

## **DOMESTIC VIOLENCE CRIMINAL JUSTICE / LAW ENFORCEMENT**

### **Statistics**

- Approximately 60% of family violence victimizations were reported to police between 2001 and 2005. The most common reasons for not reporting were that the incident was a “personal matter,” (31%) or “protecting the offender” (15%). *DOJ, Bureau of Justice Statistics, Intimate Partner Violence, U.S. 12/2007.*
- New research suggests that victims of domestic violence who initially turn to the criminal justice system for intervention may be so dissatisfied with the outcome that they do not call the police the next time they need help. “Victim Satisfaction with the Criminal Justice System,” January 2006, <http://www.ojp.usdoj.gov/nij/journals/253/victim.html>.
- In only 1/3 of cases did an officer take photographs or ask the victim about prior abuse. Only 17% of victims were asked about a restraining order, and 83% were provided no printed information on resources. *Ibid.*

### **Local Statistics**

- HAWC offers domestic violence training to the Houston Police Department. There are only four family violence units that employ a total of 15 officers.
- Effective January, 2006, a victim of family violence who has been living with her/his batterer and has a qualifying protective order, or is the parent of a child who has a qualifying protective order, can terminate her/his lease without penalty if she/he needs to leave home in order to be safe. *Texas Property Code 92.016, Senate Bill 1186.*

### **Overview of the Issue**

- Victims most often refrain from reporting domestic violence because they view the incident as private, they fear abuser retaliation, and they believe police will be unresponsive. Other reasons include concern for children’s well being, attachment to the abuser, fear/mistrust of the criminal justice system and cultural/religious beliefs
- Pro-arrest policies can be effective by treating domestic violence as a serious crime, sending a message that it will not be tolerated, and providing the victim with access to support services. Pro-arrest policies can be destructive when no effort is made to determine the primary aggressor and the victim is arrested along with the batterer. Training officers to distinguish offensive from defensive injuries may reduce dual arrests.
- Victim cooperation with the judicial process is a key factor in the successful prosecution of domestic violence cases. Victims may fail to participate or drop out because they fear repercussions from their abuser or the process is too stressful and they feel re-victimized. Police and judicial responses to victims can either encourage or deter them from accessing and cooperating.

### **What You Can Do**

- Law enforcement officials should listen and validate a reporter of domestic abuse. Ask specific questions about the abuse and communicate support. Speak to the survivor away from the batterer. Consistent police intervention can encourage the survivor to take action.
- Issue safety plans and a list of shelters to all domestic violence reporters. Always inform the victim what will happen to the offender and when he/she will be released. <http://www.houstontx.gov/police/hsn/home.htm>
- Make victims aware that they can file a protective order. Protective orders often increase a survivor’s sense of safety and self-esteem. However, unless enforced, they create a false sense of security. For more information, go to the Houston Police Department website <http://www.houstontx.gov/police/hsn/home.htm>.

### **Impact on Victims**

- The process of reporting and prosecuting is very stressful for most victims. Often, the criminal and civil remedies (such as child custody, visitation and support) are dealt with in the same court. This puts survivors at risk for further violation by their abuser, and successive court appearances may devastate them. Victim advocacy programs within the justice system help victims stay in the process and meet their needs.

### **Quotable**

The justice system speaks out against domestic violence when it punishes batterers and protects victims’ rights. Officials need the cooperation of the survivor. Providing safety, resources and advocacy in court can help achieve this. If you need to speak with a Houston Police Department counselor, please call (713) 308-1100, and you will be directed to the unit in your area.