

Police-Perpetrated Domestic Violence: An Advocate's Pessimistic Historical Perspective

By Diane Wetendorf

(Original publication: *Domestic Violence Report* 19 (3), Feb/Mar 2014; Civic Research Institute)

Editor's Note: *Newspapers have been full of stories lately about "batterers in blue" – police officers who assault their intimate partners. The New York Times recently ran a lengthy story about the death of a 24-year-old mother in St. Augustine, Florida, who was allegedly killed by her deputy-sheriff boyfriend. Police investigators ruled her death a "suicide" despite vehement denials by her relatives. The New York Times story evokes questions about whether there has been any progress in the law's response to the phenomenon of officer-initiated domestic violence (OIPD). National expert Diane Wetendorf addresses this issue in the commentary below.*

I created a brochure in 1994 for the first police victims' advocacy program in the country. It highlighted the complications of victims' options, such as: "Call the police: *he is the police*; Go to a shelter: *he knows where the shelters are located*; Have him arrested: *responding officers may invoke the code of silence*; Take him to court: *it's your word against that of an officer*; Recant: *lose future credibility and protection*; Cooperate with law enforcement: *he may lose his job and retaliate against you.*"

Sadly enough, if I were to design a brochure for a program today, it would read exactly the same. It is now 17 years after passage of the Lautenberg Amendment which holds police officers to the same standard as ordinary citizens by prohibiting them from owning a firearm if they have been convicted of a misdemeanor crime of domestic violence or subject to a restraining order. One would hope that things might have changed. The International Association of Chiefs of Police (IACP) developed a Model Policy in 2003 on police-perpetrated domestic violence. A few states developed specific regulations and training. High-profile police-perpetrated criminal cases made headlines. Many police agencies resisted the very idea of a formal policy on officer-involved domestic violence and many individual officers expressed outrage over both the amendment and the imposition of formal policy.

It remains difficult to get information about the prevalence of police domestic violence because most victims don't report it and few departments track (or reveal) the number of reports they receive. It is even more difficult to get information on how police agencies respond to the reports. Victims' experiences consistently demonstrate that chiefs and sheriffs *do* take allegations of police-perpetrated domestic violence very seriously... but not from the perspective of the victim nor with a focus on the safety or life of the victim. Instead, victims' allegations are viewed as more of a threat to the employing department's liability, reputation, and the career of the officer involved.

Many law enforcement supervisors and administrators have told me that abusive officers are few and far between, and that the whole of law enforcement should not be judged by the aberrant behavior of the few. They attribute an officer's abusive behavior to the stress of the job or to his upbringing in a violent home. While this may be true for some abusive officers, the majority of

victims tell me that their abusers did not grow up in abusive homes. These victims witnessed a change in their intimate partners as they internalized the tactics of power and control from their professional training and their immersion in the police culture. Indeed, many of the characteristics required to be a police officer, such as the ability to take control of situations and people, the ability to exercise authority, and the willingness to use violence to gain compliance are the identifying characteristics of a batterer.

The primary source of my information about the dynamics of police-perpetrated domestic violence, its prevalence, and how police agencies respond to it has been the victims of the crime, the vast majority of whom are women. It is rare for a sworn officer to acknowledge or corroborate their knowledge or personal experience with this crime. Many in law enforcement dismiss victims' accounts and firsthand experiences as unreliable "anecdotal evidence." Victims often say they resist reporting an incident because they expect it will devolve into a "he said she said" contest between their word and that of an officer, and that authorities will believe the officer. Giving the officer credibility over the victim reflects both the deep-seated belief that women lie about abuse and the deep-seated loyalty to the brotherhood's code of silence. These beliefs and attitudes make reporting police-perpetrated domestic violence an extremely dangerous decision. The victim's report sets in motion a chain of responses designed first and foremost to protect the interests of the accused officer and his department; protection of the victim is a secondary concern and is viewed from the perspective of the department's liability.

Many elements of the IACP Model Policy fly in the face of what we know about the nature of batterers and the police culture. Just a few examples are the mandate that abusive officers self-report, the mandate that fellow officers report knowledge of an abusive officer, and the recommendation that departments take a zero tolerance position. The IACP also recommends that officer training be a coordinated effort between law enforcement and domestic violence advocates. In my experience, this collaborative training tends to be dominated by the law enforcement perspective, with an emphasis on law enforcement's goals, objectives, priorities and exposure to liability, along with the uncritical promotion of the IACP model policy. My experience and that of other advocates have been that few officers are receptive to training from civilian advocates. They tend to see advocates as naïve and gullible people who believe everything victims tell them. In contrast, they tend to see themselves as authorities on human nature who know that victims of domestic violence and sexual assault routinely lie.

The IACP also emphasizes the need for a collaborative relationship between local police departments and local domestic violence agencies. Though this has benefits, there is a danger that a close working relationship will blur professional and personal boundaries resulting in the corruption or compromise of the advocates' role. Advocates who become too closely aligned with police agencies tend to adopt a law enforcement perspective; they become of little value to victims, especially victims of police officers. Many advocates have told me that their agencies shy away from assertively advocating for police victims due to fear of jeopardizing the agency's good relationship with the police; others say they fear retaliation against their programs and/or staff members. Victims sense this hesitancy. Some victims tell me they understand the advocates' fears and reluctance to get involved; others question how advocates can advocate for *any* battered woman if they will not/cannot advocate for the victim of a police officer.

While policy and rhetoric make it appear that police agencies want victims of police officers to come forward, the agencies' actual response seems designed to ensure that victims remain silent. The wedding of law enforcement and advocates leaves victims of police officers nowhere to turn for information or help. They need advocates with whom they can share personal information without fear that their information will be handed over to the police or prosecutor. Police victims are desperate for a confidential source of information about their options. They want to know how the system *actually* works rather than how it is *supposed* to work.

Increasingly, all roads lead to the criminal justice system. And, with the proliferation of organizations like Family Justice Centers that house police officers, prosecutors, advocates and all other types of service providers under one roof, victims of police officers are on their own. Their abusers' professional status and credibility that status confers, their connections to others within the system, their access to information that allows them to track down a victim who flees, and their ability to make good on their threats against victims make safety planning little more than an exercise in futility.

The lack of progress we have made in confronting police-perpetrated domestic violence is shameful. Collectively, police administrators and officers, prosecutors, advocates, and the public continue to turn our backs on police victims. Are we afraid to acknowledge that law enforcement's response to domestic violence in their *own* family reveals their genuine attitudes and beliefs about domestic violence in *any* family?

©Diane Wetendorf, Inc. Diane Wetendorf is an advocate and author specializing in officer-involved domestic violence. Formerly a consultant to the Battered Women's Justice Project, Diane is the author of *When the Batterer Is a Law Enforcement Officer: A Guide for Advocates*; *Police Domestic Violence: A Handbook for Victims*; *Advocate & Officer Dialogues: Police Perpetrated Domestic Violence*; *Abusive Police Officers: Working the System*; and *Crossing the Threshold: Female Officers & Police-Perpetrated Domestic Violence*. Diane has presented at the National Center for Women and Policing, the International Association of Chiefs of Police, the Behavioral Science Unit of the FBI National Academy, state and national domestic violence coalitions, and numerous conferences. She has served as expert witness in Canada and the U.S. Her latest book, *Hijacked by the Right* tackles the question of the future of battered women services in the 21st century. Her website is AbuseofPower.info.
