

Creating a Structured Decision-Making Model for Police Intervention in Intimate Partner Violence

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INTRODUCTION

For the past thirty years, activists in the domestic violence movement have pushed the criminal justice system to actively respond to intimate partner violence. Initiated at the grass roots level this movement now enjoys increasing support from governments officials, researchers, and criminal justice practitioners. Many police departments have responded to the charge by creating domestic violence units, instituting better training on the issue, and having clearly written policies regarding response practices.

To address this difficult, but important problem, researchers in this field tend to approach it from three different avenues. Work is being done to assess the incidence of prevalence of violence among intimates, as well as other types of abuse. Others are working on developing interventions aimed at aimed at reducing domestic violence either by treating and/or sanctioning batterers, aiding the victims and survivors, or a combination of the two. The third avenue researchers have taken is to try to determine risk of intimate partner violence or repeated violence.

This study is part of the third group. It is an attempt to contribute to the growing body of knowledge about who is at most risk of committing future domestic violence once an incident has been recognized by the police. The work presented here is a result of collaboration among the Berkeley, California, Police Department, the East Bay Public Safety Corridor Partnership, and the National Council on Crime and Delinquency. It was funded by the National Institute of Justice as part of their locally initiated partnership grants, which intent was to forge collaborative relationships between researchers and practitioners.

Magnitude of Problem

Helping law enforcement assess the risk of repeat offending in domestic violence cases is a difficult, yet worthy endeavor. It is worthy of great effort for several reasons. First, according to the National Crime Victimization Survey, approximately one million people a year are victims of violence by an intimate partner in the United States (Bachman & Saltzman, 1995). Straus and Gelles (1990) report even higher estimates, approximately 1.8 million. A 1995 sample of married or cohabiting couples in the United States estimated at least one in five heterosexual couples experienced an episode of partner violence in the previous year (Schafer, Caetano, & Clark, 1998).

Second, children who grow up in violent families are more likely to perpetuate the violence than those children who do not (Cappell & Heiner, 1990). However, some intervention activities may be promising in stopping the intergenerational transmission of intimate partner violence (Herzberger, 1983). Third, police officers are at risk of injury when intervening in a domestic violence case. The amount of risk faced by a responding police officer has been disputed in the literature. Uchida, Brooks, & Kopers (1987) found that domestic violence calls represented relatively high danger rates for police officers. Other researchers argue that domestic violence calls were not more dangerous than other calls (Garner & Klemmer, 1986) and ranked fifth in injury rates out of ten types of calls for service (Hirschel, Dean, & Lumb, 1994).

Fourth, there is evidence that some perpetrators continue a cycle of battering and repeatedly injure the victim and/or subsequent victims. Feld and Straus (1989) found in a subsample from the National Family Violence Survey, that the majority of husbands (67%) who reported severe forms of violence against their wives reported continued violence one year later. Similarly, Aldarondo

(1996) found that about half of the most violent perpetrators continued to commit violence on their wives the following year.

The task of assessing risk of re-offending within a law enforcement context is also quite difficult. First, police officers generally have relatively little information about the situation and the individuals involved. They are generally not qualified or able to complete a psychological or social history investigation. Also, the officer often arrives to a chaotic scene, alcohol or drugs may be involved for both parties, and discerning culpability is often difficult. Furthermore, data from the National Family Violence Survey shows that women report as much partner violence as men, even though men inflict injury at about ten times the rate of women (Straus & Gelles, 1986). Differential reporting styles may cause confusion for the officer on the scene. To complicate a police officer's decisions, the Family Violence Survey Found found that almost one-quarter of the victims hit the perpetrator back (Gelles, 1997). Furthermore the role of law enforcement in domestic violence cases is in dispute, especially in misdemeanor cases. Some studies have pointed towards mandatory arrest as most effective (Sherman & Berk, 1984; Pate & Hamilton, 1992), others show no effect of arrest (Hirshel, Hutchinson, & Dean, 1992). Schmidt and Sherman (1996) summarize the research by saying "Arrest reduced domestic violence in some cities but increases it in others" and "Arrest reduces domestic violence among employed people but increases it among unemployed people". (pp. 48-49.) Some argue that the focus should not be solely on arrest, but on better crisis intervention techniques by police officers (McKean & Hendricks, 1997).

The issue is complicated by the nature of the relationship between the offender and victim. Victims are often reluctant to report incidents of domestic violence. This reticence may be due to feelings of shame, embarrassment, or fear of reprisal. The majority of victims who did not report

their victimization called it “private or personal matter” or they were afraid of retaliation from the offender (BJS, 1998). There are also cultural differences. While African-American and Caucasian women have similar rates of victimization (Bachman & Saltzman, 1995), African-American women were more likely to report the incident to police (68 percent) compared to Caucasian women (49 percent) (BJS, 1998).

Deciding on the best intervention given the specific circumstances of the domestic violence incident is complex. The patrol officer’s response to a scene of a domestic violence call is a critical point in the intervention process. How the officer handles the case often prescribes the steps to follow. The officers are often called to a chaotic scene in which some feel there is a personal risk to their own well-being. In the midst of this situation, with often little information, the officer must make critical decisions that could greatly impact the lives of the victim, the offender, and their children. In the absence of adequate information and clear standards for evaluating this information, the patrol officer must fall back on “gut instinct” which can be colored by race, class, and gender bias.

This project was an attempt to help officers handle domestic violence calls more systematically and start the victim and offender down the appropriate intervention path. The goals of this research were to create a tool to help police standardize their practice and systematically classify offenders into risk categories.

Factors Related to or Predictive of Domestic Violence

According to a report from the National Research Council, “it seems most likely that the complex interaction of personal history, personality traits, and demographic factors with social and

environmental influences leads to violence in the family” (National Research Council/Institute of Medicine, 1998, p.41). Even though we haven’t yet been able to take into account all the factors responsible for an individual’s violent behavior toward an intimate, our best efforts may have life saving rewards.

Researchers are beginning to take the accumulated knowledge of the various risk factors for family violence and use them to create classification systems. One good example of this is the work of Kropp and Hart (1997). They created an instrument called the Spousal Assault Risk Assessment Guide (SARA). This checklist is based on careful consideration of the research literature. It was not derived empirically from any specific data set. The creators of the SARA intended it for use by criminal justice professionals, mainly those responsible for making pre-trial, sentencing, corrections, or parole decisions. Several risk factors are assessed from various sources. Included are items regarding criminal history and spousal assault history, psychosocial issues (e.g., relationship problems, mental illness, substance use), and the seriousness of the current offense. This instrument includes items that require an indepth interview and assessment which is not in the purview of the police department.

Dutton (1995) devised a measure called the Propensity for Abusiveness Scale which was developed as a self-report instrument for potential perpetrators. It was shown to have good psychometric properties and discriminated between men who were abusive (as reported by their partners) and men who were not. It is basically a psychological profile consisting of items regarding personality, anger, trauma, among others. This scale may be very useful in certain criminal justice environments where there is more time for a full evaluation. Unfortunately, the factors on this scale will not be available to police officers responding to a domestic violence call.

There are also researchers working in the area of assessing risk of homicide or femicide. One important finding is that women in cohabiting relationships are at greater risk of lethal violence than married women or those in dating relationships (Daly and Wilson, 1988). Dawson and Gartner (1998) summarize “the characteristics found to be more common among cohabiting couples – youth, unemployment, poverty, alcohol problems, and family structure – are associated with higher risks of violence” (p. 381). Furthermore, women who are estranged or separated from their intimate partners are at greatest risk (Daly and Wilson, 1988). In a study in North Carolina, Moracco, Runyan, and Butts (1998) found that male intimate partners were responsible for about half the femicides. In the vast majority of cases, the women were either physically assaulted (76.5%) or threatened (83.4%) by the partner who eventually killed them. Other types of prior violence included destroying property (31%) and stalking (23%). In about one-half of the cases where women were eventually killed, the police were summoned to the house on a domestic violence call in the previous year. In another study across three counties in separate parts of the country, researchers found that killing by a intimate partner was strongly associated with illicit drug use in the household, prior domestic violence, renting the home, and having one or more guns (Bailey, Kellermann, Somes, Banton, Rivara, and Rushforth, 1997). The study also found that one quarter of all perpetrators of domestic femicide committed suicide as well.

While assessing risk of domestic homicide is vitally important to the field, those factors do not necessarily predict the more common types of partner violence. The base rate of fatalities is low (in fact there were no murders by an intimate partner in the city of Berkeley during the study period), and the factors that predict them may be quite different than more common domestic violence calls. This is an empirical question that needs more indepth examination.

There is also a body of literature that focuses on the characteristics of batterers. Gelles (1997) conveniently summarizes these factors in his book “Intimate Violence in Families”. These factors include psychological characteristics such as low self esteem and tendency towards borderline personality and antisocial personality disorders. Demographic factors include younger age (typically less than 30 years old), lower socio-economic status, and being unemployed. Data from different sources has yielded conflicting findings regarding race as a factor, although race/ethnicity is clearly confounded with other unmeasured factors. Gelles also summarized the studies that found the most severe forms of violence is most likely to happen immediately after a separation. Other factors included childhood exposure to violence, certain relationship dynamics (e.g., dominance, hierarchy), and social and financial stress and isolation.

Factors Related to General Recidivism and Personal Violence

There is a history in criminology of creating risk assessment classification schemes for probation, corrections, and parole. Several of these have been validated and are currently being used by criminal justice agencies around the country. For a meta-analysis of these predictors see Gendreau, Little, and Goggin, (1996). In general they found that both static (e.g., childhood experiences) and dynamic (e.g., educational attainment) affect general recidivism rates. Across studies, the variables most affecting recidivism included age, gender, race, criminal history, and social achievement. It is important to note that the purposes of these studies were to guide correctional policy and not police decision-making. Furthermore, the information gathered from a convicted offender involved considerable time and expertise (e.g., psychological tests, Level of

Service Inventory scores). This level of involvement is not possible in a police decision-making risk instrument.

In the field of violence in general there are some who are working on assessing the suspect's threat to the individual (e.g., de Becker, 1997; Fein, Vossekuil, Holden, 1995). However, much more information is used in these assessments than are generally involved in a routine police call and the items are not specific to domestic violence situations.

The published literature gives a solid starting ground on which to base a structured decision making model for the Berkeley Police Department. The following sections describe how the previous research and the current data collection and analysis effort provided tools to help assess the risk of domestic violence re-offending.

METHOD

This locally initiated partnership stemmed from a concerted effort by the East Bay Public Safety Corridor Partnership (EBPSCP) to improve the quality of law enforcement practice in domestic violence cases. Originally EBPSCP created policies and protocols to be adopted by several law enforcement agencies and a concurrent training module. They then teamed up with NCCD and the Berkeley Police Department to develop tools for police officers to use in making decisions in domestic violence cases.

Site Description

The East Bay Corridor Public Safety Partnership in northern California spans Alameda and Contra Costa County and 23 law enforcement jurisdictions. The city of Berkeley is headed by a mayor who chairs a task force specifically devoted to ameliorating the problem of domestic violence in the city (Berkeley Mayors Domestic Violence Task Force, 1996). Berkeley has a population of approximately 100,000. The Berkeley Police Department is generally considered the most progressive of those jurisdictions. A few years ago the police department created a Domestic Violence Prevention Unit (DVPU). This unit was grant funded and was originally staffed by two officers and two advocates from the Family Violence Law Center. New officers in Berkeley received 16 hours of training in the academy and the DVPU developed a 5 hour training which all officers were required to attend.

Domestic Violence Definition and Case Handling Practices

Each year, the Berkeley Police Department takes reports on approximately 500 domestic violence cases and another 500 domestic incidents. Domestic incidents involved writing a non-criminal incident report on a dispute charge. The Berkeley Police Domestic Violence Training Manual states that domestic incidents are defined as:

“domestic disputes that do not result in physical contact, and involve a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child, or is having, or has had a dating or engagement relationship”.

Domestic Violence is defined in the Training Manual as

“abuse committed against an adult or a fully emancipated minor who is a spouse, former spouse, cohabitant, former cohabitant, or a person with whom the suspect has had a child or is having or has had a dating or engagement relationship. ‘Abuse’

means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another. ‘Cohabitant’ means two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship”.

The most common penal code violations found in the category of domestic violence cases are listed in Table 1.

Table 1

Most Common California Penal Code Violations for Domestic Violence

Penal Code Violation	Definition
273.5	Willful infliction of body injury on spouse, cohabitant, or co-parent of child which resulted in a traumatic condition (e.g., bruise, redness, swelling, laceration, bleeding)
273.6	Violation of a domestic violence related court order
243(e)(1)	Willful use of force upon a non-cohabitating former spouse, fiancé, or a person with whom the suspect has, or previously had, a dating relationship.
646.9	Stalking
422	Terrorist threats to family
262	Spousal Rape

In 1996, the Penal Code was amended to include encouraging arrest if there is probable cause to believe an offense has been committed. In Berkeley, they call this a presumptive arrest policy. However, arrest is not mandatory. Departmental policy also encourages the officer to determine a primary aggressor and not to make dual arrests unless it is absolutely warranted. Once the police have responded to a call, the DVPU’s policy is to follow up by a telephone call or visit to the victim by an advocate or police officer from the DVPU. Given the caseload, this is often not possible. They currently use an informal method of prioritizing cases. The advocate works with

many of the victims to develop safety plans and get temporary restraining orders. The DVPU officers do follow-up investigations and other follow through on the case.

Accessing Automated Data

Interviews with each key persons involved in data collection and management information systems at the police department were conducted to determine the usefulness and accessibility of automated data. The interviews revealed much data ambiguity and incompleteness. The Computer Assisted Dispatch (CAD) system has data on all calls to the police department. The complainant is listed (or the person who called in), but the suspect is not. The offense is coded, but many domestic violence cases are missed as they do not originally present as a domestic violence case.

The Records Management System (RMS) keeps information on all reports taken by the police. Basic information on the offender, victim, and witnesses are recorded, along with the offense code. However, not all cases that the department would term domestic violence were coded as such in this system. The RMS data turned out to be very difficult to access and provided little useful information.

The Domestic Violence Prevention Unit created their own database just prior to the beginning of this project. All domestic violence cases or domestic incidents are forwarded to this unit for follow-up. Each case is entered into a stand alone computer system in the office of the unit. While this database is very useful, it did not provide enough detail for the researchers to create a risk assessment classification instrument.

Decision to Create Two Instruments

Through several ride-alongs with patrol officers (on morning, afternoon, and midnight shifts), the researchers learned that they felt they would not benefit from an on-the-scene risk assessment because they already had a policy of presumptive arrest. Their presumptive arrest policy entails if there was any physical injury to the victim (from a red mark or abrasion to a serious injury), the officer is supposed to arrest the suspect. They felt they had little discretion on the scene, so a risk assessment would only add extra paperwork rather than be a helpful decision-making tool.

The collaboration partners then decided that two instruments would be created for this structured decision making system. Using this system, the patrol officer would fill out a Domestic Violence Safety Assessment/Supplemental Report which is both a protocol for the officers to follow and a data collection instrument for the Domestic Violence Prevention Unit and the District Attorney. This Supplemental Report does not replace the existing standard report, it is an enhancement. The second tool to be created was a risk assessment instrument to be used by the DVPU to classify offenders into risk categories. A matrix determining the level and type of intervention was to be created by the DVPU in conjunction with outside advocacy groups.

Safety Assessment/Supplemental Report Form

Officers and advocates in the DVPU clearly expressed a need for a protocol for officers to follow. While the training was useful, structured guidance for officers to use on the scene was necessary. Also, sometimes important information about the offense or the crime scene was not being written down in the standard police reports.

With inspiration from the San Diego Police Department's supplemental domestic violence form, we created the Domestic Violence Safety Assessment/Supplemental Report Form. The dual purpose of this Safety Assessment is both to give officers a written protocol which to follow during their on-scene investigation and to provide a data collection tool from which further intervention may follow. Information included in the standard police report is not duplicated on this form. The Safety Assessment is necessarily compact; it is one sheet of double sided paper containing seven main sections.

A primary concern of some officers was having difficulty in determining who was the primary aggressor in certain cases as mutual arrests were being highly discouraged. The first section of the Safety Assessment helps the officer make that distinction.

The form then asks the officer to describe the incident, with coding options for the physical and emotional condition of both the victim and suspect. Also coded is alcohol/substance use, whether anyone used a weapon, and a description of the scene.

The third main section asks the officer to retrieve some background information. This includes: the relationship between the victim and suspect, prior domestic violence or domestic incidents, and whether or not there is a current restraining order.

The fourth section is an offense matrix which outlines the steps to follow based on the relationship between the parties and whether or not there was a visible injury. The matrix contains information that the officer will use to determine the penal code charge and whether a citizen's arrest is required.

The fifth section prompts the officer to collect various types of evidence including photos and statements from all witnesses. It also prompts the officer to determine whether there is a firearm in the residence and to impounded it if necessary.

The sixth section has several questions regarding the disposition of the case. The items include whether the suspect was arrested, an information pamphlet given to the victim, emergency protective order issued, and whether language translation was needed. This section also includes a priority assessment which tells the DVPU or the next shift whether follow-up is necessary and what other agencies were contacted.

The final section contains a release of medical information which the DVPU can use to gather evidence from the hospital or other medical professional.

Pilot Test

The Safety Assessment was pilot tested by approximately twenty officers. While a few officers did not like to do the extra paperwork, the vast majority expressed satisfaction with the form. Many said it helped them structure their chronological narrative for the standard police report. The officers who used the form made several suggestions for its improvement and all have been incorporated into the final document. The District Attorney was also consulted for his input so that the information gathered would be useful to his office as well. Clearly, further study must be conducted to determine the validity, reliability and usefulness of this tool.

Risk Assessment

Sample

The database used to sample cases became operational September 1, 1996. Since the beginning, all reports written by the Berkeley Police Department (both full domestic violence reports and domestic incidents) were entered into this database. The sample was chosen 11 months after the database became operational. Having 11 months of data allowed us to ascertain the rate of reoffending within six months for a five month cohort of suspects. Twenty percent of the suspects had some type of report in the DVPU database within six months of the sampled offense. The reports included those for domestic violence as well as those for domestic incidents or disputes as defined above. A slight majority of the reoffenses were for domestic violence. One concern in sampling was the low base rate of appearing again in the records.

In order to have enough recidivists on which to base a model of reoffending, we decided to stratify by recidivism status before sampling. Table 2 shows that there were 176 unique suspects for domestic violence and 136 unique suspects for domestic incidents in the DVPU database between September 1, 1996 and January 31, 1997. If suspects were in the database more than once in that time period, only their first appearance was counted. For domestic violence suspects, there were 36 recidivists and 140 non-recidivists accounting for the 20 percent recidivism rate within six months. Out of the 132 suspects for domestic incidents, 30 were suspects again in another offense within six months. Given the small sample size, the relatively low base rate of recidivism, and our wide definition of reoffending (in the police records for domestic violence or a domestic incident), we chose to include all recidivists and a random sample of non-recidivists.

Table 2
Random Stratified Sampling Framework

	Type of Report Taken	
	Domestic Violence	Domestic Incident
Total Suspects (9/1/96 -1/31/97)	176	132
Recidivist (6 mo)	36	30
Non-recidivist (6 mo)	140	106
	<small>(randomly selected 114 as sample)</small>	<small>(randomly selected 20 as sample)</small>
Stratified Random Sample Drawn	150	50
Actual Sample Coded	138	47

Ninety-two percent of the sampled cases were found and coded. Most of the uncoded cases were actually mislabeled as intimate partner violence. They tended to be other types of family violence cases (i.e., parent/child or brother/sister).

Data Collection

Since the automated data was insufficient to create the risk assessment instrument, data was hand coded from police files. Also each individual’s prior offense history with the Berkeley Police Department and the Alameda County Court records were coded. For the domestic incident cases, each party was treated as a suspect because the individuals involved were not designated victim and

suspect. Thus, the records checks (for police and courts) were completed for both parties involved for these types of events. Thus, the sample of 47 domestic incidents resulted in the coding of information on 94 suspects.

To create the data collection forms, several cases were reviewed to ascertain the scope of information collected in a police report including the chronological narrative. Items included demographics of the victim and suspect, their relationship status, specific characteristics of the incident (injuries, statements, location, etc...), and outcome of the event (see Appendix A). Unfortunately, the data gathered is limited to the information the police officers wrote in their reports. At the point of the data collection, the Safety Assessment/Supplemental Report Form was not yet finished and implemented.

RESULTS

Description of the Sample

The sample was broken down into those with full police reports and those with incident reports. An incident report contained very little information and was used by officers for domestic disputes that did not involve any apparent violence.

Domestic Incidents

The following tables describe the sample of incident reports. Since an incident report did not name a suspect, information on 94 individuals was coded. Thus, this information is used only for descriptive purposes and these cases were omitted from the predictive model.

Table 3 shows that a little over half the participants in domestic incidents were male. African Americans made up 56 percent of this small sample, followed by 28 percent Caucasians, and 16 Hispanic, Asian or others.

Table 3
Sex and Race of Individuals in Domestic Incident Reports (n=94)

Characteristic	Percent
Sex	
Female	44%
Male	56%
Race/Ethnicity	
African American	56%
Caucasian	28%
Hispanic	9%
Asian or Other	7%

The incident reports are very short and contain only a brief narrative of the event. We coded the narratives for as much information as possible. If the variable is not listed below, it was not recorded by the officers. Seventeen percent of the incident reports stated that alcohol and drugs were involved with the dispute. The call for service was most often made by one of the individuals involved in the incident, however 40 percent were reported by others.

Table 4

Characteristics Recorded in Domestic Incident Reports (n= 47 reports, 94 individuals)

Characteristic	Percent
Drugs or alcohol involved	17%
Children present at scene	20%
Happened at home	94%
Reported by:	
Individual involved in dispute	60%
Neighbor, relative, other	40%
DV pamphlet given by officer	20%

A substantial portion of the individuals involved in domestic incidents had prior criminal justice involvement. In fact, Table 5 shows that 20 percent had been arrested for a crime in the City of Berkeley and 31 percent were suspected, yet not arrested. About one in five had been suspected of a domestic violence offense, but only six percent had been convicted of an offense. The victimization rate was quite high; 59 percent were victims of crimes recorded by the Berkeley Police Department.

It is clear from the preceding tables that some people involved in disputes had also been involved in domestic violence. One in seven (14 percent) of the individuals involved in these disputes were contacted again by Berkeley police as domestic violence suspects. These data indicate that attention must also be focused on domestic incidents for prevention and

Table 5

Prior Criminal History Statistics on Individuals Involved in Domestic Incidents

(n=47 incident, 94 individuals)

Prior History with Berkeley Police Department	Percent
Arrested for any crime	20%
Suspect for any crime	31%
Victim of any crime	59%
Dispute Suspect	17%
Domestic Violence Suspect	21%
Conviction for Domestic Violence	6%

intervention. It is hoped that in the future, the Safety Assessment/Supplemental Form will be used on these types of cases in order to gather more information for a risk assessment.

Domestic Violence Cases

Described below is the sample of cases with a full police report (n=138). This sample cases was later used to devise the risk assessment instrument. Table 6 shows that 84 percent of the suspects were male. Approximately 68 percent of the population of domestic violence suspects were African-American, 12 percent were Hispanic, 11 percent were Caucasian, 4 percent were Asian or Native American, and 5 percent were classified as Other or unknown. There were more Caucasian victims than suspects. The median age of the suspect was 32 years old, although they ranged in age from 13 to 81. Similarly, victims ranged in age from 13 to 78, with a median age of 32.

Table 6**Sex and Race of Suspects and Victims in Domestic Violence Police Reports (n=138)**

Characteristics	Percent of Suspects	Percent of Victims
Sex		
Female	16%	84%
Male	84%	16%
Race/Ethnicity		
African American	68%	65%
Caucasian	11%	20%
Hispanic	12%	9%
Asian or Other	9%	7%
Age		
25 & Younger	24%	26%
26 through 35	36%	37%
36 through 45	31%	28%
46 & Older	9%	10%

At the time of the sampled incident, only 16 percent of the couples were married and five percent were separated or divorced. The most likely relationship status at the time of the sampled incident was cohabitation (29 percent), followed closely by former dating (28 percent). Sixteen percent were dating and seven percent were in another type of relationship or unknown. According to the police report narratives, 31 percent of the couples had children together. Police only reported that 4 percent of the victims were pregnant. It is difficult to know the number of actual pregnancies or children present because it is likely that it was either not apparent to the officer or the officer did not write it in the report.

Table 7 shows the offense types of the sample of cases. The majority of the recorded offenses were assaults, with 41% being felonious assault. The sample contained one attempted murder and one rape by an intimate partner. Disputes and disturbing the peace comprised 13% of the reports, followed by intimidation (7%) and violation of a court order (4%). By policy, the police department codes a domestic violence offense with any sign of visible injury, a felony.

The police considered only nine percent of these cases “mutual”, meaning both parties were aggressors. Seventeen percent of the incidents involved a weapon other than hands and feet. Thirty percent of the victims had visible injuries and nine percent of the suspects had visible injuries.

The suspect was only present 58 percent of the time; for 42 percent of the cases when the officer arrived, the suspect had already left the scene or the incident had happened at a another time. Ninety-two percent of the victims were present when the officers arrived. The victim was the most likely reporter of the incident (59 percent), with neighbors, children, other witnesses, and a few suspects comprising the remainder. In 38 percent of the report narratives, the police officer mentioned that drugs or alcohol was involved. In one out of five cases there was a child present at the time. Witness were present in 39 percent of the cases. While most incidents happened at home, about one in five happened in a public place.

Table 7
Current Offense Characteristics in Police Reports (n=138)

Offense Type	Number	Percent
Attempted Murder/Rape	2	1%
Felony Assault	56	41%
Assault and Battery	43	31%
Intimidation	10	7%
Violation of Court Order	6	4%
Disturbing the Peace/Dispute/Other	21	15%
Pending Warrant at Time of Current Incident	10	7%
Weapon Involved	24	17%
Drugs/Alcohol Involved	52	38%
Victim injured (mostly scratched or bruised)	42	30%
Suspect injured (scratches)	12	9%
Victim Complained of Pain	40	29%
Victim Treated for Injuries	10	7%
Victim Declined Treatment	48	35%
Location of Incident		
Home	102	74%
Public Place (e.g., street, restaurant)	28	20%
Other or Unknown	8	6%
People Present at Scene		
Suspect	80	58%
Victim	127	92%
Witness	54	39%
Child	29	21%
Statements Taken		
Victim	86	62%
Witness	32	23%
Victim Reported Incident	82	59%
Mutual Aggression	13	9%

We also coded the reports and victim’s statements to ascertain whether the victim reportedly suffered past abuse or violence. One of four victims (27%) indicated to the officer that there had been past physical abuse by the suspect. Prior emotional abuse was reported by 17 percent. Prior to this incident, a temporary restraining order had been issued in seven percent of the cases.

Table 8 shows the response of the officer at the scene of the incident. Forty-four percent of the suspects were arrested by police. Twenty-one percent were categorized as a citizen’s arrest. Citizen’s arrests were made when the officer did not see the offense and the injuries were not readily apparent. The victim would have to request that the officer arrest the suspect.

Table 8

Patrol Officer’s Immediate Response to Incident (n=138)

	Number	Percent
Photographs Taken	27	37%
Translation Needed	3	2%
Information Pamphlet Given to Victim	59	43%
Suspect Arrested	60	44%
Citizen’s Arrest Made	29	21%
Victim Requested that Charges be Filed	44	32%
Emergency Protective Order Issued	6	4%

Many of these suspects were heavily involved in the criminal justice system. Table 9 lists the percent of suspects with a prior history with the Berkeley Police Department. Two-thirds (66 percent) had at least one prior offense (any type) recorded. Forty-one percent were prior suspects in at least one domestic violence case, while only 12% had a record of a violent (non-domestic violence) offense or weapons violation. Over one-third were involved with prior disputes where the

police were called and 31% had been suspects in drug or property offenses. The victimization rate was also high. Over one-half (56%) of the current suspects reported being a victim of a crime in Berkeley in the past.

Table 9

Suspects' Prior Contact with the Berkeley Police Department (n=138)

Prior Police Contact	Number	Percent
Suspect in Any Crime	91	66%
Suspect in Domestic Violence Offense	56	41%
Disputes	49	36%
Drug or Property Offense	43	31%
Violent (non-DV) or Weapons Offense	17	12%
Victim of Any Crime	77	56%

The court statistics show even greater criminal justice involvement than the police statistics. These numbers are higher than the Berkeley Police Department records because the court database covers the County which includes the large city of Oakland where many of the suspects have prior records. Unfortunately, Oakland police data was not accessible for this project.

Table 10 shows that over one-half (55 percent) of the suspects had been convicted of at least one crime in the Alameda County Court. Forty-one percent had been charged with a violent offense or a weapons violation. Almost half (47 percent) were in the court records for a domestic violence charge. More than one in four suspects (28 percent) had an actual prior conviction for a domestic violence offense and 42 percent of those had been convicted more than once.

Table 10

Suspects' Prior Criminal History with the Alameda County Court (n=138)

Prior Criminal Court History	Number	Percent
Conviction for Any Crime	76	55%
Charge of Domestic Violence	65	47%
Conviction for Domestic Violence (16 had two or more)	38	28%
Charge for Violence or Weapons	57	41%

The criminal justice system's response to these cases was also coded. Data from the Alameda County courts was matched to the police records by offense date and suspect's name. Sixty-six records had matching court information. Less than half of the police cases were matched to court records. The most likely explanation is that these cases never even entered the court system. There were 42 cases of Felony Assault and Battery in the court records. The outcome of the court process for all cases found matching in the court records is listed in Table 11.

Thirty percent of the cases found in the court records showed a conviction and 14 percent of the total sample were convicted. Of the felony cases, 12 percent were either convicted or plead no contest (24 percent of those in court records). The majority of cases were not filed. In total, only three offenders served six months or more in jail.

Table 11

Outcomes of Criminal Processing of Domestic Violence Cases (n=66 matched cases)

FELONY CASES (n=42)

<u>Number</u>	<u>Outcome</u>
1	convicted, sentenced to 80 days jail, 3 yrs probation, no firearms
9	convicted-plead no contest, sentenced to jail from 4 days to 2 years & probation
6	dismissed
12	no filing - lacks evidence
3	no filing - no stated reason
6	no filing - victim unavailable
4	transfer out to another jurisdiction
1	amended charge

ASSAULT AND BATTERY (n=11)

<u>Number</u>	<u>Outcome</u>
6	convicted-plead no contest, sentenced up to 30 days in jail
1	dismissed
3	no filing - lacks evidence
1	amended charge

INTIMIDATION CASES (n=5)

<u>Number</u>	<u>Outcome</u>
2	convicted-plead no contest, sentenced up to 30 days in jail
1	dismissed - compromised case
2	no filing - victim unavailable and other event

VIOLATION OF COURT ORDER (n=4)

<u>Number</u>	<u>Outcome</u>
2	convicted-plead no contest, sentenced up to 10 days in jail
2	dismissed

DISTURBING THE PEACE OR DISPUTES (n=4)

<u>Number</u>	<u>Outcome</u>
1	dismissed
3	no filing

Recidivism Rates

Using the data gathered from the full police reports (n=138), we completed a series of analyses examining the relationship between re-offending and various factors compiled from the records. Re-offending was defined as being a suspect in the police records for a domestic violence case within 12 months (subsequent domestic incidents were not included). The most common type of offenses included as domestic violence are the same as shown in Table 1.

The re-offending measure was based on the same offender, rather than the same couple. However, only three suspects had different victims within one year of the sampled offense. Furthermore, we chose to focus on re-appearance in the police records rather than arrest because we wanted our risk model to reflect the reality of police being called again to a domestic situation rather than what actions the police took once they were at the scene.

The bivariate analyses suggested several important relationships. While overall, 22.5 percent of the domestic violence suspects had another report of domestic violence within one year, certain characteristics of the sampled offense showed higher re-offense rates. Figure 1 shows the re-offense rates by characteristics of the couple. If the victim had reported past physical abuse, approximately twice as many suspects re-offended as the average (42 percent). Similarly, if the victim was pregnant or the couple had children, the re-offense rate was higher. Older suspects had lower re-offense rates.

Figure 2 shows the relationship between characteristics of the incident and re-offending. While only a small number of victims were not present at the scene when police arrived, domestic violence re-offending rates were much higher than average for these cases. However, if the incident happened in public or there were witnesses present, recidivism was less likely.

Figure 1
 Characteristics of Couple by Re-offending Rates (n=138)

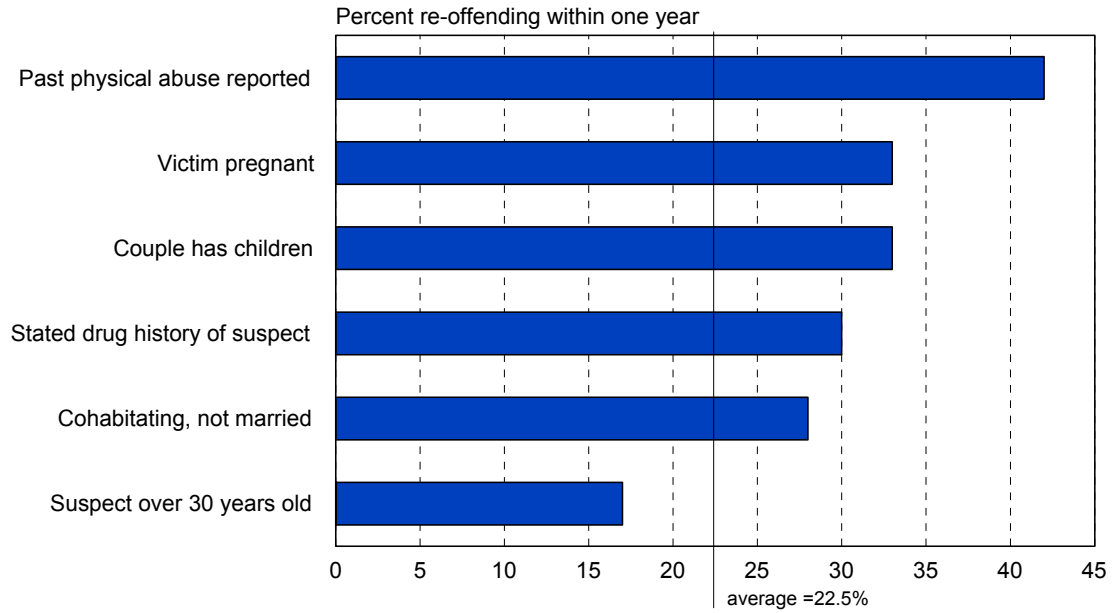
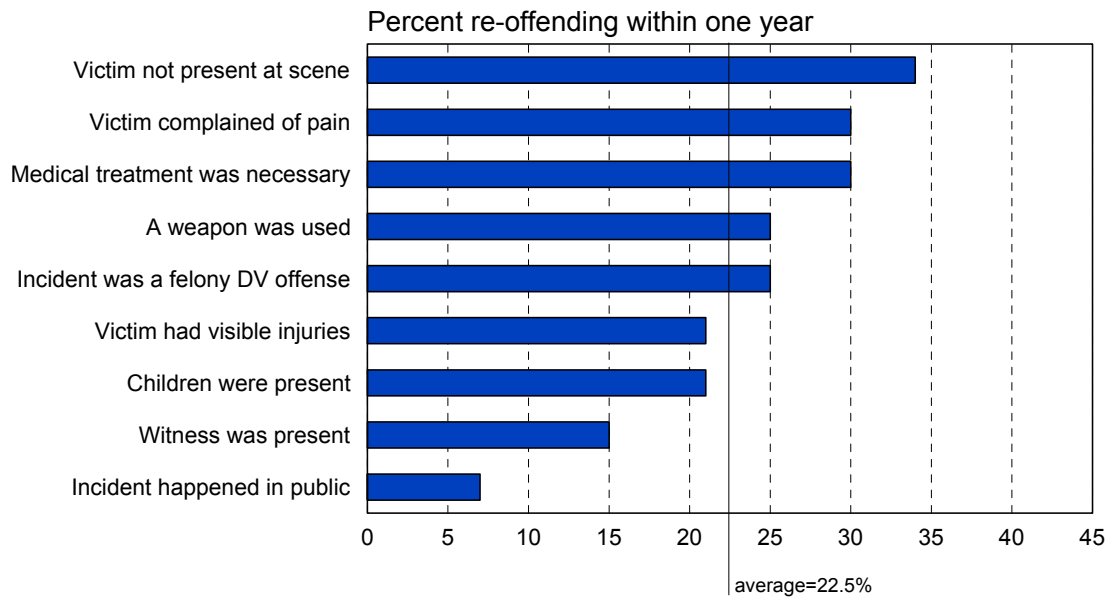
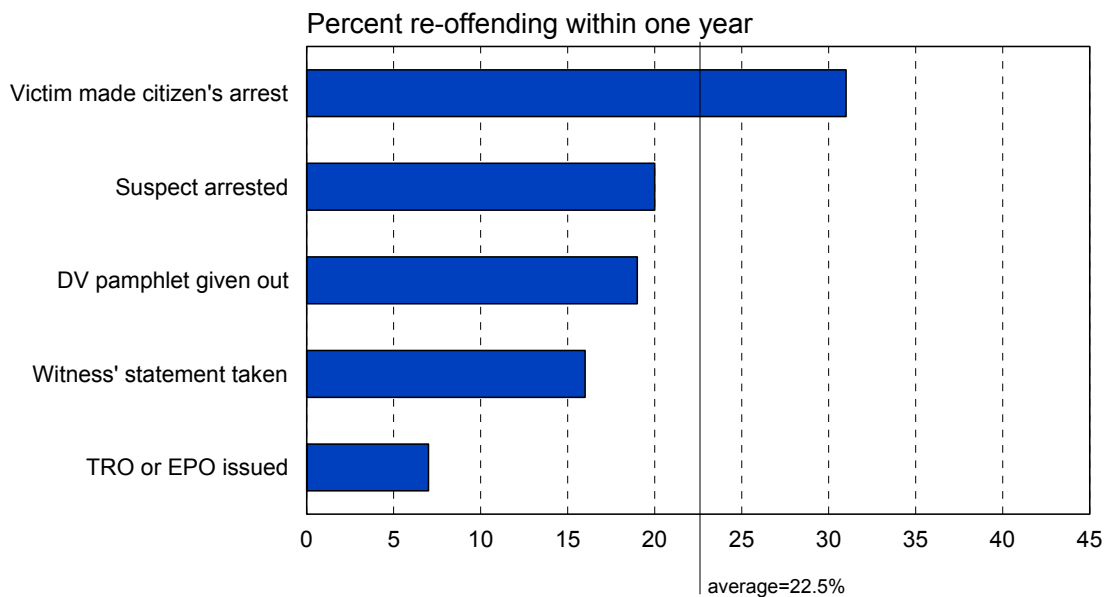


Figure 2
 Incident Characteristics by Re-offending Rates (n=138)



How a case was handled by police was also related to the re-offense rate. The more action police took, the lower the re-offense rate. Figure 3 shows the re-offense rate was lower than average if the suspect was arrested, a pamphlet of domestic violence was given to the victim, witness' statements were taken, and an emergency or temporary restraining order was issued on the case. If the victim had to make a citizen's arrest, the re-offense rate was considerably higher than average. The issue of citizen's arrests and putting the burden of arrest on the victim deserves future attention given the implication of these findings. The sample size is too small to draw any firm conclusions, but it does raise an important issue.

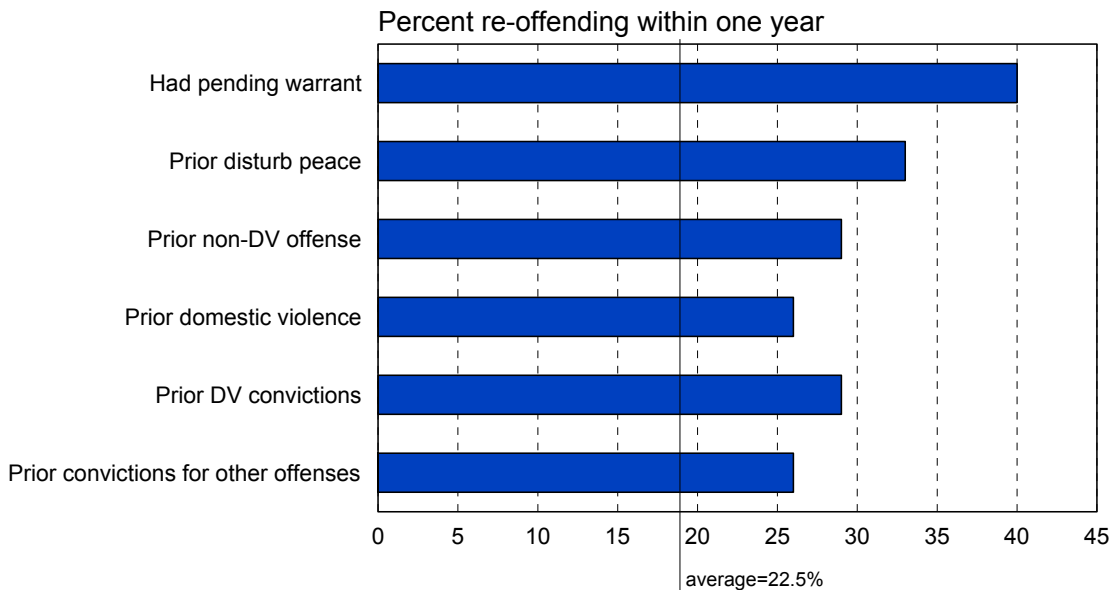
Figure 3
Case Handling Characteristics by Re-offending Rates (n=138)



Prior offense history had some relationship to re-offending, but not as much as one might expect. In fact, Figure 4 shows that being a suspect in a prior domestic violence incident was only

related to a slightly higher than average recidivism rate. Having a pending warrant at the time of the incident and a prior non-DV offense was more strongly related to higher recidivism. Having a prior conviction for domestic violence also shows a slightly higher recidivism rate than average.

Figure 4
Prior Offense History by Re-offending Rates (n=138)



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of the relationships between the various factors listed above and re-offending may be affected by whether or not the suspect was arrested because suspects who were arrested tended to recidivate less. To examine this issue more closely, Table 12 lists the relationship between being arrested and various demographic characteristics. African American and Hispanic suspects were more likely to be arrested than Caucasian or Asian suspects. This finding may be partially explained because

African Americans and Hispanics were more likely to be charged with a felony than Caucasians and others. However, the rate of observable injuries inflicted by Caucasian suspects was only slightly lower than African American suspects and was slightly higher than Hispanic suspects. This issue needs further exploration with a bigger sample.

Table 12

Percent of Suspects Arrested by Characteristics of the Suspect and Relationship (n=138)

	Percent Arrested	Total Number in Sample
Race/Ethnicity		
African American	48%	94
Caucasian	33%	15
Hispanic	41%	17
Asian or Other	25%	12
Relationship Status		
Cohabiting	59%	99
Other (married has similar arrest rate to dating)	37%	39
Victim Pregnant	50%	6
Victim Not Pregnant	43%	132

Suspects who were cohabiting with the victim were considerably more likely to be arrested than those who were either married, dating, or formerly in a relationship. This small sample shows that there may be some relationship between being arrested and the victim being observably pregnant to the officer. Several characteristics of the incident showed some correlation to being arrested. In the rare case that the officer declared the incident as a mutual combat situation,

the person listed as the suspect was half as likely to be arrested than if it was not mutual. Similarly if drugs or alcohol was involved with the incident, the suspect was twice as likely to be arrested. If the suspect or the victim was not present when the officer arrived the suspect was much less likely to be arrested. This difference cannot be explained by data coding errors because these arrest percentages include those people who were arrested on a later date for the original incident.

Table 13

Percent of Suspects Arrested by Characteristics of the Incident (n=138)

	Percent Arrested	Total Number in Sample
Police Coded as Mutual Combat		
Yes, mutual	23%	13
No, not mutual	46%	125
Weapon Involved		
None	38%	114
Club, Stick, or Pipe	71%	24
Drugs/Alcohol Involved		
Yes	64%	52
No	31%	86
Suspect Present at Scene		
Yes	60%	80
No	21%	58
Victim Present at Scene		
Yes	45%	127
No	27%	11

Table 13 (continued)**Percent of Suspects Arrested by Characteristics of the Incident (n=138)**

	Percent Arrested	Total Number in Sample
Child Present at Scene		
Yes	66%	29
No	38%	109
Victim Complained of Pain		
Yes	60%	40
No	37%	98
Victim Treated for Injuries		
Yes	70%	10
Declined	50%	48
Not Necessary	36%	80
Suspect had Visible Injuries		
Scratches	83%	10
None	40%	128
Offense Type		
Attempted Murder/Rape	0%	2
Felony Assault	70%	56
Assault and Battery	26%	11
Intimidation	20%	10
Violation of Court Order	50%	6
Disturbing the Peace	18%	11
Dispute	43%	7

As expected those incidents that can be characterized as more serious were more likely to result in an arrest. For instance, if there were injuries, weapons involved, or a felony charge, the suspect was more likely to be arrested.

Constructing the Risk Assessment Model

In order to construct the risk assessment classification system, several steps were used. First, the variables were converted into dichotomous or categorical responses. Then multicollinearity was examined among the variables. Highly correlated variables were not used together in the multivariate model. The outcome variable was dichotomous and defined as being a suspect in the Berkeley police records on a new domestic violence case within one year of the sampled event. Third, logistic regression analyses were run to find the variables and values that would best predict the outcome. The independent variables were not entered in a purposeful order. Finally, the results of the regression served only as a guide for creating the risk assessment instrument. The sample was small and we did not want to over rely on the fit of the model to the data. Instead we used the regression results as a guide to weight the items in the risk assessment instrument, rather than a prescriptive analysis.

The results of the logistic regression model are shown in Table 14. Only four variables were significantly related to the outcome at the .05 level. If the incident happened in a public place and the victim was present for questioning when the police arrived, the risk of reoffending was lower. The risk was higher if the couple had children and the suspect had a prior court record of domestic violence.

Although only four items were found to be significantly related to re-offending, the small sample size points to looking at other variables which did not reach the standard significance level. The equation shows several other variables that should be seriously considered for inclusion. A child being present or a witness being present at the incident may be related to reduced risk of re-offending. If the victim claimed past physical abuse and the more serious the current offense, the higher the risk of reoffending.

Table 14

**Results of Logistic Regression Model Predicting Domestic Violence Reoffending
within Twelve Months**

Number of Cases = 138

-2 Log Likelihood	109.428
Goodness of Fit	120.142
Cox & Snell - R ²	.237
Nagelkerke - R ²	.361

Chi-Square df Significance

<u>Model</u>	<u>37.090</u>	<u>15</u>	<u>.0012</u>
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----- Variables in the Equation -----

Variable	B	S.E.	Sig
Happened in public place	-2.6368	0.9327	0.0047
Couple has children	1.2199	0.5584	0.0289
Victim present	-2.2488	0.9299	0.0156
Children present	-1.2318	0.6881	0.0734
Victim treated for injuries	0.1257	0.3166	0.6914
Victim reports prior physical abuse	1.267	0.7384	0.0862
Prior court record of domestic violence	1.211	0.5296	0.0222
Severity of current offense	0.6027	0.4043	0.136
Suspects drug use history	0.1756	0.8196	0.8304
Weapon involved	0.3449	0.6566	0.5994
Witness present	-0.8958	0.5769	0.1205
Victim pregnant	0.6122	1.0022	0.5413
Prior record of non-DV offense	0.4971	0.5424	0.3594
Victim complained of pain	0.5893	0.6654	0.3758
Drugs or alcohol involved in incident	-0.14	0.7416	0.8503
Constant	-2.473	1.6355	0.1305

The point value scheme for the items of the risk assessment instrument was developed using the results of the regression and the bivariate analyses, as well as from suggested relationships in

the literature. For instance, the bivariate analysis showed that if the victim declined treatment for the injury, the rate of re-offending was higher, this item was included in the final model. Pregnancy was included in the model because the small number of occurrences of this factor may have contributed to it not showing significance in the multivariate model. We also included items concerning alcohol and drugs and whether the victim complained of pain in the risk assessment even though these variables were not significant in the regression equation. These items were included because the data was based on what police officers were writing in their narratives and it was very likely that information about these issues were greatly under-represented. Furthermore the literature supports the notion that alcohol and drug abuse can play a role in domestic violence re-offending (Tolman & Bennett, 1990).

Using the model we were able to make four risk group classifications of offenders. We chose a classification scheme that would screen out low risk offenders relatively well and overestimate the number of high and very high risk offenders. In this case, false negatives (not classifying a case as high risk, when it really is) were thought to be more problematic than false positives. It is our intention that the interventions associated with the categories will be focused on providing services for the victim and/or suspect, rather than punishment. The interventions associated with each of the risk levels will not be chosen until further verification of the instrument and the model are completed. Thus, arguments about labeling and over classifying suspects are less important, because the intent of the classification is to direct services towards the high risk groups. The classification scheme can be found in Table 15.

Table 15

Risk Assessment Classification Scheme

	Low	Medium	High	Very High
Percentage of cases in sample	34%	45%	15%	5%
Percent reoffending within one year	2%	27%	43%	57%

In this classification scheme, only five percent of suspects were classified as high risk and 57 percent of them re-offended within the twelve month study period. Some of the highest risk suspects might have been in jail, but given that only three were incarcerated for six months or more, the risk assessment model was built using data on all suspects. The low risk category contained about one-third of the suspects and that group only had a two percent reoffense rate. Approximately one-quarter (27 percent) of the medium risk suspects re-offended and 43 percent of those classified as high risk were recidivists within one year. This classification scheme was thus able to create four distinct groupings of suspects based on their likelihood of reoffending.

CONCLUSIONS AND NEXT STEPS

Through this collaborative effort, we were able to accomplish three important tasks. First, we created a useful Domestic Violence Safety Assessment/Supplemental Report for the Berkeley Police Department. Second, we developed a preliminary risk assessment that the Domestic Violence Prevention Unit can use to develop appropriate interventions based on risk of recidivism. Third, we

developed and sustained a locally initiated partnership between researchers and practitioners to work together on the problem of domestic violence.

There are many important next steps to take in furthering this work. First, the risk assessment instrument should be validated with prospectively collected data. Retrospective data is useful in developing an instrument, however, we must see if the instrument can accurately predict which suspects will fall into the risk categories developed. Also, the data used to develop the risk instrument was limited by the report writing capability of the officers. Once the Domestic Violence Safety Assessment/Supplemental Report is fully in place, the report writing should be more standardized and the information richer. The new standardized data should be used for prospective validation. Furthermore, we were limited by a small sample size. Larger samples should be used in future studies.

As the prospective validation of the instrument takes place, it is also important to assess the validity of the outcome measure. Most studies, including this one, used officially reported domestic violence or arrest as the outcome variable. While this is one measure of recidivism, it is extremely important to know whether the victim is actually getting abused again. One way to know this is to ask her. It is possible that some victims will not report another incident to police (for a variety of reasons), so that the suspect will appear to be a non-recidivist. It may be possible that this group of suspects may be the most dangerous to the victims, but are not appearing in the data used to develop the model. Therefore, having researchers interview victims is a crucial step in the process of making the most valid and useful risk classification we can.

Finally, when the classification instrument is validated, several agencies including police, advocates, shelters, the courts need to come together to create community-wide policies based on the risk classification. In collaboration, they should devise a graduated series of interventions based

on the latest research literature and on the risk classification to help ensure the safety of victims of intimate partner violence.

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APPENDIX A:
DATA COLLECTION FORM