the officer shall evaluate each complaint separately to determine whether such officer should make an arrest or seek a warrant for an arrest.

Notwithstanding the provisions of subsection (a) of this section, when a peace officer

reasonably believes that a party in an incident of family violence has used force as a means of self-defense, such officer is not required to arrest such party under this section.

(c) No peace officer shall be held liable in any civil action regarding personal injury or injury to property brought by any party to a family violence incident for an arrest based on probable cause.

(d) It shall be the responsibility of the peace officer at the scene of a family violence incident to provide immediate assistance to the victim. Such assistance shall include, but not be limited to: (1) Assisting the victim to obtain medical treatment if such treatment is required; (2) notifying the victim of the right to file an affidavit or warrant for arrest; and (3) informing the victim of services available and referring the victim to the Office of Victim Services. In cases where the officer has determined that no cause exists for an arrest, assistance shall include: (A) Assistance as provided in subdivisions (1) to (3), inclusive, of this subsection; and (B) remaining at the scene for a reasonable time until, in the reasonable judgment of the officer, the likelihood of further imminent violence has been eliminated.

(e) Each law enforcement agency shall develop, in conjunction with the Division of Criminal Justice, and implement specific operational guidelines for arrest policies in family violence incidents. Such guidelines shall include, but not be limited to: (1) Procedures for the conduct of a criminal investigation; (2) procedures for arrest and for victim assistance by peace officers; (3) education as to what constitutes speedy information in a family violence incident; (4) procedures with respect to the provision of services to victims; and (5) such other criteria or guidelines as may be applicable to carry

out the purposes of sections 46b-1, 46b-15, 46b-38a to 46b-38f, inclusive, and 54-1g. Such procedures shall be duly promulgated by such law enforcement agency.

(f) The Police Officer Standards and Training Council, in conjunction with the Division of Criminal Justice, shall establish an education and training program for law enforcement officers, supervisors and state's attorneys on the handling of family violence incidents. Training under such program shall: (1) Stress the enforcement of criminal law in family violence cases and the use of community resources, and include training for peace officers at both recruit and in-service levels; and (2) include, but not be limited to: (A) The nature, extent and causes of family violence; (B) legal rights of and remedies available to victims of family violence and persons accused of family violence; (C) services and facilities available to victims and batterers; (D) legal duties imposed on police officers to make arrests and to offer protection and assistance; and (E) techniques for handling incidents of family violence that minimize the likelihood of injury to the officer and promote the safety of the victim.

Appendix E

State of Connecticut Department of Public Safety		Family Violence Offense Report					OTI NUMBER - OFFICE USE ONLY
(Print or type all entries. See other instructions on the reverse side of this form.)							
1. Arrest <input type="checkbox"/> Yes <input type="checkbox"/> No	2. If Zero Reporting, Enter Period Covered (MM/YY)	3. Case Number	4. Local PD Name	5. Offense Town Code	6. Offense Date	7. Offense Time	
OFFENSE CODES		A. Homicide B. Assault C. Kidnapping	D. Sexual Assault E. Criminal Mischief F. Risk of Injury	G. Breach of Peace H. Disorderly Conduct I. Other/Violation Court Order	8. Enter a letter to indicate type of offense:		
WEAPONS CODES		A. Firearm B. Knife C. Other Dangerous Weapon D. Hands, Fists, Feet, etc.	9. Enter the NUMBER of weapons used by type				
INJURY CODES		A. Serious Physical Injury B. Minor Physical Injury	C. No Physical Injury D. Fatal	10. Enter a letter for the most serious type of injury to any victim:			
STATUS CODES		V. Victim O. Offender B. Both/V	RELATIONSHIP CODES: A. Spouse B. Former Spouse C. Other relative residing in the home D. Other relative NOT residing in the home E. Persons who are presently living together, have lived together, or ever had a child together. F. Persons in, or who have recently been in, a dating relationship.				
11. Status Code	12. Last Name	13. First Name	14. MI	15. Sex	16. Date of Birth	17. Relationship of VICTIM to Offender (enter if victim only)	
18. Liquor or Drugs Involved? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown		19. Prior Court Orders? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown		20. A Child under 18 years old was: <input type="checkbox"/> A. Involved as a victim, offender, or both <input type="checkbox"/> B. Was Present <input type="checkbox"/> C. N/A			
21. Remarks (optional)							
22. Officer's Name & Rank		23. Badge Number	24. Date of Report	25. Supervisor's Signature & Rank			

APPENDIX F

Table 29 Logistic Regression Results
Data from the Family Violence Offense Report, Category E

Final Model	B	S.E.	Wald	df	Sig.	Exp(B)
Officer Seniority (<2yrs.)			9.320	2	.009	
Officer Seniority (2yrs. to <5yrs.)	-.296	.217	1.869	1	.172	.744
Officer Seniority (≥5yrs.)	-.531	.176	9.132	1	.003	.588
D/V Court Affiliation	-.254	.148	2.937	1	.087	.776
Alcohol or Drugs Involved	-.393	.160	6.073	1	.014	.675
Constant	-.469	.185	6.439	1	.011	.625
Log Likelihood	1178.008					
R Square (Nagelkerke)	.024					
Chi Square	17.638					
DF	3					
Significance	.001					
N	1,070					

Variable(s) entered on step 1: policy, off_gen, off_sen_2, inc_seriousness, sub_abuse, child_inv, dv_court, dept_size.

*See footnote following table 30, page 170, for discussion of this model.

Table 30 Logistic Regression Results**All Data from the Violence Offense Report, Categories A, B, E, and F**

Final Model	B	S.E.	Wald	df	Sig.	Exp(B)
Self-Defense Policy	-.314	.100	9.850	1	.002	.731
Officer Seniority (<2yrs.)			13.040	2	.001	
Officer Seniority (2yrs. to <5yrs)	-.322	.146	4.868	1	.027	.725
Officer Seniority (≥5yrs.)	-.438	.121	13.005	1	.000	.645
Incident Seriousness	-.242	.103	5.574	1	.018	.785
Alcohol or Drugs Involved	-.314	.108	8.440	1	.004	.730
Constant	-.593	.123	23.157	1	.000	.553
Log Likelihood	2556.687					
R Square (Nagelkerke)	.023					
Chi Square	36.252					
DF	4					
Significance	.000					
N	2,447					

Variable(s) entered on step 1: policy, off_gen, off_sen_2, inc_seriousness, sub_abuse, child_inv, dv_court, dept_size, spousal_nonspousal¹

¹ Tables 29 and 30 are logistic regression results that factor in data eliminated from the analysis in the present research. Table 29 analyzes data from category E of the Family Violence Offense Report. That data was eliminated from the dissertation research because it contained both intimate and nonintimate partner incidents and because it was impossible to separate the two. Category E includes incidents involving persons presently living together, who had ever lived together, or who ever had a child together. That category clearly contains intimate partners, particularly those persons who had a child together. There is a distinct probability that the category is also populated with same sex couples who have not been designated by the investigating officer as in a dating relationship. The regression analysis was conducted to determine if the incidents that populated category E had different predictors of dual arrest than incidents in categories A, B, and F. Earlier analysis revealed that incidents in category E had higher levels of dual arrest (25.2%) than those in the categories A, B, and F (20.3%). This was a statistically significant difference ($\chi^2 8.396$; $df=1$; $p<.05$). The regression results point to two significant predictors, officer seniority and alcohol/ drug involved. For officer seniority, the least senior and most senior officers were less likely to engage in dual arrest. Incidents involving drugs and alcohol also had a reduced chance of dual arrest. Predictors of dual arrest in incidents populating categories A, B, and F had four significant predictors, one of which was officer seniority. Senior officers in those incidents were less likely to engage in dual arrest. Other predictors were self-defense policy, offense seriousness, and spousal relationship. Spousal relationship was removed from the analysis presented in table 29 because none of the incidents involved spousal partners. The data indicates that police officers, when confronted with nonintimate roommates and same sex partners, are less inclined to identify primary aggressors and arrest single offenders than if the incident involved intimates. This is despite the presence of state law that does not distinguish between the two. It may be that police officers do not identify nonintimates and same sex partners as victims as readily as they do intimate partners. Seeing both parties in an incident as equally responsible becomes a greater likelihood. The finding that alcohol and drug involvement reduced dual arrest was unexpected. It may be

Footnote continued on the next page.

that investigating officers could more easily identify a primary aggressor when drugs or alcohol were involved. The speculation is that officers could, more often than not, determine that one of those involved in the incident was using drugs or alcohol.

Table 30 represents the regression results when combining categories A, B, E, and F of the Family Violence Offense Report. This analysis was conducted to determine if the predictors of dual arrest changed when all categories were combined. The results identified four significant predictors. They were self-defense policy, officer seniority, incident seriousness, and alcohol or drug involvement. The first three were significant predictors in the present research (categories A, B, and F) and each reduced the incidence of dual arrest. The one that is absent from the combined analysis is spousal relationship. This is intuitive because none of the incidents in category E involved spousal relationships. As with the analysis of category E incidents, the combined analysis identified alcohol and drug use as reducing dual arrest.

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