

SECTION: Community Connections

TOPIC TITLE: Law Enforcement



Importance of Topic:

The first contact for some survivors may be with law enforcement with a call to 911. When a DVP has a strong connection to their local law enforcement, the likelihood of a referral to the DVP will increase. If a program's service area covers multiple jurisdictions, there are likely to be differences in how each jurisdiction responds to domestic violence calls. It is important to have connections in every jurisdiction served by your agency.

There is, perhaps, no other community connection where the approach to responding to domestic violence survivors differs so drastically. Understanding the police officer's or deputy's perspective can help DVP staff know how to work better with their local law enforcement. Law enforcement officers struggle with the repeated calls to a residence, with the victim's return to the abusive relationship, and the potential danger for themselves. They also may not recognize that a lack of cooperation from the victim may be a survival technique for that victim. Building connections with local law enforcement can help survivors get the other community resources that they need.

See also Lethality Assessment and Legal Advocacy.

Statutes/Professional Standards:

- Code of Virginia Reference: [§ 9.1-1300](#). Domestic violence policies and procedures for law-enforcement agencies in the Commonwealth.
 - [Professional Standards Reference](#): STANDARD #13: Sexual and Domestic Violence Agencies will coordinate services within the agency and the community to promote high quality integrated services and support to survivors. · *Develop and maintain signed agreements (e.g. memorandum of understanding, cooperative agreements, partnership agreements) as needed to provide and coordinate services to survivors. Examples include: Cross-training and/or co-location with agencies such as: - Victim Witness - Social Services to include Adult and Child Protective Services - Colleges and universities - Mental health - Law enforcement - Hospitals - Schools - Immigration services - Legal aid.*
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Terms Used or Needed to Understand this Topic:

Mandatory or pro-arrest policies: A mandatory arrest law is a domestic violence statute that requires police to arrest an alleged batterer. Mandatory arrests are common in some regions but not used in others, partially due to considerable controversy over the validity of the law. While proponents say that mandatory arrest can save lives and may be more effective than other police domestic abuse tactics, opponents suggest that it may actually reduce the likelihood that abuse victims will call the police, and sometimes disregards the rights of the accused by failing to require evidence or probable cause for arrest ([What is Mandatory Arrest? \(with pictures\)](#)).

Community policing: Community policing, or community-oriented policing, is a strategy of policing that focuses on developing relationships with community members. It is a philosophy of full-service policing that is highly personal, where an officer patrols the same area for a period of time and develops a partnership with citizens to identify and solve problems. The central goal of community policing is for police to build relationships with the community, including through local agencies to reduce social disorder ([Community policing - Wikipedia](#)).

Police department versus Sheriff's office: Depending on your locality, the Sheriff's Deputies may respond to 911 calls or you may have a local police department that responds to calls. A sheriff is an elected official; a police chief is hired by the locality. The roles of each department vary by locality, and in some localities, all services are provided by the Sheriff's department as there is no local police department.

Did You Know?

As part of the Virginia Code (referenced above), the police and sheriff's departments of every political subdivision in Virginia are required to establish procedures for domestic violence. Those procedures should include, among other items, the community resources available to (allegedly) abused persons in the department's jurisdiction.

Racial/Social Justice Focus:

The 2020 Black Lives Matter movement has brought forward our country's long history of racial injustice, which has been evident with police killings of Black people. People of color

and other marginalized people have reason to distrust law enforcement. People of color may be more reluctant to involve the police as they may feel that they are betraying their race even if they know that the violence is wrong. Calls to defund the police can add to divisions between DVPs and local law enforcement.

Scenario 1: Nieve is a Black woman living in a rural area. She has two children with her husband. Her husband has always been controlling and occasionally has hit her. One night, he comes home from drinking with friends and beats her badly. One of the children calls 911. When the deputy arrives, Nieve says that everything is fine and asks the deputy not to arrest her husband. The deputy knows both Nieve and her husband as they all went to high school together.

- What is the best outcome for this situation?
- How can law enforcement best be prepared to respond in this situation?
- Why might Nieve be asking the deputy not to arrest her husband?
- Should a lethality assessment be conducted?

Scenario 2: Maricelle is Hispanic and lives in a city neighborhood that is predominantly Hispanic. Maricelle speaks English but Spanish is the language where she is most comfortable. Maricelle has been trying to break up with an abusive boyfriend, but she has forgiven him multiple times and returned to the relationship. This time, she has asked him to move out and has changed the locks at her home. When her boyfriend comes to the house, he tries to break the door down. Maricelle calls 911; her boyfriend leaves the scene when the police arrive.

- Would it be helpful in this situation to have a police officer who speaks Spanish? What difference might that make?
- What resources would be helpful for the police officer to offer to Maricelle? Should shelter services be encouraged?
- Should Maricelle be offered a protective order?
- Should a lethality assessment be conducted?

Trauma-informed Focus:

Some law enforcement personnel have received training in a trauma-informed approach, others have not. Law enforcement personnel may feel that their jobs do not allow them to be trauma-informed. Work with local law enforcement can potentially develop relationships where law enforcement will contact DVP staff after a lethality assessment or perhaps even without this.

DVP staff can provide the bridge between law enforcement and survivors, working to support survivors and to use the legal system to help survivors.

Promising Practices:

Overview of General Characteristics:

- Program staff have made considerable efforts to build relationships and repair any misunderstandings with law enforcement in all jurisdictions served. Relationships can be built through community collaboration meetings and partnerships with other agency staff such as victim witness staff.
- Programs are creative in their collaborations with local law enforcement and consider multiple ways of connecting, such as cross-training, speaking at roll calls, and developing trauma-informed resources for law enforcement.
- Consider a ride-along with local law enforcement as a way to build relationships.

Examples:

- The **YWCA Richmond** is located in the City of Richmond and serves a large urban area. In addition to providing its own services, the program is also part of the Greater Richmond Regional Collaborative which is the work of the 6 SDV agencies who serve this area. The YWCA Richmond has a Lethality Assessment Program with 3 different law enforcement agencies. This working relationship helps them to assist clients with getting the correct service they need at a very difficult time. They have found that turnover with both law enforcement and the DV program can add to the challenge of this work. Thankfully, for the last 3 years, the people involved have remained consistent which has built the relationship. The pandemic has moved training online, but outside of having to connect virtually, the services have

remained the same. Communication about each other's procedures and what is helpful on both ends increases understanding.

- **Choices, the Council on Domestic Violence for Page County**, is located in a rural area. As part of their work with law enforcement, they provide officers with information about agency services, victims' rights, and protective orders all in one envelope that officers can give to victims of domestic violence. This ensures that victims are receiving consistent information throughout the county. It also makes the officer's job a bit easier at the scene and provides information for clients that they can use to help with safety. One of the challenges that Choices had to overcome was helping officers understand that Choices' services can make their job easier as well as alleviating worry for the victims. It also meets the law enforcement requirement for officers to provide information to DV clients. These services have continued to be offered through the pandemic.

Program Focus:

- Is there any training or assistance your organization can provide to help police in interacting with survivors, especially those in groups who may not feel safe engaging with law enforcement?
- Does your program use police to transport survivors to your shelter? Do you have alternatives available? What do you do to help a partner of an abusive police officer?
- Does your locality offer CIT (Crisis Intervention Training)? See if you can be added as a resource to this training ([Virginia CIT Coalition](#)). Law enforcement officers often participate in this training.

Client voice:

Documenting Our Work Evidence

- When asked what survivors would have done without access to domestic violence programs:
 - "Went to the police and had them help me the best they could."
 - "went to churches or the police"

- "I would have gone to the police station."
- "went to the police station to see how they can help me and my family be protected."
- "I probably would have had to call the police to assist me."
- When asked about other help survivors needed but did not receive:
 - "My only difficulties did not come from within the shelter. I had a couple of issues w/ local law enforcement and with some landlords as I searched for housing. The staff was wonderful in helping me."

COVID-19 Focus:

The pandemic, shelter-at-home requirements, loss of jobs and income, and children at home with virtual school can all add stress to abusive situations and may increase the chance of violence and lethality. Law enforcement may be the first point of contact for a survivor. Additionally, new shelter requirements which rely on lethality assessments will need to ensure that law enforcement performing these protocols are fairly administering them to all survivors, which can be difficult for groups who were less likely to engage with police services even before the pandemic. Increased police interaction highlights the critical role that domestic violence agencies have in working with law enforcement to ensure the best outcome for the survivor. Law enforcement can also be useful during this time in assisting survivor's filings for protective orders and in enforcing protective orders that are not being respected.

During COVID-19:

- What type of relationship does your agency currently have with local law enforcement? How can this be strengthened during the pandemic?
- What can you do to make sure that local law enforcement is aware of how your services may have changed due to the pandemic, so that they are giving correct information to survivors?

Additional Resources + Links:

Videos:

- For the visual learner, this website contains four videos (11-15 minutes each, in the section Office on Violence Against Women) which illustrate the police response to domestic violence. Please note that each video includes actual police footage from responding to calls; some are graphic in nature, and viewer discretion is advised [Law Enforcement Resources | DOJ Partners | Office of Justice Programs](#).

Publications/Collections:

- [LGBTQ DV Targeted Recommendation: Ensure that all Referrals to 911 and Law Enforcement are Informed, Individual, and Based on a Reasonable Expectation of Benefit in the Specific Situation](#): This targeted recommendation highlights the historic challenges with law enforcement that domestic violence survivors, and especially diverse LGBTQ survivors, experience.
- [Domestic Violence 101: How Should a Law Enforcement Agency Respond?](#): This brief article from the International Association of Chiefs of Police contains information for police to respond to domestic violence. As part of this website, there is also a [domestic violence model policy](#) to help departments of any size put in place the priorities, guidelines, and procedures to be followed by law enforcement officers in response to domestic violence calls.
- [Law Enforcement, Justice System and Domestic Violence](#): This article includes a variety of statistics related to domestic violence and law enforcement.
- [How feminists made policing the go-to response to domestic violence and rape. \(slate.com\)](#): This 2020 article covers some of the history of the police response to domestic violence and sexual assault, including discussion of recent requests to “defund the police.” It concludes with: Dialing back aggressive policing, even without other changes, promises to benefit women, especially those living in low-income communities of color. Investing in programs proved to reduce violence and increase victims’ well-being, instead of policing, is even better. The question “What about

domestic violence?” is better understood not as a critique of defunding the police but as an argument for it.

- [Enhancing Police Responses to Children Exposed to Violence: A Toolkit for Law Enforcement](#): This toolkit provides practical tools and resources to assist law enforcement agencies in building or enhancing effective operational responses to children exposed to violence (with or without a mental health partner). Tools are targeted to police leaders and frontline officers. It covers a broader spectrum of violence, including domestic violence.
- [Law Enforcement, Justice System and Domestic Violence \(domesticshelters.org\)](#), [Domestic Violence From an Officer's Perspective \(domesticshelters.org\)](#), [How Police Are Trained to Respond to Domestic Violence \(domesticshelters.org\)](#): These articles are from 2015 and 2016 and include statistics related to domestic violence and law enforcement.

Online Training:

- [https://forge-forward.org/resource/improving-relations-with-lgbtq-communities-a-guide-for-law-enforcement/\(1:06:21\)](https://forge-forward.org/resource/improving-relations-with-lgbtq-communities-a-guide-for-law-enforcement/(1:06:21)): This webinar was produced by Forge-forward and discusses ways that advocates can work to help LGBTQ communities. It is not specific to domestic violence.