Victims of Domestic Violence: Improving Law Enforcement Response to Domestic Violence to Prevent Revictimization

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Abstract

This paper provides an overview of the findings as it relates to law enforcement responses to domestic violence situations. This study combined both the quantitative and qualitative methods, which provided data suggesting significant prosecution rates consistent with reducing the reoffending of domestic violence offenders. This study contained the results from the 44 interviews and the additional questions. These interviews were coded, recoded, and themes were developed. Further, a quantitative analysis was completed of the 5-Level Likert Scale questionnaire, as related to the four hypotheses used in this study, and a t-test was completed. The premise is that specific guidelines and policies regarding the handling of domestic violence cases will not only help officers reduce the incidence of domestic violence but also allow for maximum protection for victims of domestic violence by utilizing law enforcement services and victim advocates (Tatum & Clement, 2007).

Keywords: domestic violence, law enforcement, recidivism, prosecution

Introduction

This paper discusses the research and findings from a study of law enforcement responses to domestic violence calls, conducted between 2005 and 2010 in Brevard County, Florida;

specifically the Brevard County Sheriff's Office and the State Attorney's Office. Tables presented showed the prosecution rates for domestic violence cases in Brevard County from 2005-2010. These tables will also include the percentages of non-prosecutable cases and the reasons they were not prosecuted.

Additionally, the discussion will include Pareto Charts, which are a series of bars where the height reflects the frequency or depth of the problem, as related to the statistical data from 2005-2010. For the data analysis, the bars are arranged in descending order of height going left to right. For example, if the bars are taller on the left, this would indicate a higher significance than the right side. The Pareto Principle states, "that 80 percent of the problems come from 20 percent of the causes" (Wilkinson, 2006, p. 332). In summary, the left vertical axis is the frequency of occurrence and the right vertical axis is the cumulative percentage of the total number of occurrences. The 44 interviews, which were initiated with a Pilot Study with two participants, were examined. In addition, the following topics will be discussed at length: the Likert Scale that was administered to 10 victims of domestic violence, the research question results, coding, the development of themes, triangulation, and quantitative analysis of the data from 2005-2010.

Tables from 2005-2010

The first portions of the tables were retrieved from the Brevard County Sheriff's Office Domestic Violence Unit, which were specifically assigned to them. The cases assigned to the Domestic Violence Unit are separate from the cases that are assigned to the Brevard County State Attorney's Office. In the six year period from January 1, 2005 to December 31, 2010, there were 9,688 domestic violence cases assigned to the Brevard County Sheriff's Office Domestic Violence Unit. Of those 9,688 cases, 6.86% led to an arrest. Of those, 432 resulted in the arrest of the

offender and 223 led to a capias request through the State Attorney's Office (Brevard County Sheriff's Office, 2010).

Examination of the Brevard County State Attorney's Office case query from January 1, 2005 to December 31, 2010, there were 20,701 domestic violence cases. Of those 20,701 cases, there were 15,791 misdemeanor cases and 5,467 felony cases. This total excludes cases where no action was taken. These data are shown in Table 1 below.

Of specific notice is the difference in the number of cases assigned. The Brevard County Sheriff's Office; had 9,688 cases and the Brevard County State Attorney's Office; had 20,701 cases, which includes all of the Brevard County law enforcement agencies within the unincorporated and incorporated portions of Brevard County.

Table 1

Domestic Violence Cases for Brevard County 2005-2010

	2005	2006	2007	2008	2009	2010	Total
Felony	792	767	866	939	1,116	987	5,467
Misdemeanor	2,749	2,678	2,527	2,590	2,720	2,527	15.791

Source: Brevard County State Attorney's Office (2005-2010)

Table 1 above indicates those domestic violence cases that are reported in Brevard County, to include municipalities. Table 2 illustrates the percentages of the above cases that were assigned to the Brevard County Sheriff's Office Domestic Violence Unit from 2005 through 2010, which does not include domestic violence cases that occur in the incorporated parts of the county.

Table 2

Cases Assigned to the Brevard County Sheriff's Office Domestic Violence Unit 2005-2010

	2005	2006	2007	2008	2009	2010
Felony	260	247	262	304	324	265
Misdemeanor	1,082	1,080	971	934	995	951
			32.51%		35.95%	35.24%
% Filed	36.30%	33.44%	1%	34.54%	5%	4%

Source: Brevard County Sheriff's Office (2005-2010)

There are cases in the legal system that may not be prosecuted for various reasons, such as lack of victim cooperation, victim drops the charges, and insufficient evidence; of which are out of control of the Brevard County Sheriff's Office and the Brevard County State Attorney's Office. What is relevant to this study are the reasons for the cases being dropped or not prosecuted. For the period of this research, 2005-2010, the highest percentages of dropped cases were due to insufficient evidence and lack of victim cooperation.

Interviews

Forty-one deputy sheriffs were interviewed. Their law enforcement experience ranged from six months to 26 years. These participants were deputies who were assigned road patrol duties, field training officers, corporals, sergeants, and lieutenants. Interview participants were also obtained from the Domestic Violence Unit and the State Attorney's Office, where they specialize in only domestic violence prosecutions, for a total of 44 participants. All participant interviews were digitally recorded and transferred to a diskette. Each interview, was transcribed as coding was compiled, in order to present and develop themes.

In the next portion of this study, 10 victims of domestic violence completed a questionnaire, which indicated the usefulness of law enforcement services and the services of the State Attorney's Office. The results of this data collection are discussed later in this chapter, but first the pilot study, which was necessary to establish validity and reliability of the questioning, must be considered.

Pilot Study

Questionnaire Participants

Each participant was interviewed by using 10 questions that were related to law enforcement responses to domestic violence calls. Prior to beginning the study, a pilot test was conducted. To ensure the validity and reliability of the questions that were to be administered, the questionnaire was viewed by three participants, which included a lieutenant, a deputy sheriff who is a Domestic Violence Agent, and a victim of domestic violence. The participants reported the questionnaire was easily understood and the interview process could be administered, with only minor wording changes. These changes were minimal, which ensured validity of the research tool utilized.

Likert Scale Participants

The participants in the pilot test, for the domestic violence portion, were given the 5-Level Likert Scale questionnaire, to determine its accuracy and relevancy. There were no changes to the scale; therefore, the validity and reliability of the questions were an actual depiction of what they were intended to indicate. Further, the purpose of this study was not to have the victims relive their experience, but to understand if the victims had received the necessary assistance during their

domestic violence incident. The results of the Likert Scale questions are discussed later in this chapter, in addition to how they relate to the hypotheses for this study.

Research Questions

Information gathered through this study's interviewing process was organized into units of analysis. As discussed, the participants were asked 10 questions, which yielded various results that indicated policy changes are necessary in order effectively to improve law enforcement services concerning the handling of domestic violence cases. After the initial 10 questions were asked, it was determined that more in-depth questioning needed to be completed to gather additional information. Therefore, an additional five interviews were completed with five of the participants in the original 44 interviews, which will subsequently be discussed.

Individual Textual Description by Question

Question 1:   What is the connection between law enforcement officers' response to domestic violence calls and the success rate of prosecuting domestic violence offenses?

Question 2: What steps can be taken for Florida law enforcement agency officials to help improve the rate of domestic violence prosecutions?

Question 3: What types of policies translate into successful outcomes and law enforcement officials' ability to effect change?

Question 4: Looking at the Brevard County Sheriff's Office current policy on domestic violence, what procedures would you change?

Question 5: What changes in procedures would you change specifically for on-scene investigation, report writing, arrest procedures, and follow-up investigations?

Question 6: What rights do victims have in a domestic violence incident and what support mechanisms, or services are provided for the victim that you are aware of?

Question 7: Considering the domestic violence laws in Florida are "pro-arrest", what changes could be made that may increase prosecution rates of offenders?

Question 8: Discuss some of your suggestions regarding the legal system or current practices that you might consider as a problem in domestic violence cases.

Question 9: As a patrol officer, a State Attorney, a Domestic Violence Agent or Victim Advocate, give some suggestions as to what you can do to empower victims.

Question 10: What, if anything, would you change concerning the handling of domestic violence calls?

Additional Interview Questions

During the collection of data, the researcher determined that further framed questions were needed. There were several reasons for the additional questions: (a) the intent of the questions was to permit data saturation; (b) the researcher felt the additional questions would avoid the implications of unbiased data recording; and (c) logically to stimulate and systematically synthesize participants' responses to the initial questions. Keeping in line with the natural inquiry design of qualitative study traditions, the intent of the supplemental factual questions, while probative in value, were framed as open-ended, to gather additional research. For the compelling reasons described above, these additional ten questions were asked:

1. As a member of the Brevard County Sheriff's office, have you ever been involved in answering a domestic violence call?

2. Does your department have a prescribed policy and/or procedure for addressing a domestic violence situation/call?

3. Have you ever felt that it was necessary to modify that policy/procedure? (Please describe)

4. Do all domestic violence situations/calls require the involvement of a domestic violence advocate? (Please describe)

5. What are your suggestions/ideas on follow-up procedures for taking photographs of injuries from a domestic violence situation/call?

6. How might the Brevard County Sheriff's office improve its policy/procedure for addressing domestic violence situations/calls?

7. Describe your understanding of victims' rights.

8. Describe the mandates for pro-arrest versus mandatory arrest.

9. Describe an example where you thought the legal system worked and an example where you felt it did not work well for a victim of domestic violence.

10. Describe what is meant by the term "Empowering victims." Please provide positive and negative examples.

Coding

As previously discussed, interviews were conducted with law enforcement officials, the state attorney's officials, and domestic violence advocates. After the interviews were completed, they were transcribed and the content of the interviews was reviewed and evaluated for consistency. As part of the qualitative process of this research, codes were developed from those interviews and are specific to each question. Information provided from the interviews was coded using predetermined master themes. A master code list, or codebook, was developed and, initially,

there were 68 individual codes.   A second round of coding was conducted, and this resulted in the condensation and development of 10 themes, which included the following:

1. Responsibilities (RS), which is described as what the deputy's job is at the scene of a domestic violence call.

2. Training (ET), illustrates further training in the area of domestic violence.

3. Legal Guidelines/Policies (LG), the understanding of policies and procedures and mandatory arrest versus pro-arrest.

4. Procedural Changes (PC), described as sentencing guidelines.

5. On-scene Investigation (OS), which is the protocol for gathering statements, evidence, etc. on scene of a domestic violence incident.

6. Victim's Rights (VR), described as what rights the victim has in a domestic situation.

7. Increased Prosecution Rates (PR), the need for increasing the prosecution rates of cases.

8. Legal System/No Contact Orders (LS), best illustrated as better procedures for following up on no contact orders and the legal system prosecuting for these offenses.

9. Empowering Victims (EV), defined as what the deputy can do to empower a victim.

10. Changes/Observations (CO), described as changes in our society and the crime of domestic violence becoming more dangerous for law enforcement first responders.

For the purpose of promoting the validity of the study, the coding process was completed in conjunction with another dissertation student and a law enforcement management practitioner. Demonstrating external validity, by validating the coding, ultimately will establish validity of the coding portion of the study. Next, will be a discussion of the development of themes.

Development of Themes

During the process of coding and doing additional coding, themes are developed. Themes are derived from utilizing word repetitions, keywords in the content of the interviews; analogies; and connectors, which are words or phrases that indicate relationships among things. These areas brought out discussions regarding past and current procedures in the handling of domestic violence cases. Discussion was on the following themes: responsibilities, training, guidelines and/or policies, procedural changes, on-scene investigation, victims' rights, increased prosecution rates, legal system/no contact orders, empowering victims, and changes/observations.

Triangulation

The aim of triangulation in qualitative studies is to establish whether the study findings are true and certain. Guion (2002) regarded "true," in this instance, as "true" in the sense that the findings accurately reflect the real situation and "certain" in the sense that the findings are backed by evidence (p. 1). Additionally, Guion presumed that "'Certain' means that there are no good grounds for doubting the results; i.e., the weight of evidence supports your conclusions" (p. 1). To establish validity of the study, care was taken to check and recheck all data gathered and processed.

Two types of triangulation were used in this study: investigator triangulation and methodological triangulation. According to Thurmand (2001), investigator triangulation involves using more than one observer, coder, or data analyst in the study. This study involved the use of two other coders, but only one data analyst was used. This type of triangulation increased the credibility of the study, while decreasing the potential for bias in gathering and coding data (Thurmand, 2001). Methodologic triangulation uses two data collection instruments, which would be the participant interviews and questionnaires in the same study, and including the Likert-scale surveys.

Findings and Results

The supplemental interviews echoed the sentiments elucidated from the previous research questions. The questions were successful in focusing the participant's attention on areas of that was of particular importance. The responses gathered from the additional research participants reinforced the presumptions held by the study's previous participants, but the results of the additional questioning were unproductive for the research as such in that that they did not change the central themes, codes, or principal outcome of the study. In retrospect, while the information gleaned from the additional interviews did not manipulate the previous data, it did lend more clarity and more in-depth information regarding policies and procedures followed by the Brevard County Sheriff's Office.

Likert Scale Results

Ten participants who were victims of domestic violence were given a 5-Level Likert Scale questionnaire. Each of these participants had to have been a victim of domestic violence. Each victim was questioned about how many years ago the abuse happened, and the time ranged from less than one year ago to 26 years ago. All victims were females, and they were given the opportunity to further discuss their incidents, but all declined to comment.

A quantitative analysis was completed with two statistical analyses. The first analysis was done utilizing the t-test method. The t-test method gives the mean, standard deviation, 90% confidence interval, and the statistical significance. The criteria of being greater than unlikely, which was indicated as 2 on the Likert Scale, would determine if the question was significant or not. Question 4 was the only question that was not statistically significant. Ultimately, this meant that on Questions 1, 2, and 5; the participants were in the likely area; Question 4 was 50/50, and Question 3 was borderline in the likely category. Based on the sample size of ten participants, it

was concluded that Questions 1, 2, and 5 were statistically significant. For Questions 3 and 4, there was not enough evidence to draw a conclusion.

Additionally, a proportion method was conducted; where the "undecided" responses were subtracted. The rationale behind this was that respondents were only analyzed who had an opinion and the highly unlikely and likely were combined, which is a common statistical approach. The analyses report used likely, sample size (excluding the undecided), percentage, p-value, and statistical significance. Using the proportion method, Questions 1, 2, and 5 were statistically significant.

Summary

In conclusion, the results from the 44 interviews and the additional questions were supplied, coded, recoded, and themes were developed. Further, a quantitative analysis was completed of the 5-Level Likert Scale questionnaire, as related to the four hypotheses used in this study, and a t-test was completed. Further discussion is necessary in order to conduct further research.

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