

# **Domestic Violence: On the Front Lines with Richard Davis, ALM**

## **Domestic Violence Intervention for Officers and their Families**

**June, 2006**

***We are never deceived; we deceive ourselves. – Goethe***

In April, Tacoma, Wash. Police Chief David Brame killed his wife Crystal and then himself. This event became a national story and continues perhaps because of the fact that David Brame was a chief of police. People seemed surprised that a chief of police would commit such a horrific act, however, they should not be. These events are not oddities or rarities. Shortly after the Tacoma murder-suicide, in July the New York City Police Department experienced a murder-suicide involving one of its superior officers.

It was a murder-suicide on my former department that caused me to begin exploring how we can prevent or at least minimize domestic violence incidents.

Also in July a domestic violence advocate in the Tacoma area stated that she wanted to hold a news conference on July 14 to tell the people in the community what they should do about domestic violence.

One must suppose she believes she is the “expert” on the issue. The advocate is quoted on [www.Tribnet.com](http://www.Tribnet.com) on July 14, 2003 as declaring, “It seems like someone’s declared open season on women.” This terrible tragedy must be used for resolution and healing and not continued adversarial confrontation. There is no single person, group, or ideological philosophy that has all the answers.

Jeffery Fagan writes in *The Criminalization of Domestic Violence*, (available online at <http://www.ncjrs.org/pdffiles/crimdom.pdf> or it may be ordered from the National Institute of Justice (NIJ) by calling 1-800-851-3420) that,

Without meaningful change in the structure of research and evaluation in domestic violence, a reviewer five or 10 years from now will likely reach the same conclusions reached in this review: “We just don’t know, the evaluation data aren’t very good.” We could have said all this five years ago and actually did say it 10 years ago (Boruch, 1994). Let’s not be embarrassed or embarrass ourselves by continuing on this frustrating path of fad-driven and nonsystematic policies with weak after-the-fact evaluations.

To render sense from recent horrific events they need to become positive catalysts for conciliation and comprise concerning proper domestic violence policies. There needs to be a new intervention process that is proactive, not adversarial and less confrontational. Any intervention and/or educational policy must include not only the officers but all members of the family.

The majority of professionals nationwide have come to recognize that the issue of domestic violence is far more complex than “an open season on women.” Domestic violence is far more multifaceted than any “one-label-fits-all” philosophy. Harvey Wallace writes on page 8 of his text *Family Violence: Legal, Medical, and Social Perspectives*, that “Researchers have interviewed, tested, observed, and evaluated thousands of people in an attempt to discover the factors that contribute to family violence. Unfortunately, to date no one authority has discovered the single correct answer.” Domestic violence is not a problem only for women, it is child, sibling, spousal, intimate partner, and elder abuse.

The findings from the National Violence Against Women Survey (NVAWS) reveal that many people regardless of age, gender or sexual preference can be either victims or abusers of domestic violence. The Full Report of the Prevalence, Incidence, and Consequences of Violence Against Women is available online at <http://www.ncjrs.org/pdffiles1/nij/183781.pdf> and it may be ordered from the National Institute of Justice (NIJ) by calling 1-800-851-3420.

Everyone concerned about the issue of domestic violence, regardless of their ideological beliefs, needs to read this report. To ignore this report is a disservice to all victims of domestic violence. It documents that, “The data show that violence is more widespread and injurious to women’s and men’s health than previously thought. . .”

The report reveals that approximately 1.3 million women and 835,000 men are physically assaulted by an intimate partner annually in the United States. Approximately 22.1 percent of women and 7.4 percent of men were physically assaulted by a current or former spouse, cohabiting partner, boyfriend or girlfriend, or date in their life time. It reports that 39 percent of females and 24.8 percent of males report being injured during their most recent physical assault. It reveals that 51.9 percent of women and 66.4 percent of men said they were physically assaulted as a child by an adult, caretaker and/or as an adult by any type of attacker. An estimated 1.9 million women and 3.2 million men are physically assaulted annually in the United States. It documents that women are the primary but not the only or exclusive victims of domestic violence.

## **Conciliation Not Confrontation**

These most recent tragic murder-suicides must act as wake up calls for both law enforcement agencies and domestic violence advocates nation wide. These senseless murder-suicides must be used so that all of us become a part of the solution. They must not be used to continue the finger pointing of blame towards others that too often keeps

us apart. There are many important lessons to be learned and three of the more important are:

- All family members must be assured that their well being is the paramount concern of law enforcement. All family members must be provided a written copy of the law enforcement agencies policies and procedures concerning domestic violence. All family members must be assured that the departments first and foremost concern is for the victims and not the abuser.
- All family members must be assured when they report that any member of the law enforcement family is either an abuser or being abused that their report will be immediately and professionally acted upon.
- There must be intervention policies that address all forms of domestic violence, no matter how minor they may seem. Arrest and restraining orders are reactive not proactive. Some studies document they can create problems as well as cure them.
- What is needed are proactive, positive and constructive polices intended to prevent reaching the need for either an arrest or the issuance of a restraining. Arrest or the issuance of a restraining order is reactive and negative and worse still, they often occur after years of abuse.

This problem of domestic violence is not unique to law enforcement officers and their families. Everyone, regardless of age or gender, will at some time during their life struggle with personal or family problems. Marital relationships, family conflict, anger, anxiety, grief, drinking or drug use, stress, work issues, depression are not problems only for those that law enforcement serves, these problems effect officers, their spouse and other family members.

It is important for officers, or in fact any family member, to understand that problems on the job or at home most often can be solved through early proactive intervention. Problems rarely go away by themselves.

When problems begin to detract from the officers or any family member quality of life, it is time to act. When problems begin to have an adverse impact on an officers fitness for duty or if any problems effect any family members mental, physical, and emotional well being, it is time for proactive intervention.

### **First Things First**

All agencies must provide lengthy, intensive, and independent psychological testing before anyone is considered for a law enforcement position. No one should ever be handed a badge and a gun until they have been extensively interviewed and psychologically tested. While this process is neither perfect nor fool proof it is egregious for law enforcement to ignore that it must be their first and most important step.

All agencies should have a Wellness Intervention Program. The wellness intervention program should be designed to provide both physical and psychological wellness

programs and interventions for officers and all family members. The concept of a sound mind and body is not new but somehow has become a forgotten concept.

Free, independent, confidential, professional counseling should be made available at the request of any employee and/or employee family members who believes they may be suffering from any effects of domestic violence or family conflict regardless of how minor. The majority of these services may be covered at little to no cost through the agencies' and/or the officers health insurance policies.

If there are problems, any problem no matter how minor the problem may seem at the time, they must be addressed early. Officers and family members must realize that more often than not, minor problems will escalate when not confronted. If the officers and/or family members do not act and the problem escalates, this will inevitably become a problem that the law enforcement agency will address.

### **There Needs To Be Education**

There is little agreement between professional researchers and those in the academe concerning just what the causal factors of domestic violence are. In his Family Violence text Wallace writes on page 3, "However, an overview of issues that affect the study of family violence provides a basis for understanding that this form of aggression requires additional research before we can determine all of its ramifications."

Regardless of the causal factors, acknowledging that a problem exists is the first step in understanding the danger domestic violence present. Domestic violence often inflicts physical and psychological suffering. It destroys families, careers and results in the deaths of too many children, women, and men.

The National Criminal Justice Study, "Batterer Programs: What Criminal Justice Agencies Need to Know" is available online at <http://www.ncjrs.org/pdffiles/171683.pdf> or it may be ordered by calling NIJ at 1-800-851-3420. This report acknowledges that there is no single cause for domestic violence nor is there a single cure. The report lists three prominent contemporary theories that attempt to explain the cause of domestic violence.

- **FEMINIST or COGNITIVE-BEHAVIORAL:** This model proffers that domestic violence mirrors the patriarchal organization of society and it is only men who use violence to maintain their traditional dominate role in the family. The behavior of abusers is the result of masculine culturally, created and accepted, learned mores and norms.

The National Research Council documents in the book, *Violence in Families: Assessing Prevention and Treatment Programs*, that the issue of "power and control" is not limited to adult heterosexual males and females. Unequal power and control issues permeate the discussion of child, sibling, spousal, intimate partner, and elder abuse. Family members, regardless of age, gender or sexual

preference often use coercive or abusive behavior and/or physical assault to control or alter the behavior of another family member.

This type of manipulative behavior, “to get one’s own way,” is not exhibited only between adult heterosexual male and female as adults. This behavior is exhibited by all family members, regardless of age or gender, and it is often the first pragmatic principle we learn as children.

- **FAMILY CONFLICT:** This model proffers that the violence is the result of the stresses created within families. In this model, any family member may intentionally or unintentionally contribute to the escalation of violence.

This particular model may be most relevant to police officers and other family members as officers attempt to live in a functional world of family and friends. However, the officer’s work is filled with a world of dysfunctional families, a subculture of violent behavior, odd work habits and strange work hours.

Officers should understand that there are many people who are attracted to police officers [or in truth, often to their uniform, weapon, and badge] and it seems that too many police officers do not understand or resist this type of attraction. There should be little doubt that marital problems can lead to financial strain that will escalate family conflict.

The numbers of police officers who divorce and the number of times they divorce is extremely high. All studies, not just those concerned with law enforcement, document quite clearly that divorce or the termination of any intimate relationship increases the risk for domestic violence.

- **PSYCHOTHERAPEUTIC:** This model proffers that personality disorders and/or early traumatic life experiences predispose some people to use violence in family relationships. This model allows for individual or group therapy.

Police officers are not immune from any low level forms of family conflict nor are they impervious from more serious forms of domestic violence. However, police officers as either abusers or victims of family conflict have been ignored, misrepresented, and inadequately studied.

Few to no studies to date give any credence to the serious psychological effects police officers face due to their attempt to live in one world and while working in another filled with crime, criminals and a sometimes imperfect and over worked criminal justice system.

## **Battering Behavior**

When we think of domestic violence we think of a “battered victim” who suffers from what is often labeled “intimate terrorism.” Most researchers and professionals agree that a “battered victim” is a victim whose life is thoroughly, extensively, and completely

controlled by the batterer and the victim's behavior is purposely altered to suit the batterer's desires while they live in a familial or intimate partner styled relationship.

The batterer systematically uses physical violence, economic subordination, threats, isolation, and a variety of other behavioral controlling tactics to ensure that the victim does what the batterer wants. Victims do not choose to stay in these relationships, they remain because of many reasons not the least of which are that they are in fear of greater physical, economic, and emotional harm to themselves or their children if they try to leave.

## **Family Conflict**

Studies document there is another and more common type of family violence or conflict that occurs often within families. This type of family conflict does not involve a specific long term pattern of power and control. This type of family conflict can grow out of a general or specific disagreement, it is often created by stress, and it can escalate into violence or physical assault.

This type of family conflict does not always involve a general motivation by one person to control or alter the behavior of another. They are often not frequent, and many have no specific pattern. The Full Report of the Prevalence, Incidence, and Consequences of Violence against Women documents that most physical assaults are relatively minor and consist of pushing, shoving, slapping, the throwing or breaking of objects, etc.

These minor events can and often do, escalate to much more serious violence and physical injury. Because this type of violence is not predicated on a well thought out pattern of long term control over the behavior of one's partner and does not appear to be "battering behavior", does not mean it is not aberrant behavior, because it is. Any lower levels of family conflict are serious and can quickly escalate into much more violent forms of behavior for all members of the family without proper and early intervention. All forms of domestic violence, regardless of degree of severity, are unacceptable.

There are many tactics employed by family members who attempt to "get their way" in a specific or general disagreement. Stress, real or imagined can be the source of some forms of family conflict. Many officers think their feelings of hopelessness, helplessness, and frustration as being created by the stress of the "street job" and ignore problems in their own homes. Often times stress is caused by the officer's supervisors or in the case of supervisors, by those they supervise.

## **One-Label-Fits-All**

An article in the [www.Tribnet.com](http://www.Tribnet.com) on July 6, 2003 notes that some law enforcement officers spouses/intimate partners do not report abusive behavior because they do not think their report would be taken seriously, they are afraid of retaliation if they do, and some are afraid that their spouse/ intimate partner would lose their job because of mandatory arrest policies and a federal law that makes it illegal, once a restraining order is in place, for their spouse/ intimate partner to carry a gun.

The same article notes that Crystal Brame attempted to divorce her husband as inconspicuously and discreetly as possible. She did not want her private life intruded upon and did not want his professional career to be ruined. And given the tragedy that occurred, perhaps she was right. However, because of state mandatory arrest laws in Washington state and federal gun laws discretion, confidentiality and privacy is not possible.

Esta Soler, is the President and founder of the Family Violence Prevention Fund (FVPPF) [www.endabuse.org](http://www.endabuse.org). Soler believes that, “Certainly, all violence is wrong regardless of who is the perpetrator.” However, she states that, “Domestic violence occurs when there is an ongoing pattern of fear, intimidation and violent assault.” She does not think that each and every time there is an incident of family conflict such as shoving, pushing, slapping, etc it should be considered a domestic violence incident.

Ellen Pence, who is one of the foremost and influential feminists concerning the issue of domestic violence, believes that many cases of domestic violence will not be resolved in a courtroom. Never the less, the difference between domestic violence and family conflict is irrelevant when civil restraining orders are issued.

Laws in the city of Tacoma, the state of Washington, all other 49 states and the federal government does not recognize those differences. Domestic violence in eyes of the criminal justice system, the majority of domestic violence advocates, and in our civil and criminal courts is characterized as a single simple assault between spouses, intimate partners, or any family member. All of these people and institutions ignore the distinction made by Soler.

## **Summary**

All family members must understand the dangers presented by domestic violence regardless of how minor it seems to be. Steps must be taken at the first sign of any minor family conflict. All family members must understand that if left untreated any of these minor forms of family conflict can escalate into domestic violence. There must be more than “one-label-fits-all” domestic violence intervention made available for the officers and their families.

Chicago has had such a policy in place for more than a decade. The Chicago model has a domestic violence advocate that works independent of the department and has the authority to recommend department response to abuse claims that fall short of “domestic violence.” These advocates must be both highly skilled and educated people, preferably with a graduate degree in psychology or social work. The advocates assist family members who have abuse claims while they decide what their best course of action is. The advocate can recommend discipline short of criminal charges and/or firing the officer. In short, family members need the chance to make a choice.

Domestic violence policies should allow law enforcement and domestic violence advocates to listen to the desire of family members. Mandatory and preferred arrest and

federal gun laws in reference to restraining orders make that improbable if not impossible.

Family members and officers should be given options. Once the Chicago styled model is in place the officers will have no reason or excuse not to seek help before the law enforcement agency seeks them. If draconian steps are necessary it is a choice the officer has decided upon. Law enforcement agencies need policies that provide both a “helping hand” and a “mailed fist.”

The majority of contemporary domestic violence advocates may believe that this type of intervention will open the flood gates for a return to the days when complaints were ignored and swept under the rug. Perhaps they might consider the dramatic differences between Tacoma, which does not have these policies and Chicago that does.

In Tacoma the ratio of abuse reports is 1 for every 532 officers. In Chicago it is 1 for every 54 officers. The truth of the matter is that the contemporary “one-label-fits-all” draconian intervention does not encourage family members to seek help. In fact the opposite is true, draconian “one label fits all” measures discourage victims from seeking help. Often the abuse will continue or worse, as the Tacoma and New York City department discovered, the results may be deadly.

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His collaborative domestic violence support web site, “The Cop and the Survivor,” with law summaries, editorials and other information, can be found at: [www.rhiannon3.net/cs/index.html](http://www.rhiannon3.net/cs/index.html).

He is the author of *Domestic Violence: Facts and Fallacies* by Praeger publishers and has written numerous articles for newspapers, journals, and magazines concerning the issue of domestic violence. He writes a monthly column for [www.nycop.com](http://www.nycop.com), his column here for [www.PoliceOne.com](http://www.PoliceOne.com), and has a web site at [www.policewriter.com](http://www.policewriter.com). A most recent work is an article that defines domestic violence in the multi-volume *Encyclopedia of Psychology* by the Oxford University Press and Yale University.

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