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**THE IMPACT OF FEDERAL VIOLENCE AGAINST WOMEN GRANTS
UPON TWO NEW HAMPSHIRE CITIES: CASE DISPOSITION AND
POLICE REPORT WRITING**

BY

CATHERINE ANNE SEABURY

BA, New England College, 2005

THESIS

Submitted to the University of New Hampshire

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the Requirements for the Degree of

Master of Arts

In

Sociology

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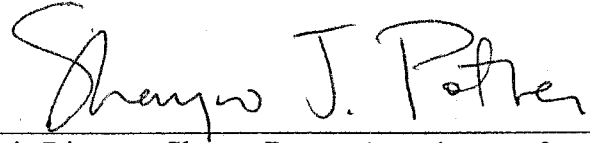
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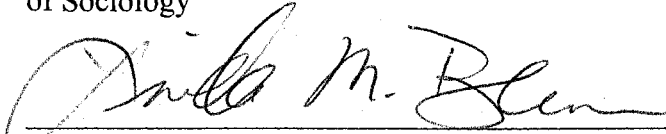
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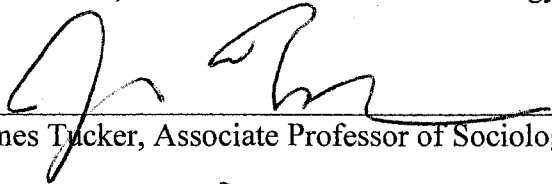
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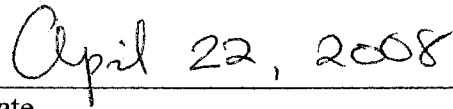
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ABSTRACT

THE IMPACT OF FEDERAL VIOLENCE AGAINST WOMEN GRANTS UPON TWO NEW HAMPSHIRE CITIES: CASE DISPOSITION AND POLICE REPORT WRITING

By

Catherine Anne Seabury

University of New Hampshire, May, 2008

In 1994 the Violence Against Women Act (VAWA) was passed in the United States, and with it came a host of changes for the many cities and towns throughout the country which were granted federal funds in order to combat domestic violence.

Although these structural changes appear to have been successful, little empirical research has been conducted with the goal of accurately reporting what, if any, improvements have occurred within communities as a result of VAWA funding.

This research examines the impact of federal VAWA funds on two New Hampshire cities – Manchester, which has been receiving VAWA funding since 1995, the first year such funds were dispersed; and Nashua, which began receiving federal VAWA funds one and a half years ago, by comparing domestic violence case disposition rates, and by measuring whether or not police report writing style has a significant impact on domestic violence case outcomes in either Manchester or Nashua.

INTRODUCTION

Studies which examine domestic violence against women have historically fallen in one of two categories – federally funded, large-scale studies which analyze the effects of government programs, or smaller, academically produced studies which promote policy change (Kurz 1989). This research gap has existed largely due to the relatively recent recognition of domestic violence as a crime combined with the difficulty of police departments and court systems in dealing with violent intimate partners. I advocate for this divide to be closed. Research which examines *how* policies enacted to combat domestic violence may result in certain domestic violence case outcomes could result in more well-crafted future legislation in the future.

The main objectives of much of the early research on domestic violence were to define what it constituted, and to subsequently determine the best methods to combat and reduce it (Johnson 1995). The growing body of literature on domestic violence during the 1970s and 1980s served to put the issue in the eyes of the public, and ultimately resulted in the passage of the Violence Against Women Act (VAWA) in 1994 (Office on Violence Against Women, 2006). The hope of the VAWA was that by decreasing the prevalence of violence within families through effective policing, greater victim assistance and harsher

punishments for male offenders, rates of domestic violence would subsequently decrease.

A part of a larger body of legislation entitled The Violent Crime Control and Law Enforcement Act, the VAWA targets domestic violence, stalking, and other crimes against women involving violence (McEwen & Dupree 1998). One portion of the VAWA specifically provides communities, police, prosecutors, and courts with the power to more aggressively control domestic violence, and these provisions resulted in the development of STOP grants. STOP¹ grants are awarded to communities following a competitive application process, and serve to aid in the reduction of domestic violence through increased police officer training, prosecution, and victim services (STOP Annual Report 2004).

Since the passage of the VAWA, there has been limited academic research comparing the influence that VAWA legislation has had on outcomes of domestic violence cases within specific communities in the United States, although large-scale studies examining individual cities performed by the Department of Justice and the Department of Health and Human Services abound. In 1996, the Institute for Law and Justice (ILJ) was selected to conduct evaluations of the law enforcement component of the VAWA; therefore the majority of information on the effectiveness of policing domestic violence post-VAWA is taken from ILJ reports (McEwen & Dupree 1998).

Studies have been completed by the ILJ examining mandatory arrest policies (Archer et al. 2002), reviews of existing state laws on domestic violence (Miller 2004), and reviews of the effectiveness of existing domestic violence laws

¹ STOP is an acronym for Services, Training, Officers and Prosecutors.

(Miller 2006), as well as others which examine similar aspects of law enforcement's continued impact on domestic violence under the VAWA. However, studies looking at the impact of STOP grants on specific communities are lacking. "[W]ith all the money that has been invested in criminal justice to control violence against women, we know very little about the impact of these investments" (Parmley-Moore 2004:1424).

Past and present research indicates that by focusing more effort on continued examinations of the effects of the Violence Against Women Act through STOP grants within specific communities, police departments, court systems, and communities throughout the country could use the information gathered to then be better equipped to handle these difficult cases, and to more efficiently utilize any federal grants that they may receive.

In this study I intend to contribute to the existing body of literature on outcomes of VAWA funding (provided to communities through STOP grants) by comparing domestic violence dispositions² and report writing techniques between two New Hampshire communities – Manchester and Nashua. Both of these cities are relatively similar in size and demographic composition, and both are currently in receipt of federal VAWA funds: Manchester, NH has been receiving funds continuously for over a decade, while Nashua, NH has been receiving VAWA funds for approximately one and a half years. The ILJ chose Manchester, New Hampshire as a research site in 2000 (Eukert et al. 2000), but has not compared two cities within the same state – instead, the ILJ focused on changes in report writing and dispositions over time in that city. In addition, there has been little

² The disposition of a case refers to its outcome, e.g. guilty, not guilty, dismissed, etc.

study of police officer response to domestic violence either with or without VAWA funding (Saunders 1995), and by examining federal VAWA funding through the actions of responding police officers, my research aims to bridge the divide between existing policy and implementation.

Nashua and Manchester have police departments of similar size. In addition, the two cities have roughly equal populations and a similar number of domestic violence calls per year, and are roughly equally homogeneous. The striking difference between the two cities that I will examine in my research is that one city has been receiving VAWA funds for an extended period (Manchester), while the other (Nashua) has not.

The purpose for conducting a study which examines the potential effects of federal funding on domestic violence prevention through case outcomes and police report writing is to better understand how such grants could be more effectively allocated in order to improve outcomes, and better serve those for whom the funds are intended. By evaluating and re-evaluating domestic violence programs through methods such as assessments of report writing behavior and case outcomes, these studies could serve as a 'springboard' to facilitate improvements within programs funded with VAWA grants. Research on domestic violence is beginning to "trend toward experimental designs, fueled by the demands of funders to have clear evidence of program effectiveness" (Cunningham et al. 1998:i), and this type of research can assist in determining the most effective paths to take concerning the allocation and disbursement of funds in the future. The goal of the VAWA and other domestic violence prevention

funding is to better assist families who have been affected by domestic violence. Consequently, money spent more effectively equates to less physical, psychological, and emotional harm done to affected families, and eventually could result in lower spending by communities on domestic violence related issues.

Following a review of the literature on the Violence Against Women Act, police response to domestic violence calls and resulting outcomes, I will discuss how domestic violence is handled in the state of New Hampshire. I will then investigate the following questions:

1. Is there a significant difference in the number of domestic violence guilty verdicts between a city which has been in receipt of federal STOP grants for over a decade, and a city which has only been receiving STOP grants for approximately a year and a half?
2. Is there a significant difference in report writing techniques between a city which has been in receipt of federal STOP grants for over a decade, and a city which has only been receiving STOP grants for approximately a year and a half?
3. Which aspects of police reports, if any, have a significant impact on domestic violence dispositions?

The above research questions are derived, in part, from results of the Institute for Law and Justice Report completed in 2000. The ILJ concluded that report writing technique was deemed successful in Manchester, NH, but that the

percentage of cases dismissed through *nol pros*³ in that city was unacceptably high. Because Nashua, NH has been receiving federal funds for a period of only one and a half years, I hypothesize that 2006 conviction rates for domestic-related offenses in that city will be lower than the rates found in 2006 in the city of Manchester, where VAWA funds have been utilized for over a decade, and that the number of domestic violence related police reports written effectively will be higher in Manchester than in Nashua.

³ *Nol pros* is defined as a 'prosecutor's dismissal,' and occurs after the filing of a case in court but before the case goes to court and a judgment is made (Uekert, et al., 2001).

CHAPTER I

THEORETICAL FRAMEWORK

Until the early 1900s, it was perfectly legal for a woman to be beaten by her husband (Straus et al. 1985). Violence within the home remained largely in the shadows throughout the greater part of the twentieth century when compared to other, even less serious crimes (Berns 1999). Laws did not begin to reflect the seriousness of domestic abuse until the 1970s (Frisch 1992), and law enforcement agencies, the media, academic researchers, and the public simply did not recognize domestic violence as an important social issue until very recently.

Before domestic violence was seen as a serious public concern, women were regularly dominated by their male partners through the use of physical force, and this behavior was viewed as acceptable. This type of behavior was simply viewed by many as a natural extension of an existing patriarchal society. Religious instruction often served to reinforce the behavior (Dobash & Dobash 1992). Although women were occasionally also violent in the home toward their male partners, this was not tolerated in the same way that husband to wife violence was; females were thus often punished severely when exhibiting violence for “upsetting the natural patriarchal order” (Dobash & Dobash 2000:190).

The feminist movement of the 1970s brought with it a demand toward holding perpetrators of domestic violence accountable for their actions, and acted as the catalyst which eventually propelled domestic violence into public view. This movement, in tandem with more effective law enforcement, grass roots organizations, and eventual improved legislation, began to spur change. Up until this point there was no established protocol on the handling of violence within the home – data did not even exist to support either the negative consequences of domestic violence or the effectiveness of any particular legislation or organization. No one had been paying attention.

Feminist groups began to slowly build an extensive structure in support of battered women, followed closely by others recognizing the need for action. The first battered women's shelter opened in the early 1970s in London, followed by many more shelters in Great Britain. The United States began with the opening of shelters in California in 1974 (Tierney 1982). The total number of women's shelters grew exponentially soon afterward, most originating as grass roots, feminist-organized centers (Reinelt 1995). Domestic violence hotlines were established, and the National Organization for Women (NOW) developed a task force in 1975 which sought to counsel women and set up additional shelters for victims (Roy 1977).

In conjunction with the opening of battered women's shelters, laws began to emerge in individual states making domestic violence a punishable crime (Frisch 1992). Feminist groups began the trend, proposing laws to assist battered women (Zorza 1992). A critique of this strategy was that the very existence of the

legal system on which such laws are based is patriarchal in nature; most feel, however, that advocating for change within existing structures is more beneficial to women than the outright rejection of those structures (Griffiths 2000). By the late 1980s, many states had enacted laws which encouraged or even mandated the arrest of one or both parties involved in a domestic dispute (Finn & Bettis 2006). By 2000, all states allowed for the arrest of perpetrators of domestic violence without a warrant (ibid.).

Academic researchers also began focusing attention on issues contributing to domestic violence during the 1970s and 80s, as well as on the effectiveness of these early feminist-based policies and programs aimed at reducing violence against women. Through the study of patriarchal terrorism⁴, researchers have been able to discover some of the reasons *why* abused women remain with their partners.

Feminist academics studying domestic violence have concluded that “cultural constructions of femininity” as well as societal structures serve to keep women in an inferior position in many abusive relationships (Anderson 1997:656). This continues despite the rise of women to a place which is equal to that of men on many levels. The notion that many women’s “everyday realities” are still to be subservient to (and on occasion abused by) their intimate partners speaks to the feminist argument against the patriarchal nature of our society (Smith 1990). Although women continue to attend college at a rate which outpaces that of their male counterparts, enter the workforce in record numbers,

⁴ “Patriarchal terrorism “is a form of terroristic control of wives by their husbands that involves the systematic use of not only violence, but economic subordination, threats, isolation and other control tactics” (Johnson 1995:284).

and encounter fewer barriers, prohibitive structures remain in place for females. For example, to be a mother remains a “central and defining structural feature of our society’s organization,” which in turn keeps many women from leaving abusive partners (Chodorow 1979:86).

This opposition to the existing patriarchal framework present within American society has served as the foundation of the battered women’s movement, and has since broadened its scope considerably. Legislation seeking to remedy the social problem of domestic violence, such as the VAWA of 1994, has succeeded in acting as a springboard – lifting violence within the home from a place which has historically been hidden, to one which involves many agencies and organizations on local and national levels.

Although the extensive bureaucratization which has been a by-product of the increased attention paid to domestic violence is perhaps a drawback, this has been examined extensively by feminists in their desire for more effective organizations (Ferree & Martin 1995), and has been found to far outweigh the any alternatives. Increased awareness comes with a price, and feminists are well aware of this.

The extension of the battered women’s movement which has subsequently impacted police officers as they interact with and construct cases against perpetrators of domestic violence has helped to continue to move the issue into expanded social and political arenas. Research continues, with studies written from the feminist perspective gaining insight into the lives of battered women through work in shelters, hospitals, and other social organizations (Johnson 1995).

CHAPTER II

LITERATURE REVIEW

In reviewing the literature, I have identified four major areas of interest. First, I review the manner in which STOP funds are distributed to cities and towns as a result of the VAWA, and describe the way in which funds must be spent. Next, I describe a brief history of the law enforcement response to domestic violence, followed by an examination of how policies have changed the way domestic violence cases are handled by police. Third, I discuss the impact of police officer experience, the quality of police reports, and the effectiveness of prosecutors on domestic violence case outcomes. Finally, I address changes which have occurred as a result of the VAWA – namely, the introduction of batterer treatment programs, and potential issues resulting from relatively new police protocols such as pro-arrest policies.

Violence Against Women Act / STOP Grants

Federal STOP grants received by cities and towns including Manchester and Nashua, NH are available through an application process and are a significant component of the Violence Against Women Act. The VAWA was signed into law by President Clinton in 1994. It was the first legislation of its kind, and has been reauthorized twice – in 2000 and 2005. A considerable portion of the

policies implemented by the VAWA in 1994 are related to law enforcement – changing protocols followed by police officers in response to domestic violence calls, improved recognition of domestic violence protection orders, and facilitating law enforcement’s ability to make arrests in domestic violence cases. The funds that were directed to programs as part of the VAWA are dispersed through STOP grants, which serve to offer a “coordinated approach” to combating domestic violence (McEwen & Dupree 1998). STOP funds are awarded to individual states, which then break down the awards into smaller amounts. The individual STOP grants are then distributed to cities and towns that have applied for the funds, and have subsequently been found to have demonstrated appropriate need (Bert et al. 2000). These sub-grants totaled 10,114 in the four years ending in 2003, and the average amount awarded to a sub-grantee was \$35,000 during that time period. Fewer than 11% of sub-grants provided to communities and programs total over \$100,000 (STOP Annual Report 2004). In fiscal year 2003 the total amount awarded through STOP grants was \$131.4 million (STOP Annual Report 2004).

The purpose of STOP grants is to reduce the incidence of domestic violence through the implementation of the following: increased training for police officers, prosecutors, judges, and advocates; the development of units within police departments and courts which are specifically aimed at assisting victims of domestic violence; the institution of more effective court and police protocols; the development of better communication systems between law enforcement and courts; the strengthening of existing victim services and

developing new services where none currently exist; and the provision of more extensive assistance to those in greater need, such as female immigrant and American Indian populations. STOP grants are also granted with the intent of reducing sexual assaults and stalking through improved victim services and increased awareness on the part of law enforcement and the court system, and are often closely tied to those for domestic violence prevention (Bert et al. 2000).

As a condition of the distribution of funds to various communities, it has been mandated that the money be spent by these cities and towns in a specific manner. STOP grants dictate that a minimum of twenty-five percent of the funds received are allocated to law enforcement, twenty-five percent to prosecution, five percent to local courts, and thirty percent to victim services. The remaining fifteen percent of the money is to be spent in a manner deemed most appropriate by the recipient of the funds, and must conform to the standards set by the VAWA (Office on Violence Against Women, 2006). Communities awarded funds as a part of the VAWA are expected to develop and expand their domestic violence and sexual assault prevention and police training programs as well as other programs relating to domestic violence over the course of fund disbursement. A considerable number of the communities originally granted funds in 1995 continue to receive money as part of the VAWA, and the amount of funds dispersed has grown.

Much of the Violence Against Women Act passed in 1994 included new policies designed to increase the effectiveness of police officers when responding to domestic calls. One aspect of the VAWA calls for police departments to give

'full faith and credit' to protection orders from other states. By doing this, victims of domestic violence who have obtained an order of protection can be ensured that their order from one state will be honored in every other state in the nation, thus facilitating arrest in cases of violation. Other developments from the VAWA include the creation and/or support of non-profit organizations dedicated to helping victims of domestic violence, improving the training that attorneys receive in cases of domestic abuse, and a number of other programs related to addressing the seriousness of crimes related to domestic disputes (Office on Violence Against Women 2006).

Law Enforcement and Domestic Violence

History of Police Response to Domestic Violence. A great deal has changed regarding the policing of domestic violence offenses since the 1970s. Although family violence was illegal throughout the United States in the 1920s (Hickman & Simpson 2003), attitudes of police officers did not begin to shift concerning the nature of violence within the home until much later, and it has thus historically been the task of police officers to separate parties in order for them to "cool off." (Fenstermaker-Berk & Loseke 1980). As recently as 1984, police officers could not make an arrest for domestic related offenses unless a misdemeanor assault had taken place in the officer's presence, or the officer had probable cause to arrest a batterer under a felony assault charge (Saunders 1995).

This unwillingness of legal authorities to recognize domestic violence as a real crime was due, in large part, feminist scholars argued, to the continued

patriarchal nature of society (Anderson 1997). The feminist movement spurred recognition that violence against women was unlawful, and equal in severity to other violent crimes (Frisch 1992), but a number of successful lawsuits produced the most rapid change. The most influential of these lawsuits resulted in a \$2.3 million verdict against the Torrington, Connecticut Police Department to a battered woman who had successfully argued that the city had implemented policies and practices which resulted in the repeated non-arrest of her perpetrator (Frisch 1992).⁵

After a number of court cases brought against police departments such as the one described above found that the departments were negligent in their lack of assistance provided to female victims of violence, law enforcement policies were changed to encourage arrest (Russell & Light 2006; Frisch 1992). Since that time, and more specifically since the passage of the VAWA, “pro-arrest” policies have become more widespread. Such policies either mandate or strongly encourage that an arrest be made when a domestic assault is believed by police officers to have taken place, whether it be felonious in nature or a misdemeanor charge.

Law Enforcement Response to Domestic Violence Today. Police departments are, in many cases, the only institutions which have direct contact with both the perpetrator and the victim in cases of domestic violence (Buzawa & Buzawa 1990), and are often responsible for making victims aware of available services (Fenstermaker-Berk & Loseke 1980). As such, it is imperative that

⁵ Thurman v. City of Torrington, 1984.

police departments thoroughly and appropriately train officers to respond to these very difficult and often dangerous cases most effectively. Unfortunately, there is not a great deal of information concerning what police officers actually *do* when they arrest an offender on domestic violence charges (Garner & Maxwell 2000). The police report appears to remain as one of the only ways to measure officer behavior, and to adequately measure officers' effectiveness in responding to calls.

Despite the recent attention that domestic related calls have been given by police departments, studies have found that some police officers continue to believe that domestic violence is an issue that is best handled with counseling and other treatment rather than with the justice system (Russell & Light 2006).

More recent research finds that officer perceptions of domestic violence as a crime, when scaled with other crimes, falls well below other violent crimes, and just slightly above non-violent property crimes (Logan, Shannon, & Walker 2006). Domestic violence calls have a history of being known by officers as 'social work' rather than 'real' police work, and consequently offenders – males, in particular – are treated with more leniency in domestic cases than they would otherwise be treated for other offenses of equal severity (Fyfe, et al. 1997). In fact, arrest rates are significantly lower for male perpetrators of domestic violence than for other crimes (Avakame & Fyfe 2001).

Black (1971) argued that police arrest rates vary greatly depending on the relationship between the victim and offender, as well as other circumstances. The race of a suspect, the nature of the crime, the manner by which the police

were directed to the crime⁶ and the victim's attitude toward the police may also have a significant impact on whether or not an arrest is made. Black concludes that "[w]hat happens in a [police] encounter may have less to do crime and law than with the demands of situational order" (1971:1110).

Black also argues that social control exists more abundantly in the home, and this may explain the hesitancy of law enforcement to enter a situation of domestic violence. The behavior of the police upon entering a situation of domestic violence is shaped by the regulations and expectations of the police department they are a part of and the city they reside in, as well as visible characteristics of the victim and perpetrator (1976).

Police Handling of Domestic Violence Cases. Tensions can arise between officers and victims due to the continued low arrest rate of male domestic violence offenders when examined as a proportion of all arrests. Less than half of offenders who cause injury are arrested (Duncan et al. 1999), and when this low rate is coupled with repeat occurrences, frustration on the part of the victim can result. An explanation for such behavior on the part of police officers could be the simple fact that most officers are male, and as such, many may hold a more 'traditional' viewpoint toward marriage, i.e., that the controlling of wives by husbands is beneficial and therefore justified (Saunders 1995). In addition, Wilson (1968) also postulated that officers may feel *constrained* in their action, as

⁶ Black describes "manner" as whether the police happened upon a crime scene, were called on by the victim, or were called to the scene by a neighbor or other person not involved in the crime (1971).

they are trained to behave in a certain manner when on calls, and are not permitted to respond in a manner which they may feel is most appropriate.

In an effort to change officers' perceptions, changes have been made to the ways in which officers are trained to handle domestic calls. It is no longer considered acceptable in most jurisdictions to simply separate the parties involved. As stated above, many police departments have mandatory (pro) arrest policies in place, mandating that one party involved in the dispute must be arrested. Some departments have even instituted dual-arrest protocols, encouraging officers to arrest both parties when called to the scene of a domestic dispute (Saunders 1995).

Departmental Discretion. Despite such orders made on the state and federal levels, police departments nonetheless have an amount of discretion in how they handle domestic calls (Buzawa 1982). It has been demonstrated, for example, that police departments with a more progressive and aggressive stance toward the handling of domestic violence cases likely have outcomes which are generally much more successful than those departments which do not utilize more aggressive tactics and techniques (Fyfe et al. 1997). However, research has indicated that individual officers *are* more likely to make arrests for domestic violence if it is mandated in their particular jurisdiction – demonstrating that pro-arrest policies are effective in influencing the behavior of police officers (Cheney & Saltzstein 1998; Smith & Klein 1984).

Evidence has also shown that police officers tend to comply with mandated policies once placed into effect at both the local and state level. Such “direct orders,” however, also can potentially increase negative feelings associated with being in a bureaucracy in police officers (Chaney & Saltzstein 1998). Unfortunately, research cannot yet attest to officers’ attitudes toward the increased bureaucratization of domestic violence cases, and whether or not such bureaucratization leads to better police work.

Officer Experience – Does It Matter? Literature documents the important role that officer experience can play when responding to domestic violence calls. Stalans and Finn (2006) examined the question of whether or not experienced police officers interpret domestic violence in a different manner than novice officers, and what the implications of potential differences may be. They found that experienced officers were more likely to make arrests in cases of domestic violence than rookie officers. More specifically, experienced officers responded in the study that they would make an arrest more often in cases where no injuries were present, and were also more likely to separate the parties when no obvious fault could be determined. Experienced officers were also much more likely to arrest the male in a dispute. It should be noted that police officers in the city of Manchester, New Hampshire are more experienced overall than their counterparts in Nashua, New Hampshire.

The above research, however, cannot entirely refute other studies that have found that as officers gain experience they are more likely to view domestic

violence disputes as best solved with separation of the parties – without arrests (Logan, Shannon & Walker 2006). Still other studies have found that male police officers are inclined to approach a female victim with a pre-conceived idea of how the female may have acted wrongly in a male-dominated society (Hilton 1993).

Police Reports in Cases of Domestic Violence. The above descriptions of police officer behavior in cases of domestic violence may cause one to think that resulting police reports could potentially be the source of inconsistencies, wrongful arrest, or a lack of arrest when it may actually be warranted. However, Fenstermaker-Berk & Loseke have found that despite the occasional use of “puffery” on the part of officers when writing police reports in domestic violence cases, “it is likely...that police reports reflect real and significant features of each encounter as interpreted by officers” (1980:320).

ILJ researchers, in conducting larger studies, have examined the impact of police officer reports in cases of domestic violence. ILJ researchers found that there is often no communication between police departments and prosecutors regarding the style of reports. Although the ILJ found a link between more detailed police reports and successful prosecution when an Arrest Policies Program was examined in a 130 cities with federal grant money, it was found that few jurisdictions encourage communication between police and prosecutors. There was also found to be little feedback to officers regarding the quality of their reports (Uekert et al. 2000).

Additionally, a comparison of the style of police reports was included as a part of the ILJ 2002 report; unfortunately, researchers reported that they had difficulty in directly comparing reports because of differences in department policies (Archer et al. 2002).

The disposition of a case is defined as the manner in which the case was disposed of by police, prosecutors, or the courts. Disposition types can include conviction via a guilty verdict, dismissal, nol pros, or other action which results in closure of the case. Such dispositions are deemed as unsuccessful outcomes in the eyes of the police departments, and it is a goal of cities such as Manchester and Nashua to minimize the number of these types of dispositions through the utilization of STOP funds.

Domestic Violence and the Legal System

Are No-Drop Policies Beneficial for Prosecutors? Despite the powerful changes made by law enforcement and other governmental agencies regarding domestic cases in recent years, prosecutors have generally been slower to adapt to the more aggressive policies resulting from VAWA. In addition, a great deal of past research has been focused on the onset and conclusion of domestic cases – the arrest procedures by officers concerning domestic offenses, as well as on the effectiveness of batterers programs – while not a lot of study has been undertaken on what happens to domestic violence cases once they have reached the court system but before an outcome is produced, and no study has been completed since

the passage of VAWA examining the effect of no-drop policies on the prosecution of domestic cases (Maxwell 2005).

Reluctant victims cause difficulty for prosecutors in successfully arguing cases; however, protocols have been developed in some jurisdictions which relieve victims of much of the responsibility of going forward with a domestic violence case (Finn & Bettis 2006). Despite the fact that in most 'no-drop' jurisdictions women are provided with a variety of services throughout the process, some refuse to testify against their abuser, recant their story, or otherwise change their minds (ibid. 2006). Those who continue through the process are sometimes forced to testify against their abusers in court, which can lead to difficulty for these victims in the future. There is a great deal of debate over whether the desired outcome of states to successfully prosecute perpetrators of domestic violence should come before the wishes of victims.

Hanna (1996) addressed the tension which often exists between victims and the judicial system in cases of domestic violence, writing that the movement toward accountability of offenders "does not adequately address the tensions between state accountability and victim autonomy" (1996:1858). Mandating that victims participate in the prosecution of their perpetrators exacerbates these tensions. Advocates remain torn between supporting legislation which is tougher on aggressors and consequently increases conviction rates, and reluctant victims who fear retaliation should they be forced to testify against their abusers (Hanna 1996).

Much of the past research focused on domestic violence within the legal system is evaluative in nature; as such, these evaluations have sought to determine whether or not a community has achieved “success” in deterring domestic violence crimes, and are often measured through recidivism rates, and to a lesser degree, conviction rates (Belknap & Potter 2005). What is not well known at this point is whether or not the manner in which a police officer responds to a domestic call, measured by the characteristics of the resulting police report, affects the prosecution of a case and subsequent rates of conviction.

The Impact of Changing Outcomes

There has been a great deal of study of programs developed as a direct result of the VAWA; however, prior research does not connect this information to that gathered via federally funded studies such as those completed by the ILJ. Police officers, trained to act quickly based on the protocols put in place by their department, are generally not familiar with the course of action mandated for most batterers, as well as for victims. As a result of the VAWA, batterers generally must attend batterer treatment programs as part of sentencing, and victims are often helpless within a law enforcement system which resists dropping domestic violence cases. By familiarizing themselves with programs in place for both assailants and victims, would police officers then have a wider lens through which to examine each individual domestic violence call?

Batterer Treatment Programs. Funds from the VAWA have resulted in the implementation of a number of new policies and programs – some of which focus on the treatment of batterers. Since 1995, there has been a sharp rise in the number of batterers' treatment programs, resulting from an increase in the number of domestic violence convictions. However, research has led to questions over the effectiveness of batterers' treatment programs against future domestic violence. Feder and Dugan (2002) studied the attitudes of male batterers toward domestic violence and found that those who had been ordered to participate in a mandatory batterers' program were just as likely to commit further acts of abuse as their counterparts who did not attend a treatment program.

Similarly, research conducted by Henning & Holdford (2006) found that techniques such as 'attributions of blame,' denial, self-defense, and minimization were frequently utilized by 2800 men who had been ordered to complete a batterers' treatment program. The techniques of minimization found continued even after the completion of treatment. Anderson and Umberson (2001) conducted interviews with men who had been convicted of domestic abuse and found similar results.

Techniques of minimization and blame used by batterers are in line with the feminist argument that domestic violence is utilized by males in order to obtain and maintain control over female partners (Anderson 1997). These techniques are not currently addressed with the allocation of federal funds other than through treatment programs – unfortunately, the VAWA does little to address the rehabilitation of offenders other than with mandatory programs which

batterers often must complete, and the continued enforcement of pro-arrest policies in many police departments ensures that these programs will continue to be filled with offenders.

Arrest as a Deterrent. The objective of the VAWA is to reduce the incidence of domestic violence in American households, and this is done, in part, by increasing the number of arrests made by police officers for domestic offenses. Most law enforcement agencies in the United States have also adopted pro-arrest policies toward domestic violence in recent years which allow for the facilitation of arrests. However, literature exists which both supports and contradicts the notion that more arrests for domestic violence will equate to lower rates of domestic violence overall. It has been found that victims have been more satisfied in recent years with police response to domestic violence when pro-arrest policies are in place and an arrest of an abuser is made (Stephens & Sinden 2000); on the other hand, as is stated above, there are currently few options for the rehabilitation of offenders, and domestic violence related arrests often lead to very brief or no jail time (Feder 1999).

The well-known Minneapolis Experiment conducted by Sherman & Berk sought to determine whether or not jail can be a greater deterrent for some offenders than others by assigning domestic violence suspects to one of three experimental outcomes chosen randomly (1984). They found that those arrested had a lower rate of recidivism. The study was then been replicated six more times in various cities by the National Department of Justice with varying results

(Sherman & Smith 1992). One replication found that “arrested persons who lacked a stake in conformity were significantly more likely to have a repeat offense than their counterparts who were not arrested,” and researchers concluded that if legal deterrents only succeed in dissuading offenders who have a higher stake in conformity from committing repeat offenses, it may be time to rethink arrest policies in cases of domestic violence (Sherman et al. 1992: 686). However, every state in the country changed or enforced policies regarding domestic violence-related offenses within a decade of the publication of Sherman and Smith’s original study to make domestic violence a crime (Fagan 1996). Mitchell (1992) also found that arrest was not a strong deterrent to future acts of domestic violence. Although academic literature is scarce which studies the effectiveness of existing domestic violence programs in receipt of federal funding, some research may directly contradict the core premise of the VAWA – the arrest and subsequent conviction of domestic violence offenders.

The sharp increase in the number of law enforcement agencies with pro-arrest policies in cases of domestic violence has also increased the number of female perpetrators. Studies have demonstrated that female victims of domestic violence are becoming trapped in a system which is supposed to serve them as a result of the “one size fits all” approach of the VAWA (Goodman & Epstein 2005). Research supports the notion that women are being wrongfully arrested in cases of domestic violence due to the pro and mandatory arrest policies which have been put into place, and that these arrests are having a profound impact on whether or not women can obtain future assistance from within their violent

relationships. Wrongfully convicting women of domestic assault and other crimes hurts them on many levels. For example, once a female is convicted of domestic abuse, she is often not then permitted to enter a shelter designed to house and hide abused women (Mills 1999), and her housing options can then become severely limited when she decides to leave her abuser.

Another study extensively interviewed females who had been assigned to batterer's treatment programs and found that the vast majority of these women did not exhibit any power or control over their male partners, and that violence was used most often in order to protect themselves and/or their children from further physical harm. In other words, the use of violence was generally seen as an act of defense against their abusive male partners (Miller & Malloy 2006). Men also use the presence of children as a means of gaining and maintaining leverage and control over their female partners in abusive relationships, and this could also result in a female acting out violently and/or poorly negotiating the legal system once she has been arrested for a crime. Many women eventually plead guilty to domestic charges in order to have a better chance of remaining with their children (Miller & Malloy 2006). It is unfortunate that police officers are often unable to obtain sufficient knowledge of a case within the short period of time that they are expected to make decisions, and in many cases they do not have adequate training in order to determine whether a female who appears to be a perpetrator may, in fact, be the victim of partner abuse (Stalans & Finn 2006).

There is also current research which suggests that the police are called generally only when a physical assault has taken place – this because of the

perception held by female victims that an arrest of the male perpetrator will not result if a verbal assault, threatening behavior, or other non-physical abuse has taken place (Coulter et al. 1999).

Past Domestic Violence Grant Research

There is very little academic literature which empirically examines the effectiveness of the VAWA – most are studies completed by governmental institutions provided with federal funding. One such study, *The Evaluation of the STOP Violence Against Women grant Program: Law Enforcement and Prosecution Components* – was published in 2000 by The Department of Justice (DOJ), and is part of a larger body of research on domestic violence conducted by the Institute for Law and Justice (ILJ), which is a subsidiary of the DOJ. It examined the effect of STOP Grants upon four American communities which were in receipt of federal STOP funds. Utilizing data from 1996 and 1999, the ILJ study sought to measure the effectiveness of local and state programs which were developed utilizing STOP funds.

The Institute for Law and Justice 2000 Study. The 2000 ILJ study chose to focus on four cities, including on Manchester, New Hampshire. Specifically, the study completed by the ILJ examined five components of Manchester's domestic violence unit (in addition to those of the four other communities) in order to determine whether or not federal STOP grants have been effective in policing domestic violence offenders and have a high rate of successful

prosecutions. The components looked at included: general statistics concerning the domestic violence unit in Manchester; interviews with focus groups in order to obtain information pertaining to the quality of the department's criminal justice response; interviews of victims of domestic violence events which took place in Manchester with the purpose of recording their experiences; an analysis of police report data in order to examine the 'effectiveness' of such reports; and conviction/disposition rates of domestic violence cases within the city.

Gaps in the Literature

Although the body of literature on domestic violence and the impact of VAWA legislation is growing, gaps remain. To begin, there is a disconnect between research conducted by academics seeking to examine the effects of programs upon individuals and that which is completed by federally funded government agencies such as the Institute for Law and Justice, which seeks to discover through quantitative studies how the VAWA is helping police departments and prosecutors become more effective at policing domestic violence.

Finally, analysis completed by government agencies fails to compare cities to one another; rather, the ILJ and others tend to compare statistics longitudinally within one community. Although this does succeed in providing an image of a community's progression or weaknesses, it does not provide insight into how one community is changing (in terms of domestic violence outcomes) over another.

My research will add to the body of research on domestic violence case outcomes and report writing. In embarking on a study which bridges the divide between large-scale, quantitative studies and smaller academically conducted research, I hope to begin to close the gap which exists between the two. In addition, by directly comparing two cities with differing VAWA fund histories to one another, my research be adding to existing literature which has thus far only examined individual cities over time.

CHAPTER III

RESEARCH SITES

The cities of Nashua and Manchester, New Hampshire have been chosen as research sites in order to examine the impact of federal STOP grants. Although they are quite similar demographically, Nashua and Manchester differ in domestic violence case outcome rates, depth of police officer training in cases of domestic violence, and in the support networks which aim to increase the number of guilty verdicts for domestic violence related offenses through victim advocacy. Manchester, which has had federal VAWA funding through STOP grants for over a decade, has had more experience in handling domestic violence cases with federal funds in place. Nashua, which has been in receipt of funds for approximately one and a half years, is continuing to develop the types of networks and officer experience Manchester currently possesses.

Domestic Violence in New Hampshire

The demographics of the state of New Hampshire, with a population of 1.3 million and a minority representation of 5.9%, do not reflect the population of the rest of the United States (US Census Bureau 2006). The percentage of residents living below the poverty line is roughly half that (6.6% versus 12.7%) of the national poverty level (US Census Bureau 2004). In addition, the largest city in

New Hampshire, Manchester, has a population of 109,691 and the second largest city in the state, Nashua, has a population of 87,321 (US Census Bureau 2005). Given that both cities are in the relatively rural state of New Hampshire, they are comparatively small to the two largest cities in most other states.

In 2006, there were 8001 victims of domestic violence reported to police departments in the state of New Hampshire. Of these, 7610 were women (New Hampshire Coalition Against Domestic and Sexual Violence). In 2006 domestic violence was the cause of over half of all homicides in the state (Sgt. Peter Bartlett, Manchester Police Department).

Police officers in New Hampshire are instructed to follow specific protocols when responding to domestic violence related calls, and are supplied with a Domestic Violence Investigation Checklist which specifies these protocols (see Appendix B). In New Hampshire, statutes concerning arrest in cases of domestic violence have been changed in recent years giving police officers even more power and/or discretion in making arrests. Language once part of state statutes which discouraged dual arrest has been removed (RSA 173-B:9), and officers now have twelve hours, rather than the previously stipulated six, during which to make a warrantless⁷ arrest for domestic violence (RSA 594-10). Officers are also directed that they “need not arrest both persons, but *should arrest* the person whom the officer believes to be the primary physical aggressor” (New Hampshire Governor’s Commission on Domestic and Sexual Violence 2004). In determining who the primary physical aggressor is, officers take the following into account, also based on state statutes (RSA 173-B:10): the physical

⁷ Without cause.

size/strength of both parties; who placed the call to police; the presence of defensive versus offensive injuries; past criminal behavior of the parties; history of abuse and prior contact with police; and officers' observations of the scene before them. When interviewing victims, officers in New Hampshire are encouraged to use open ended lines of questioning, as well as to utilize statements such as "I am afraid for your/your children's safety."

If an officer determines that an arrest is not warranted in a domestic situation, he or she is directed to specifically state *why* he or she did not feel an arrest was necessary in the resulting police report, and such reasons must be "compelling" (New Hampshire Governor's Commission on Domestic and Sexual Violence 2004).

STOP Grants in New Hampshire

STOP funds provided via the VAWA are utilized in New Hampshire to provide a variety of services to victims and professionals, and are distributed to many communities throughout the state. In 2006, the amount granted to New Hampshire through the VAWA was \$996,233 (State of New Hampshire Department of Justice Report, 2006). This award has grown over the past decade, and with these increases has come an increase in the number of projects supported by STOP funds. Examples of projects and programs utilizing STOP funds in the state are: The New Hampshire Domestic Violence Emergency Project (DOVE), which provides low income female victims with pro bono attorneys to assist them with legal matters; the Battered Immigrant Women project, which provides

victims with legal advice; centers throughout the state which provide safe and secure supervised visits and places for exchange to children of violent households; the Strafford County Domestic Violence Project, which provides intensive treatment and monitoring of batterers, as well as programs aimed at increasing arrest and conviction rates of aggressors; and support of fourteen extensions of the New Hampshire Coalition of Domestic and Sexual Violence (STOP Annual Report 2004).

The two largest police departments in New Hampshire, Manchester and Nashua, are currently two of only three police departments in the state receiving STOP grant funds in order to reduce domestic violence. Although the grants are awarded initially to the cities themselves, a large portion of the grants provided are subsequently funneled directly into the police departments.

As a condition of the federal funding received by law enforcement agencies, police departments must follow protocols concerning arrest for domestic violence related offenses put forth on a federal level. these federally mandated protocols regarding mandatory arrest have been changed a number of times over the course of grant receipt. During the time of the completion of the Institute for Law and Justice Report, for example, the Manchester, New Hampshire Police Department had a mandatory arrest policy in place in cases of domestic violence, so that when probable cause to make an arrest exists, officers must have done so. In 2001, when another, new grant of federal funding was received by the city, language was introduced into police protocols by the federal government that officers *shall* arrest one or both of those involved in a domestic disturbance –

effectively upholding the mandatory arrest policy, but giving police officers some discretion and leeway that was not available to them previously. Two years later, in 2003, when a new grant was again received, the language was changed to officers *may* make an arrest, which left it up to the discretion of the responding officer(s) to determine whether or not an arrest of one or all of the parties involved was warranted. With the acceptance of the latest block of funding, which gave grants to the department for the years of 2006 and 2007, the protocol language was again changed to *shall* make an arrest, and this procedure is set to change once again with the next block of funding arriving in 2008 (Sgts. Peter Bartlett, Scott Legasse & Gregory Murphy, Manchester Police Department).

Despite the fact that it has been reported by officers within the domestic violence unit in Manchester that this seemingly regular change in language mandated by the federal government has not had adverse effects on the ability of officers to make informed decisions concerning arrests, the impact of such changes upon officers' attitudes and the arrest and conviction rates of the department must certainly be affected on some level. It is doubtful that having to adapt regularly to new arrest protocols creates an environment where police officers feel more empowered to make an arrest. Although the scope of my research does not allow me to examine the effects of such changes, this is an issue which would certainly benefit examination in the future.

Manchester, New Hampshire Police Department

Manchester, located in south central New Hampshire, is a city of just over 100,000 people, making it the largest in the state. The city has a population that is predominantly white, at 91.7%. The average household income is \$40,774 (US Census Bureau 2000). The city of Manchester is an appropriate choice for examination, given that federal funding was awarded to the city at the inception of the VAWA in 1994, and Manchester has continued to receive federal funds uninterrupted since 1995.

The composition of the Manchester Police Department and the number of domestic-related calls received by the department has changed considerably from the time of the National Institute of Justice study. Comprised of 176 sworn officers in 1999 (National Institute of Justice 2000), the department had 201 officers employed in 2006. While Manchester reported receiving approximately 1,400 domestic related calls annually in the period between 1995 and 1999 (ILJ 2000), the department reported 1,177 calls just for domestic assaults in 2005. The total number of domestic violence calls that year reached 2,620 (Manchester, New Hampshire Police Department 2006 Annual Report).

The total pool of federal VAWA funds awarded to police departments throughout the United States is now \$400 million. Currently, the Manchester Police Department is the recipient of two grants intended to assist with the domestic violence unit – one federal, and one given on the state level. The state grant to the department was \$124,000 for the year 2007, and the department is in

the middle of receiving \$400,000 over two years in the form of a federal STOP grant. Manchester is one of only three New Hampshire jurisdictions currently receiving federal funding for domestic violence (New Hampshire Coalition Against Domestic and Sexual Violence).

The Manchester Police force tends to have a significant amount of experience, with over half of the officers having ten or more years of seniority. Those officers who have enough seniority to work on day shifts have typically been with the department for 18 years. As a result, officers who work the evening and overnight shifts, which tend to have the most domestic violence calls generally have less experience, but have nonetheless participated in a large number of domestic-related calls. Consequently, many of the officers who work evenings and overnight shifts have had experience with interpreting the language in the protocols ordered by the federal government both ways, and many have seen the language change a number of times.

With a portion of the original VAWA grant, a dedicated domestic violence unit was started within the Manchester Police Department. During the first year, the unit consisted of one advocate and one supervising officer. Today, the domestic violence unit in Manchester consists of two domestic violence investigators and three DART⁸ officers, as well as one full time and one part time victim advocate, an AmeriCorps advocate, an advocate dedicated to working plea bargains and interpreting the victim's bill of rights, and one advocate solely responsible for parole issues related to domestic offenses. Together this team has assisted in handling a large portion of the 2,620 domestic calls logged by

⁸ Domestic Assault Response Team.

dispatchers for the year 2005, which is by far the highest number of domestic calls received by any single police department in the state of New Hampshire (Sgts. Peter Bartlett, Scott Legasse & Gregory Murphy, Manchester Police Department).

Nashua, New Hampshire Police Department

Police report data from the city of Nashua, New Hampshire will also be utilized in my research. Nashua, in the extreme southern portion of the state, is the second largest city with a population of approximately 88,000, and has a population that is 89.2% white. The median household income for Nashua is \$51,969 (US Census Bureau 2000), and the city is bordered to the south by Massachusetts.

In 2006, the police department in Nashua consisted of 177 sworn officers with another 76 civilian positions (Nashua Police Department 2006 Annual Report). A dedicated domestic violence unit was formed in 1997. There are two full time domestic violence unit positions within the department – one sergeant and one patrolman – whose salaries are supported by STOP grants. In addition, one domestic violence advocate works for within the domestic violence unit; however this position is funded with local city grant, rather than a STOP grant. As is the case in Manchester, the domestic violence witness/victim advocate works with victims in negotiating the court system.

In 2004, Nashua police officers responded to 1,043 calls which were classified as domestic violence related (United Way 2006 Nashua Community

Assessment). The city received 1405 domestic violence calls in 2006. Of this total amount, 764 (54.4%) resulted in the arrest of one or both parties involved. One hundred and twenty four individuals were arrested for the violation of protective orders in 2006 – this equates to one out of every six restraining orders granted in Nashua.

STOP funds were first requested by the city of Nashua in 2004 and received in 2005. The city is currently receiving \$63,125 from the Department of Justice in the form of a STOP grant, and has been receiving this amount since 2005. The STOP grant awarded to Nashua is supplemented by the city in the amount of \$83,640, for a total funding amount of \$146,765 in 2007.

CHAPTER IV

METHODS

The objective of this research is to compare types of police reports utilizing criteria developed by ILJ between the city of Manchester, New Hampshire, which has been receiving federal STOP funds for over a decade, and the city of Nashua, New Hampshire, which has been receiving STOP funds for a period of one year. I have compared the disposition rates, or outcomes, of domestic violence cases between two different cities (Manchester and Nashua) using 2006 police and Gernstein⁹ report data. In addition, I have measured the significance of various aspects of police reports between Nashua and Manchester using *t*-tests, and the significance of differing dispositions of domestic violence cases using regression analysis. All records were obtained from the respective District Court located in each of the cities, and all records were gathered from arrests which were made for domestic violence-related offences in 2006.

Two of the areas focused on by the ILJ appear, based on the final report, to have provided the researchers with the most insight into the effectiveness of the

⁹ Due to the unavailability of police reports in Manchester (both at the police and court level), I instead retrieved Gernstein reports for the purposes of this analysis. Gernstein reports are utilized by the city of Manchester in cases in which an arrest has been made without a warrant, and are affidavits which support that arrest. They are not used by the department in lieu of police reports; however, Gernstein reports are written by the arresting officer, normally on the same day or day following an incident, in order to strengthen the case for the arrest of a perpetrator. Gernstein reports appear very similar to police reports in that they contain detailed information concerning the events leading up to the arrestable offence as well as information about victims, witnesses, and any other data pertinent to a potential case.

domestic violence unit in Manchester; consequently I will also be focusing on these two areas. I have chosen to utilize (1) report writing style and content analysis in police reports written by officers in cases where an arrest was made for a domestic violence-related offense in order to establish whether differences exist between two New Hampshire police departments; and (2) rates of arrest, conviction, and disposition of domestic violence to establish whether differences exist between two New Hampshire police departments which have been in receipt of VAWA funds for differing periods of time.

I have utilized police reports and disposition rates for reasons beyond their presence in the ILJ report, however. More detailed police reports have been linked to better outcomes in cases of domestic violence, and disposition/conviction rates in cases of domestic violence have been shown to be a direct link to the effectiveness of domestic violence units and victims support services (US Department of Justice 1986).

The results of the Institute for Law and Justice Study were mixed concerning disposition rates of cases originating from the Manchester, NH Police Department. While it was determined that police report writing skills had improved markedly between 1996 and 1999 in the form of increased use of victim statements and extensive narratives, disposition rates were not considered to be satisfactory. Despite steady conviction rates over this time period, the rate of cases resulting in a *nol pros* outcome had increased to a level deemed unacceptable by the police department (Institute for Law and Justice 2000). More male offenders were being referred to batterer's treatment programs as a part of

their sentencing, and there was a decrease in the number of offenders being sentenced to jail. Not much is known about historical conviction rates for domestic violence offenses in the city of Nashua, and a great deal of knowledge will be obtained by comparing the rates of the two largest cities in the state of New Hampshire.

In gathering domestic violence case data from Nashua and Manchester, I have obtained two distinct samples – the first was a larger sample ($n=236$) comprised of domestic violence cases not containing police reports, but from which I recorded the charge, disposition of the case, sex of both victim and perpetrator, and city in which the report was generated. The second, smaller sample ($n=98$) was made up of those cases which contained police reports, and from which I was able to obtain a great deal more information in addition to that retrieved from the larger sample. As a result, there will be results discussed from both the larger and smaller samples, and I will clearly state which sample particular results are derived from.

The larger sample of 236 cases is made up of 125 domestic violence cases from Nashua and 111 from Manchester. In 2006, there were a total of 1043 domestic violence calls logged in the city of Nashua, and so my examination of 125 of those cases represents a sample of 12% of the total number of domestic violence cases in 2006. In obtaining 111 cases from Manchester I have acquired a sample which represents 4.2% of the 2620 domestic violence cases recorded in the city of Manchester in 2006.

Sample – Police Reports

In order to compare the content and detail of police reports in cases of domestic violence in two cities currently receiving STOP grants, I have collected forty seven police reports from Nashua and fifty one Gernstein reports from Manchester.

The initial pool of cases was selected based on the following criteria: (1) all cases have been generated from a call made by a victim or other individual in 2006 and were coded by the Manchester and Nashua Police Departments as domestic-related; and (2) a police report was generated as a result of an arrest on a domestic related charge.

I have collected the above data, in the form of approximately ninety eight total cases, from the Manchester, NH and Nashua, NH District Courts. This is due to information obtained from the Manchester Police Department that the police records held by departments I would be permitted access to would be redacted – edited in order to protect the identity of perpetrator and victim – or would not be available to me in any capacity. Consequently, by utilizing reports directly from police departments I would be unable to properly code data. The reports held by the District Court, conversely, are full, non-redacted copies, and were made available to me in both cities for the purposes of this research. Thus, they provided a fuller and clearer picture of the type of case and manner of disposition.

In addition to documenting the charge and disposition of police/Gernstein reports written by officers responding to a domestic violence call, I recorded the following information found in the police reports as it relates to both the victim and the aggressor in each case: gender of victim and perpetrator; whether or not the presence of alcohol was documented; whether a history of domestic violence between the parties was documented by officers; the presence of children, if any; whether or not police officers included an opinion of the case with in the police report; whether or not police officers provided the victim(s) with written information concerning where to find legal or other assistance; the primary charge, if any, brought by police against the aggressor; and the disposition, or outcome, of the case.

Sample – Disposition of Cases

In addition to police/Gernstein reports, I recorded the disposition, or case outcome, of all domestic violence cases obtained in Nashua and Manchester **whether or not** a police report was generated for the case or is held by the court. To simplify, I gathered a larger pool ($n=236$) of domestic violence cases from both Manchester and Nashua which consisted only of the charge and disposition of the case – this is in addition to the smaller pool of cases described above from which I was able to extract more detailed information. Not all arrest reports held by the Nashua District Court contain police reports, and not all of the arrest reports held by the Manchester District Court contain Gernstein Reports. Therefore, in cases which an arrest report was generated but a full police report is

not held by the court for that case, only the disposition (outcome) of the case was recorded. Cases in which both an arrest report for domestic violence and a full police or Gernstein report are located in the District Court file resulted in both the disposition information and police report content being recorded. It is, however, important that case dispositions were not counted twice in the process of analysis, and this was avoided.

The disposition rates for cases in which a domestic related charge was levied against an aggressor (male or female) were utilized when determining the conviction rate for Manchester and Nashua, providing an “apples to apples” comparison. However, when results are discussed qualitatively regarding the disposition of specific cases, the primary charge levied against a perpetrator may vary and I will specify the charge.

In recording the disposition of all domestic violence arrests which do not also contain police reports in addition to those arrests which do contain reports, I obtained a total sample of 236 case dispositions from the two cities. From Nashua, I gathered 125 dispositions, and from Manchester I obtained 111. These dispositions were gathered through random selection from all domestic violence cases from the year 2006 in the cities of Manchester and Nashua. The random selection was completed in Nashua by the deputy clerk (or other available court employee who was present to retrieve records) from all arrests made in 2006, and in Manchester I randomly selected cases myself from all available cases from 2006. (A very small number of cases in both cities were unavailable, as they are currently still active and are thus held by the Court for future use, or have been

sent to a higher court for review.) I requested that the clerk in the District Court in Nashua retrieve groups of cases randomly from file drawers, as all records are stored within the file drawers in chronological order. By asking the clerk pull records from all areas of file drawers, a sample was obtained which spans the majority of the year. Records were gathered through the same process Manchester; however, I pulled the case files myself. As all of the arrest reports and records held by the court are inaccessible to the public except through the assistance of a court employee who must physically retrieve the records, it would have been virtually impossible for a selection to be made more random than through the process described above.

Coding of Data

The data collected for this research was coded, with each aspect of the police report that was chosen for examination being coded individually. I then combined all of the variables pertaining to the effectiveness of the police report (presence of empathy, references to photos and witnesses, length of report, etc.) which I then used in order to test the significance of these characteristics found in police reports on disposition rates. For example, one of the variables pertaining to the efficacy of the police report is, 'Were witnesses to the event interviewed, and was this documented in the report?' This variable was then coded, with a 0 signifying *no* and a 1 signifying *yes*.

As addressed above, I have also coded dispositions as guilty or not guilty. A conviction includes cases for which an outcome of guilty was marked on the police report, as well as those bound over.¹⁰

Data Analysis – Police Reports

Police/Gernstein reports were analyzed by their content using criteria developed by the ILJ, and the significance of the following characteristics of police reports was measured on outcomes, or dispositions, utilizing STATA:

- Use of a lengthy and descriptive style by police officers regarding the situation
- Use of direct victim quotations by officers regarding the situation
- A notation that photographs were taken of the victim if he/she reported an injury
- That children, if present, were interviewed by police officers
- That other witnesses, if present, were interviewed by officers
- Information that police officers offered information and/or assistance to the victim regarding domestic violence services
- A domestic violence advocate employed by the police department was called onto the scene

¹⁰ A case which is 'bound over' has been sent to a higher court (in this case the Hillsborough County Superior Court) for trial. Generally, the cases which have been bound over are more serious in nature, and it is therefore my assumption for the purposes of this research that such cases would likely have returned verdicts of guilty had they been heard in the local District Court. This is by no means a perfect coding solution – however, I have been advised by police officers that this coding scheme would be the best fit.

- The opinion of the officer regarding the severity and general nature of the scene
- Whether or not empathy was exhibited by the police officer through his or her report

The above characteristics, along with case outcomes, make up only a portion of what the ILJ examined on their recent report examining VAWA funding in the city of Manchester. To identify and analyze *all* of the criteria utilized by the ILJ would be too extensive for the purposes of my research at this time, and I have determined that police report writing and case outcomes are important aspects of domestic violence cases. In addition to case disposition rates and police report writing techniques, the ILJ also studied (1.) prosecutors assigned to domestic violence units through interviews, (2.) batterer treatment programs by tracking offenders as they completed such mandated treatment; and (3.) victim perception of effectiveness through the use of focus groups. In the future, perhaps a more comprehensive examination will be possible.

In my analysis of police report writing, I chose variables carefully. Narratives and descriptive statements recorded by officers of victim accounts, documentation of officers' opinions of a case, and interviews of all parties present, including children, have been shown to increase the likelihood of a conviction (Saunders 1995). As such, criteria used for determining which reports are written in a style that exceeds the "basic" standards required by law enforcement are whether or not victim statements were written into the police

report completed by police officers in the form of quotations, whether or not extensive descriptive statements were utilized by officers in their reports that went beyond a “standard” and brief description of scene and of events as reported by the victim, and whether the personal opinion of the officer as written in the report enabled the reader to determine whether or not the officer felt that the arrest of the aggressor was clearly necessary.

Data Analysis – Disposition of Cases

After police records were obtained, I separated those arrests which were made for domestic violence related offenses. These offenses include, but are not limited to:

- Domestic Violence Related Simple Assault (NH RSA 631:2-a)
- Domestic Violence Related Criminal Threatening (NH RSA 631:4)
- Violation of a Domestic Violence Protection Order (NH RSA 173-B:9)
- Domestic Violence Related Stalking (NH RSA 633:3-c)
- Domestic Violence Related Harassment (NH RSA 644:4)

The analyses I have performed with domestic violence case dispositions are comparisons of the rates of disposition by type between Manchester, NH and Nashua, NH. I have simply determined which of the two cities had a higher overall rate of guilty verdicts in cases of domestic violence from my total sample

of 236 cases, as well as which of the two cities had a higher rate of case dismissal in 2006.¹¹

Limitations of the Methodology

The study completed by the Institute for Law and Justice in 2000 examined five components of the domestic violence unit in Manchester, New Hampshire in order to evaluate the effectiveness of the unit upon domestic violence outcomes. As I will not be able to study all five of these components, I have focused on the two aspects of the previous study that I feel were most influential in the report completed by ILJ – report writing techniques and disposition rates. Although I will only be examining police report writing and case dispositions, my research will nonetheless broaden the scope of the ILJ study. By studying two police departments within the state of New Hampshire, I will be able to gauge differences which may exist within *one* state because of a history of federal STOP grants.

The data I have obtained will be different for each of the two cities, and this presents a significant limitation. Data gathered from Nashua, NH is in the form of police reports, and data from Manchester, NH is in the form of Gerstein Reports. Although Gerstein reports differ from regular police reports in that they are written for a more specific purpose, I have concluded they are comparable to police reports. The majority of Gerstein reports are written on the

¹¹ Domestic violence cases which were coded as dismissed include the following dispositions: nol pros, dismissal due to lack of prosecution, dismissal due to lack of witness and dismissal initiated by the Plaintiff in a case.

same day as an incident's occurrence, and are composed by the same officers who authored the original police reports for a particular case.

Finally, the ability to generalize these eventual findings to other communities may be difficult, as there are relatively few communities throughout the United States currently receiving federal VAWA funds. In addition, states receiving STOP funds are able to distribute awards to programs, police departments, and other agencies without a great deal of regulation from the federal government, so it would likely be difficult to compare communities to one another across the country. What can be surmised from the research I will be conducting is what the impact on the length of VAWA funding provided to a city is, when compared to another city of relatively equal size. However, any increase or decrease in conviction rates could be attributed to another source, such as a general decrease in rates of injury-producing domestic violence, for example, or a recently appointed official in the city who has an effect on the outcome of domestic cases.

CHAPTER V

RESULTS

Both Nashua and Manchester, New Hampshire are currently in receipt of federal VAWA funds; Manchester, however, has been receiving money through STOP grants for a much longer period of time than Nashua. In examining these two cities, I have placed my focus on differences in the disposition of cases, as well as the influence of certain characteristics found in police reports upon cases outcomes.

Collapsing of Data

Data for charges and dispositions were collapsed in order to arrive at four larger categories. This was done for both the larger dataset ($n=236$) and the smaller ($n=98$). The manner in which charges were collapsed is as follows: *simple assault* charges include only those arrests for simple assault; *violations of previous orders* include violations of domestic violence protection orders, obstructing the report of a crime, and the violation of bail conditions. *Stalking and other mischief* includes criminal threatening, domestic violence related burglary, stalking, harassment, domestic violence related criminal mischief and criminal trespass, reckless conduct, and the unauthorized use of a vehicle. *Felony*

charges include felonious domestic violence related threatening and burglary and 1st and 2nd degree assault.

The dispositions of cases were collapsed in the following manner: *dismissed* cases include dismissals for a lack of prosecution, the unavailability of a witness or witnesses, or dismissals by the Plaintiff; nol pros are only those cases dismissed by prosecutors before a case is heard in court; *guilty verdicts* include cases which are bound over and nolo contendere;¹² and *not guilty verdicts* include only those for which a perpetrator has been found so.

Large Dataset

The larger of the two datasets consists of those domestic violence court files not containing police/Gernstein reports. The total sample size of this dataset is 236, with 125 of these cases coming from Nashua and 111 from the city of Manchester. Because there was not a police/Gernstein report included as a part of the court file in any of these cases, I obtained only the following information from these cases: gender of victim and perpetrator, the primary charge levied against the perpetrator, and the type of disposition of the case. There was no information contained in these files which demonstrated how police officers responded to the call, or the nature of police response.

¹² Latin for “I will not contest it,” the defendant does not admit or deny the charges, but is sentenced by the judge without a trial (New Hampshire Bar Association).

Table 1. Summary of Gender, Charge, and Dispositions for Cases Without Police/Gernstein Reports in Nashua (n=125) and Manchester (n=111)

	<u>Total, Both Cities</u>	<u>Nashua, NH</u>	<u>Manchester, NH</u>
Sex of Victim			
Male	34	18	16
%	14.4%	14.0%	14.4%
Female	202	107	95
	85.6%	85.6%	85.6%
Sex of Perpetrator			
Male	200	104	96
	84.8%	83.2%	86.5%
Female	36	21	15
	15.3%	16.8%	13.5%
Charge (collapsed)			
Simple Assault	119	70	49
%	50.4%	56.0%	44.1%
Viol. of Previous Orders	28	14	14
	11.9%	11.2%	12.6%
Stalking & other Mischief	80	35	45
	33.9%	28.0%	40.5%
Felony Charges	6	3	3
	3.8%	4.8%	2.7%
Disposition (collapsed)			
Dismissed	50	47	3
%	21.7%	39.5%	2.7%
Nol Pros	101	33	68
	43.9%	27.7%	61.3%
Guilty	59	20	39
	25.7%	16.8%	35.1%
Not Guilty	20	19	1
	8.7%	16.0%	0.9%
Unknown	6	6	0
	2.5%	2.5%	-
Total (n)	236	125	111

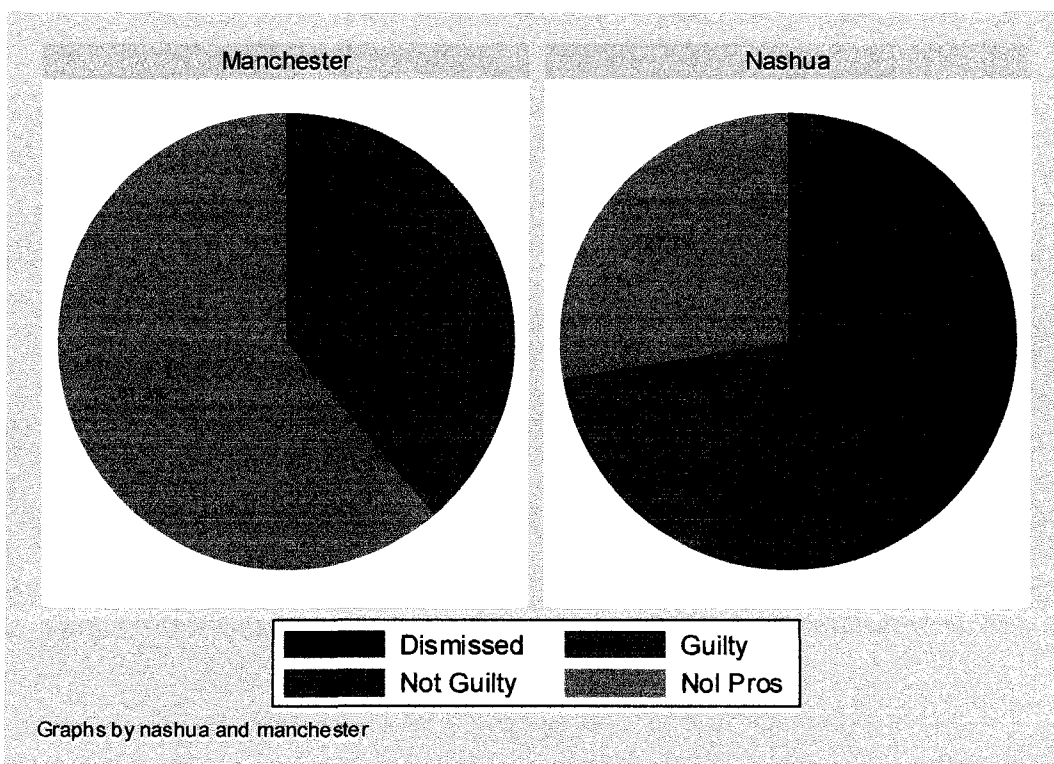
Domestic Violence Cases Without Police/Gernstein Reports

Table 1 illustrates all information gathered from the large pool of data, consisting of a total of 236 cases from both Nashua and Manchester, NH. The cases included in this pool did not contain police or Gernstein reports, so only the

gender of victim and perpetrator, charge, and disposition for each domestic violence-related event was recorded.

The vast majority of victims (85.6% for both cities) are female, although Nashua has a slightly higher female *perpetrator* rate than does Manchester (16.8% versus 13.5%). Over half of the cases from Nashua (56.0%), and almost half of the cases from Manchester (44.1%) involve simple assault charges. Stalking and other mischief related charges make up the next highest percentage of cases, with Nashua having 35 (28.0%) and Manchester 45 (40.5%). Only 3.8% of the total charges in the large pool of cases were brought for felonies.

Figure 1. Comparison of Case Dispositions for Domestic Violence Cases in Nashua (n=125) and Manchester (n=111)



Disposition of Cases

The differences in the disposition of domestic violence cases in the cities of Nashua and Manchester are striking, and can be seen in Figure 1. Nashua, for example, dismisses 39.5% of cases as a result of a hearing, after a decision of dismissal by a judge due to either a lack of prosecution or lack of witness, or as a result of actions (or inaction) of the plaintiff. Manchester, conversely, dismissed only 2.7% of cases, and has a rate of nol pros – prosecutor’s dismissals – which is much higher than that of Nashua, at 61.3% versus Nashua’s 27.7%. Finally, the rate of guilty verdicts, which is perhaps the statistic most indicative of a difference in the handling of domestic violence cases between these two cities is vastly different, with Nashua having 16.8% of cases resulting in guilty verdicts, while that of Manchester is 35.1%.

Table 2. Summary of Gender, Charge, and Dispositions for Cases with Police/Gernstein Reports in Nashua (n=47) and Manchester (n=51)

	<i>Total, Both Cities</i>	<i>Nashua</i>	<i>Manchester</i>
Sex of Victim			
Male	19	6	13
%	19.4%	12.8%	25.5%
Female	79	41	38
	80.6%	87.2%	74.5%
Sex of Perpetrator			
Male	82	44	38
%	83.7%	93.6%	74.5%
Female	16	3	13
	16.3%	6.4%	25.5%
Charge (collapsed)			
Simple Assault	40	24	16
%	40.8%	51.1%	31.4%
Viol. Of Previous Orders	18	7	11
	18.4%	14.9%	21.6%
Stalking & Other Mischief	31	8	23
	31.6%	17.0%	45.1%
Felony Charges	10	8	2
	10.2%	17.0%	3.9%
Disposition (collapsed)			
Dismissed	51	30	19
%	52.6%	65.2%	37.3%
Nol Pros	34	10	24
	35.1%	21.7%	47.1%
Guilty	11	5	6
	11.3%	10.9%	11.8%
Not Guilty	2	0	2
	2.1%	-	3.9%
Total (n)	98	47	51

Domestic Violence Cases With Police/Gernstein Reports

When Table 2 is examined in conjunction with Table 1, it is evident that a higher percentage of perpetrators in cases which included police/Gernstein reports are female; this is especially evident in Manchester (13.5% for cases without police/Gernstein reports, versus 25.5% for cases with reports). Much of the remaining information located in data which did not contain police/Gernstein

reports is similar to that of cases which did contain reports – however, two large differences are evident. First, the number of cases which involved felony charges is much higher among those cases containing police/Gernstein reports (10.2% versus 3.8%). In addition, the number of cases which are dismissed is also much higher among those cases containing police/Gernstein reports, when compared to those which did not contain reports (52.6% versus 21.7%).

Table 3. Summary of Police/Gernstein Report Data in Nashua (n=47) and Manchester (n=51)

	<u>Total, Both Cities</u>	<u>Nashua, NH</u>	<u>Manchester, NH</u>
Pages - Mean	1.06	1.18	.951
Std. Deviation	.751	.575	.875
Inclusion in Report of:			
Photos	14***	12	2
%	15.1%	28.6%	3.9%
Quotes	75	35	40
	80.7%	83.3%	78.4%
Opinion	31	14	17
	33.3%	33.3%	33.3%
Witness Interview	42*	24	18
	45.2%	57.1%	35.3%
Reference to Past DV	52	19	33
	55.9%	45.2%	64.7%
Officer Empathy	10	5	5
	10.8%	11.9%	9.8%
Provided DV Literature	13***	12	1
	14.1%	29.3%	2.0%
References to Alcohol	24	11	13
	25.8%	26.2%	25.5%
Presence of Children	13	3	10
	14.0%	7.1%	19.6%
Total (n)	98	47	51

Note: t-tests were conducted in order to measure for significant differences in police report content between Nashua and Manchester.

*** $p < .001$

* $p < .05$

Police Report Data

Table 3 is a summary of police report data obtained from the smaller sample – those domestic violence cases from Nashua and Manchester which contained police/Gernstein reports. Eleven aspects of the police/Gernstein reports were recorded, along with the following information: sex of the victim and perpetrator, primary charge, and disposition of the case.

The mean number of pages for police reports from both cities is 1.06, and of those greater than 1.06 pages, over 63% are less than a page and a half. Nashua has an average number of pages that is slightly higher than that of Manchester (1.18 pages versus .951); however Nashua, with a lower standard deviation, has more continuity in terms of length from one police report to another.

Table 3 also demonstrates that Nashua has higher rates of reference to photos taken of injuries in police reports (28.6% versus 3.9%), as well as the use of quotes by officers (83.3% versus 78.4%), the interviewing of witnesses (57.1% versus 35.3%), officer empathy (11.9% versus 9.8%), and documentation of the provision of domestic violence related materials to victims (29.3% versus 2.0%). However, Manchester has a higher rate of documentation of previous domestic violence events within Gernstein reports (64.7% versus 45.2%).

Both cities reference the presence of alcohol (a person – victim or perpetrator – who they believe is under the influence of alcohol) at roughly the same rate (26.2% in Nashua and 25.5% in Manchester). Thirty-three percent of the reports gathered from both cities also contain the same rate of officer opinion of the scene within them. Finally, data from both Nashua and Manchester contains a similar rate of information (addresses located on the front of the complaint form, which is part of the police/Gernstein report) indicating that either

the assailant or the victim may be a homeowner – 55.3% for Nashua, and 50.1% for Manchester¹.

The results of data gathered from domestic violence related police reports in Nashua and Manchester, New Hampshire suggest that there are major differences in how cases are handled in these two cities. There is a large disparity between the percentage of cases dismissed, *nol prossed*, and resulting in guilty verdicts between Manchester and Nashua.

In examining the police reports from the two cities, police reports from Nashua had a higher overall rate of all characteristics used as variables, except for the documentation of previous domestic violence related activity, which was higher in Manchester. Through a logistic regression analysis, I have determined that the single police report characteristic which had a significant relationship with positive case outcomes (guilty verdicts) in both cities was the inclusion of the police officer's opinion in the report.

Differences in Case Disposition

More than just demonstrating that there are differences in disposition rates of domestic violence cases in two cities, the data show that there may be a number of explanations which could help discern why such differences exist. The number of domestic violence cases resulting in a guilty verdict is much larger in Manchester than in Nashua (35.1% in Manchester versus 16.8% of cases in Nashua) when the large sample of cases is used. In conjunction with this statistic

¹ The method used to determine whether a victim and/or assailant resided in a rental property was the presence of an apartment number on the domestic violence complaint sheet. Although this measure is somewhat subjective, I feel that it captures home ownership rates fairly accurately.

is the much lower rate of cases which result in *nol pros* in Nashua when compared with Manchester (61.3% in Manchester, and 21.7% in Nashua). These figures demonstrate that although more cases are being dismissed by prosecutors in Manchester before ever being heard in a courtroom, there are *still* more guilty verdicts in that city.

Conversely, the rate of dismissal by a judge is higher overall for Nashua; this indicates that more cases are being *tried* in Nashua than in Manchester. Consequently, as more cases are being heard in a courtroom in Nashua before subsequently being dismissed, it can be assumed that more time is thus spent on these cases by prosecutors, judges, and domestic violence advocates who must travel to the court to assist victims that could potentially be spent on other cases.

It can be postulated, then, based upon the above figures, that because of the higher rate of *nol pros* dismissals in Manchester (when court time is not utilized) in conjunction with a significantly higher rate of guilty verdicts in that city, the *efficiency* of the system in place to convict domestic violence offenders is higher in Manchester, and lower in Nashua. Whether or not the efficiency of a city's court system and prosecution team can ever be measured accurately is questionable, but the results of this analysis lead to the conclusion that Manchester appears to be more competent in prosecuting domestic violence cases than Nashua.

Statistical Analysis

Table 4 indicates the results of logistic regression analysis which was performed with STATA. The goal of the analysis was to determine if any single characteristic(s) of police reports in *both* Nashua and Manchester had a significant impact on whether or not a guilty verdict was reached in the sample of domestic violence cases. Coefficients are provided in parentheses, and statistically significant probability values are highlighted.

Table 4 demonstrates that one aspect found within domestic violence police reports in Nashua and Manchester was found to have a significant impact on whether or not a guilty verdict² was reached – the opinion of the police officer. For every one unit increase in a police report containing a guilty verdict, the guilty verdicts of those reports containing the police officer’s opinion increased by a factor of 13.56. To restate, a police report containing an officer’s opinion was about 13.6 times more likely to result in a guilty verdict than a police report which did not contain the officer’s opinion.

The other factors examined in this model (indication of photos taken, the interviewing of witnesses, known prior domestic violence events, officer empathy, home ownership, the distribution of domestic violence literature, and the gender of the victim) did not return significant results when both cities were examined together.

² A case was considered as having an outcome of guilty if any of the following outcomes was reached: a plea of guilty; a guilty ruling by a judge; a plea of nolo contendere; or a case which was bound over to a higher court.

Table 4. *Logistic Regression Analysis Predicting Guilty Verdicts on Domestic Violence Arrests in Nashua and Manchester*

<i>Variable</i>	<i>Coefficient (SE)</i>	<i>Coefficient (SE)</i>	<i>Coefficient (SE)</i>
Officer Action in Report			
Inclusion of:			
Photos	.575 (1.38)	--	.904 (1.16)
Opinion	.018* (4.12)	--	.030* (13.56)
Witnesses	.030* (4.88)	--	.104 (5.55)
Reference to Past DV	.087 (.210)	--	.713 (.681)
Officer Empathy	.055 (3.65)	--	.858 (.815)
Demographic Characteristics			
DV Literature Provided	--	.847 (.895)	.398 (.327)
Gender of Victim	--	.368 (2.86)	.378 (.278)
City	--	.890 (.588)	.317 (.246)
Total (n)	98	98	98

Notes: Police report characteristics (presence of empathy, evidence of photographs, etc.) have been coded as 1 for *yes* and 0 for *no*.

Officer quotes in police reports, the presence of children, and the gender of the perpetrator were dropped from the model due to ill fit.

* $p < .05$

Table 5, shown below, illustrates regression analysis for the city of Nashua *only*. Interestingly, this analysis produced results showing significance when police officers included references to photos concerning a domestic violence case, as well as interviews with witnesses and the distribution of domestic violence literature to victims. Officer reference to photos was significant at the .01 level when examined individually as well as with other police report characteristics.

Table 5. Logistic Regression Analysis Predicting Guilty Verdicts on Domestic Violence Arrests in Nashua Only

<i>Variable</i>	<i>Coefficient (SE)</i>	<i>Coefficient (SE)</i>	<i>Coefficient (SE)</i>
Officer Action in Report			
Inclusion of:			
Photos	.004** (7.82)	--	.006** (11.87)
Quotes	.552 (.737)	--	.980 (.645)
Opinion	1.0 (.442)	--	.611 (.875)
Witnesses	.037* (1.05)	--	.023* (.104)
Reference to Past DV	.062 (.192)	--	.681 (1.91)
Officer Empathy	.745 (.833)	--	.399 (.428)
Demographic Characteristics			
DV Literature Provided	--	.005** (22.07)	.020* (17.24)
Gender of Victim	--	.118 (1.27)	.062 (6.25)
Guilty Verdict	--	.890 (.588)	.057 (.128)
Total (n)	48	48	48

* $p < .05$

** $p < .01$

Finally, Table 6 below contains the same analysis as Table 5; however the city of Manchester was examined. As was the case in Nashua, the inclusion of photos in police reports by police officers is statistically significant at the .01 level in Manchester. Interviews with witnesses and the provision of domestic violence literature are significant at the .05 level in Manchester. In addition, a verdict of guilty for domestic violence related offenses is significant – meaning that an offender in Manchester is significantly more likely to be found guilty of his or her crime if that crime occurred in Manchester, when compared to Nashua.

Table 6. Logistic Regression Analysis Predicting Guilty Verdicts on Domestic Violence Arrests in Manchester Only

<i>Variable</i>	<i>Coefficient (SE)</i>	<i>Coefficient (SE)</i>	<i>Coefficient (SE)</i>
Officer Action in Report			
Inclusion of:			
Photos	.004** (.081)	--	.003** (.040)
Quotes	.552 (.390)	--	.890 (.774)
Opinion	1.0 (.442)	--	.655 (.515)
Witnesses	.037* (1.05)	--	.048* (.183)
Reference to Past DV	.062 (.947)	--	.906 (.671)
Officer Empathy	.745 (.539)	--	.189 (5.51)
Demographic Characteristics			
DV Literature Provided	--	.005** (.052)	.023* (.084)
Gender of Victim	--	.118 (.232)	.062 (.157)
Guilty Verdict	--	.890 (.703)	.049* (12.2)
Total (n)	51	51	51

* $p < .05$

** $p < .01$

What is Police Officer Opinion?

Based upon the results of the data collected from Nashua and Manchester, the opinion of the responding police officer, when included in a police reports for a domestic violence related offense, leads to a significantly higher rate of guilty verdicts. None of the other variables examined resulted in a significant relationship with case outcomes when both cities were analyzed together (Table 4). In coding police/Gernstein reports as containing police officer opinion,

patterns emerged of what officers were inserting in order to make their opinions known, albeit very subtly much of the time.

Officer Opinion of Perpetrators. Most of the examples of police officer opinion in the police/Gernstein reports were focused on the emotional/mental state of persons involved, and in the majority of these cases the officer provided a subjective estimation of the perpetrator's often aggressive demeanor. One such example¹⁵ concerned a 21-year old female perpetrator:

“Upon arrival Officer Jones made contact with the suspect Linda Ellis. Ellis was highly agitated, *not in a good mental state* and changed her statements several times.”

Although presumably not trained in evaluating mental fitness, the officer in this case still felt strongly enough about this perpetrator's seemingly erratic behavior to comment on her mental state in his police report.

In a separate case, the responding officer clearly felt that a suspect was not cooperative and wrote in her report that “it was apparent that he was not being totally forthcoming.” In another report, an officer described a male perpetrator as “irate” and “in a rage.” Other officer opinions included the description of perpetrators in three separate reports as “disagreeable,” “argumentative,” and “reluctant.”

From the sample of reports containing officer opinion in both cities ($n=31$), a number made opinion-based references to intoxication. There was documentation of intoxication made by police officers in many of the other

¹⁵ All identifying information has been changed in order to protect the identities of those involved. In addition, all emphasis in the form of italics is mine, and is meant to emphasize certain phrases which illustrate key points.

reports; however, I found that in certain cases officers utilized subjective judgment to describe intoxication. Interestingly, all of the references focused on perpetrators of domestic violence, and all three described the behavior of females.

One such example:

“2200 hrs, from telephone number 617-782-0936. The message was garbled. *It sounded as if the female on the other end may have been intoxicated.* I made out something the the [sic] effect that Larkin stole her boyfriend and she was a big whore. Message lasted 10 seconds.”

The police officer in the above case, after hearing what he described as only ten seconds of garbled audio tape, was apparently confident enough in his experience with the behavior of intoxicated persons to describe this female perpetrator as under the influence of alcohol. The remaining two subjective references to intoxication also used the phrase “sounded intoxicated” to describe the demeanor of suspected female perpetrators – one listening through a closed door, and the other in a face to face conversation.

Officer Opinion of Victims. Police officers in both cities also occasionally inserted their opinions of victims in reports. When they appeared in the police reports in this sample, they consistently described the victims in domestic violence calls as fearful of their assailants. In every instance where there existed a subjective opinion of a victim of domestic violence, that victim was a female. In one report, a police officer in Nashua described a 39 year old female victim as “feeling threatened.” In another, a victim was described by an officer as being “shaken.” A police officer in Manchester had written the following in his Gernstein report, describing the scene of a domestic call:

“On 2-21-06 at approximately 00:45 I was dispatched to 235 West Central St. Apt. 4A for a Domestic Violence call in progress. When I arrived I spoke with the victim/caller, Lydia Rodriguez DOB 10-14-84. Rodriguez was very upset and crying. *Rodriguez looked to be visibly terrified of the suspect, Jose Montalvo DOB 3-15-85.*”

Personal Feelings of Police Officers. Another noticeable pattern was the documentation of the officer’s apparent personal feelings toward those involved in a domestic case, and toward domestic violence in general. The majority of these examples demonstrated that the responding officer may have become emotionally involved in the case – of these, all contained evidence that police officers felt that the perpetrators of domestic violence deserved punishment. One such example involved a 29-year old victim of abuse:

“Contact was made with Ms. Unger and she had obvious bruising under her left eye. I informed her that *she did not deserve to be assaulted* and that she did not receive such an injury from crying. Ms. Unger appeared to be afraid to say anything and refused to answer any further questions.”

A number of reports also contained strong language concerning the officer’s opinion of the perpetrator, and demonstrated that the responding officer felt that punishment was warranted. This is seen in the following exchange, which took place in Nashua:

“Ofc. Kinney located George Noonan riding his bike on East Hollis Street by the fire station. I responded and made contact with George. George told me that his girlfriend assaulted him and he was just trying to keep her off him. *I told George that I didn’t believe him.*”

Such personal, opinion based statements made by police officers can appear brazen; however, the results from the sample of 2006 reports from the two cities indicate that comments such as these result in a higher rate of guilty verdicts.

Summary

In conclusion, there does not appear to be a significant relationship between specific aspects of police reports and case outcomes, except when police officer opinion of the situation is included within a report. The inclusion of officer opinion, however, does not explain the reason for the much higher rate of guilty verdicts in Manchester when compared to Nashua; due to the small sample size, analysis could not be performed on each city independently. The relationship between officer opinion and guilty verdicts does, nevertheless, serve to raise awareness that proactive police officer involvement in situations of domestic violence do affect outcomes, and helps in moving these two communities toward the goals set forth in the VAWA.

Case outcomes were found to be quite different between Manchester and Nashua, and disparities in the results correspond with the length of time that each city has been receiving federal STOP grants. Manchester, in receipt of STOP funds for a longer period of time than Nashua, is able to successfully prosecute¹⁶ a higher percentage of domestic violence cases, as was demonstrated by the samples used.

¹⁶ A successful prosecution is defined as either a guilty verdict after a hearing, a case which is bound over, or a plea of nolo contendere.

CHAPTER VI

DISCUSSION/CONCLUSION

Case Dispositions

Manchester, New Hampshire has been in receipt of federal STOP funds provided through the VAWA for a period of more than ten years, while Nashua, New Hampshire has been receiving funds for a much shorter period – approximately one and a half years. Given this, it was expected that the city of Manchester would be more successful in prosecuting perpetrators of domestic violence through a higher rate of guilty verdicts. This proved to be the case. When the larger pool of data was examined, which includes those cases for which a police and/or Gernstein report was not included in the case file, the rate of guilty verdicts for domestic violence related charges was 18.3% higher in Manchester than in Nashua. The difference in the number of guilty verdicts in Manchester as compared to Nashua was statistically significant.

Guilty verdicts are not, however, the only indication from this data that Manchester is more successful in prosecuting offenders. In addition to having a higher rate of guilty verdicts, Manchester also has a significantly lower rate of cases which are dismissed after a hearing has taken place in a courtroom. 2.7% of cases are dismissed in this manner in Manchester, and 39.5% of cases are dismissed after a hearing in Nashua. Conversely, the percentage of cases in

Manchester which end with an outcome of *nol pros* – dismissed by prosecutors before a hearing takes place – is 61.3%, compared with 27.7% of cases in Nashua.

From the above statistics, I can therefore conclude that Manchester *more efficiently* prosecuted domestic violence cases in 2006. Less time was spent prosecuting cases which would likely end in a dismissal; in turn, more time and effort was put toward those cases for which there will be a successful outcome – in the form of a guilty verdict.

In some respects, however, the extremely high rate of cases that were dismissed as *nol pros* in Manchester could signal potential problems. More investigation, for example, may reveal that cases that were dismissed before being heard in a courtroom may have ended successfully, with domestic violence aggressors being found guilty. Do police officers, prosecutors, and judges work *efficiently* together to prosecute only those domestic violence cases for which they feel confident in securing a guilty verdict? Does this efficiency come at the expense of hundreds of victims each year in Manchester whose claims are dismissed before ever being heard? Unfortunately, the scope of this research is not able to address these questions; however, it would certainly be helpful to investigate possible causes for the high number of *nol pros* dismissals in Manchester in the future.

Nashua, on the contrary, dismissed almost 40% of domestic violence cases for one reason or another **after** a hearing had taken place. This equates to a great deal of time spent by judges, court employees, prosecutors, defense attorneys, police officers, and domestic violence advocates on cases which were not

successful. It can be postulated that the time spent on cases which do not end well also negatively affects the amount of time which can be spent in Nashua on *all* domestic violence cases, including those which are the most severe in nature. Consequently, the rate of guilty verdicts for domestic violence cases in Nashua was 16.8%. Only approximately one in six cases in that city ended successfully in 2006.

Given these results, my research demonstrates that federal STOP grants provided to the cities of Nashua and Manchester through the VAWA *do* affect domestic violence case outcomes. Through this data I am not able to specifically pinpoint exactly *how* cases in Manchester are more likely to end in guilty verdicts than in Nashua; however, the policies set forth by the VAWA appear to have had a greater impact in Manchester than in Nashua. Manchester, having been in receipt of federal funds for more than a decade, presumably has better training programs in place and more experienced officers and prosecutors, and is thus able to more effectively determine whether or not perpetrators of domestic violence in specific cases are likely to be found guilty of their crimes. In short, a “network” appears to be firmly in position in the city of Manchester in which police officers, prosecutors, judges, advocates and others are able to effectively work together in order to produce more guilty verdicts in that city than in Nashua. As was addressed above, such a network may, however, result in the premature dismissal of domestic violence cases in Manchester by prosecutors.

Police Report Writing

Police/Gernstein report writing techniques also differ substantially between Nashua and Manchester, with Nashua having police reports which more regularly contained characteristics such as references to photos, the inclusion of witness statements and a degree of officer empathy, and the provision to victims of domestic violence related literature. Manchester, however, included more references to past domestic violence within Gernstein reports when compared to Nashua. Police officers in both cities incorporated their personal opinion of specific cases at the same rate, and it was this variable that proved significant when included in a regression with guilty verdicts. When police officer opinion was included within a report, that case was 13.56 times more likely to result in a guilty verdict than when an opinion was not included in a report.

Just what constitutes police officer opinion, however, is somewhat subjective. Generally, what was coded as officer opinion fell into three distinct categories – a description of intoxication that was formulated with opinion, rather than actual data; opinion of the victim/perpetrator, which followed a pattern of sympathy for the victim and/or disdain the perpetrator; and personal opinions of officers concerning domestic violence that were detectable within reports.

Repercussions for the Legal System

There is little doubt that VAWA legislation, together with increased attention by the public, has propelled domestic violence from the shadows of the

home. Despite this, much remains the same regarding the behavior of law as it relates to these cases.

Historically, cases of domestic violence have received a much lower quantity of law when compared to other serious crimes, due to the close relationship of the parties involved. The lack of relational distance between perpetrator and victim can never be eliminated, but perhaps this closeness can be better acknowledged and understood by police officers as they approach a scene of domestic violence.

Even with recognition of the dynamics of a domestic case by officers, however, the behavior of prosecutors and judges in cases of intimate partners is prone to remain as it is currently, with less law generally levied in domestic cases that reach the court system. This relational discrimination against partners, whereby police officers and others treat cases involving violent couples differently than in other violent crimes – separating the parties, for example, even when an arrest may be warranted – has prevented domestic violence from breaking through the “glass ceiling” of crime and into a position equal to that of other serious offenses.

An illustration of the lack of awareness of the seriousness of partner violence is the dearth of penal law placed upon those cases in which an arrest was made. An assault involving strangers is more likely to result in jail time, for example, than an assault between partners, and is a reflection of the “glass ceiling.” As long as police officers continue to rank domestic violence cases as less serious than other violent crimes (Logan, Shannon & Walker 2006), the

degree of penal law utilized against offenders in domestic cases will continue to be lower.

There is a direct relationship between the perceived seriousness of a crime and the amount of time spent on the investigation and prosecution of the crime, with homicide cases being an obvious example of one extreme. Given the relatively short length of many of the police reports gathered for the purposes of this research, domestic cases may not receive the level of attention that they often deserve. Jenkins & Davidson (2001) relate the lack of arrests and time spent on domestic violence cases to a possible desire by officers to reduce their amount of paperwork. I argue, however, that the relative inattention paid to these cases by police reflects a more complex issue – that faced by officers when intruding upon the relative privacy surrounding the family.

Finally, there are large disparities in the treatment of male and female perpetrators and victims of domestic violence that are common to the behavior of law, and that directly affect progress being made to combat it via “behind-the-scenes” conflicts over gendered issues of perpetration and victimization.

On the one hand, females have been found in previous research to be abusive toward their male partners at a rate that is actually higher than that for male aggressors (Straus 1990b). Consequently, this information has been utilized by a “men’s movement” in order to construct an image of women as aggressors who utilize the justice system to their advantage, and to call for a reduction in funding for domestic violence against women.

Conversely, battered women's organizations have had to justify their position in requesting continued action against male aggressors through data that supports the claim that female victims are often terrorized by their male partners. Governmental agencies are thus placed squarely in the center of the fray, which may be indicated by policies which are frequently revised by the federal government as a condition of STOP given to police departments.

Are Feminist Movements Against Domestic Violence Succeeding?

Success, as it relates to the battered women's movement, can be defined in a number of ways – most of which are confined by what feminist movements can accomplish given their often limited resources. I argue, however, that the feminist movement *has* achieved many of the goals that were set forth over thirty years ago, and that such organizations continue to successfully re-evaluate and reconstruct what constitutes achievement in the fight against domestic violence.

Grassroots feminist organizations, which are a barometer to many of how the struggle is progressing, continue to develop and thrive. In addition, they have been recognized and shaped by larger, more traditional organizations as well as legal authorities. Finally, established feminist movements and organizations are relied upon and replicated by newer groups, which continue to expand the number of existing outlets that battered women can turn to.

Achievement in feminist movements includes, among other things, the *institutionalization* of organizations into the larger framework of social action. Institutionalization, defined by Ferree and Martin as the “development of regular

and routinized relationships with other organizations” has largely occurred in the case of the feminist movement against violence against women (1995:6). The continued expansion over time of grassroots organizations created by feminists, such as women’s shelters and telephone hotlines in the 1970s, has provided the foundation upon which the battered women’s/shelter movement has been built, as well as to propel domestic violence into the public eye for good. The most important aspect of the feminist movement as it relates to domestic violence has been the ability to enable others to duplicate what organizers have done because of institutionalization.

Also discussed by Ferree and Martin (1995) is the paradigm of institutionalization of feminist organizations with traditionally grass roots characteristics that are held by those working from within the feminist movement. This *tension* between the established and the yet-to-be-established, as it is described by the authors, has helped to bring feminist organizations a measure of reverence from the mainstream while still serving to ground the movement in its origins. This translates into a level of success for the battered women’s movement against domestic violence, but also serves to frustrate some within the movement who see grass roots organization as a more effective way to reach abused women.

Such establishment within the mainstream and resulting institutionalization can lead to a disruption of the agenda put forth by the feminist social movement. Many times resulting issues arise in feminist organizations such as those working to combat domestic violence, as “institutionalization of feminist objectives potentially limits the scope and strategies of movement

organizations” (Shipley 2006:6). The sheer definition of institutionalization indicates that acceptance by larger organizations can mire grassroots groups in bureaucracy that is unintended. The argument concerning whether or not acceptance of grassroots by the mainstream serves to assist abused women in receiving services that they need is consistently debated, and is not likely to be resolved in the near-term.

What cannot be argued, however, is the success of the feminist social movement in branding domestic violence as a social problem, and raising awareness that women and families benefit from quality services such as shelters and hotlines. A social movement is defined as having accomplished its goals, according to Staggenborg, if it succeeds in “introducing new ideas and creating new social norms, and these outcomes...produce subsequent achievements” (1995:342). Such is the case in the battered women’s movement. The notion that violence against women is a serious issue deserving attention has become entrenched in our culture, and has produced progress as a result. Through continued tension and the recognition of the position such organizations are in as they relate to domestic violence, I expect that we will be witness to further progress – both within feminist organizations and between these organizations and larger bureaucratic entities. Feminist organizations have succeeded in creating programs and outlets for women that are here to stay – for many this constitutes an enormous achievement.

Have Women Benefited from STOP Grants?

The most fundamental question surrounding research concerning VAWA STOP grants is whether or not the funds received by communities funnel successfully down to the women and families who are in need of assistance. A comprehensive, accurate measure of accomplishments as they relate to federal grants is difficult to obtain, however. Consequently, results from studies such as this one, which demonstrate outcomes of domestic violence cases which are unique to two cities with differing levels of experience with domestic violence funding, can assist in providing those involved in working with victims a glimpse into how police departments struggle to reduce family violence.

I argue that in the fourteen years since the passage of the VAWA, many women and families have benefited from the increased training provided to police departments through STOP grants. This is demonstrated in the results of my research, which indicates that a police department and court system with a longer history of receiving STOP grants has an increased number of cases which result in guilty verdicts. In addition, public perception of violence within the home has changed with the notion that women are no longer subservient to, and thus able to be abused by, their male partners.

As laws combating domestic violence have continued to evolve, the stigma, shame and secrecy of violence against women within the home have lifted over time. Women now see others like themselves on the television, for example – discussing the trauma of their victimization on popular talk shows. Battered women's shelters and feminist groups are now visible in our communities, and

sponsor local events which attract women to raise money – also increasing awareness of the issue. Finally, as women continue to enter the workforce in record numbers, attend colleges and universities in higher numbers than their male counterparts, and reduce their dependence upon male partners, the perceived need for females to remain in abusive relationships will drop over time.

Still, acts of domestic violence continue. Police officers occasionally make errors – by not making an arrest when one is warranted, or arresting the victim in a dispute. Domestic violence advocates continue to be overworked, burdened by the number of cases that they must handle. Prosecutors, as was seen in this study, drop an extensive number of cases that could potentially result in guilty verdicts levied against deserving perpetrators.

Despite this, I argue that the progression of domestic violence from a private, shameful, common experience into one that is more highly visible and preventable is inevitable. With the increased awareness on the part of police officers, attorneys, and judges that has been a result of the VAWA comes intolerance for perpetrators of violence. This intolerance then produces *action* on the part of advocacy groups, and shelters, as well as a greater number of court systems and police departments, and serves as a catalyst for permanent change.

In order for this revolution to continue, however, it is important that federal, state, and local funding remain in place for large-scale anti-domestic violence programs as well as smaller grass roots organizations. To begin to reduce the grant amounts such as STOP grants provided to the valuable programs

operating throughout the country would be to invite a reversal of the significant progress which has been made in the area of domestic violence.

Maintaining existing domestic violence programs, as well as the creation of expanded care and treatment facilities for victims not only assists battered women, but also the children of those women. Children who grow up in violent homes and are witnesses to interparental violence are more susceptible to a host of negative outcomes, such as decreased academic ability, increased levels of depression, and the increased possibility of becoming a perpetrator or victim of domestic violence in adulthood (Kalmuss 1984; Heyman & Smith-Slep 2002). By providing battered women with resources, we are providing the children of these battered women with a greater chance at future success.

It is imperative that all funding for the reduction of domestic violence remain in place, with increased funding provided when available. Evaluative studies should be undertaken with the purpose of identifying those programs which are most successful, and those deemed so could then be reproduced and replicated in other areas. The training of police officers in cases of domestic violence must be made a priority. Police departments with an unacceptably high number of cases which are dismissed should be identified and studied in order to gauge how best to increase the rate of successful outcomes.

Possible Future Study

Clearly, research such as this calls for follow up study, as well as further examination into different aspects of VAWA funding within cities. More

exploration into police report writing techniques, and the effect this has upon case outcomes, is certainly necessary in order to gain a clearer picture into what police officers are documenting when they arrive at domestic calls, as well as *why* they are writing it. Delving into police officer training protocol concerning report writing would have certainly provided more understanding of what they are trained to include in a report – are officers encouraged to include their opinions within police reports, or discouraged? This question was only briefly touched upon in this study, but would be helpful to investigate for future work.

It is also evident from this study that police departments differ a great deal from one another – in their attitude toward domestic violence, transparency, and willingness (or reluctance) to adapt to a changing society. For example, the enthusiasm of those within the Manchester, New Hampshire Police Department to speak with me about my research and share what they have learned over the course of receiving federal funds stood in stark contrast to the *unwillingness* of the Nashua Police Department to do the same. Like all large organizations, police departments behave very differently from one another, and this may have an impact on case outcomes that transcends the duration and amount of grant monies received to fight domestic violence.

In addition to further study of police officers and law enforcement protocols, prosecutors and judges make up a large part of the system and need to be placed into the equation when examining STOP grants as a part of federal VAWA funds. Obviously, judges are the final determinants of the outcome of those cases which come before them, and have a great deal of leverage in

deciding how a particular community will handle domestic violence cases. In addition, local prosecutors hold in their hands the power to dismiss a case with *nol pros* – thus preventing a perpetrator from being found guilty of his or her crime through the court process. The stark contrast in the number of cases dismissed as *nol pros* between Nashua and Manchester demonstrates that, like police departments, different prosecutor's offices may employ certain types of behavior unique to each of those cities.

I also argue that further research directly comparing domestic violence case outcomes from two communities are necessary in order to better gauge the success of STOP funding. While the Institute for Law and Justice regularly publishes studies examining how STOP funding can change domestic violence case outcomes within one city over time, it would also be helpful to spend the resources available to the ILJ on direct comparisons between cities. If this were done, a better snapshot of the characteristics of police departments, prosecutors, and courtrooms could be obtained and used to improve effectiveness. Although different communities are not directly comparable in many respects (as was seen in this study), contrasting one city to another serves to *make* those differences more apparent, and allows for further clarity when direct comparisons can be made.

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APPENDICES

APPENDIX A

DOMESTIC VIOLENCE, AS DEFINED FOR THE PURPOSES OF THE VAWA:

...includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other adult person against a victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction receiving grant monies." *See* 42 U.S.C. § 1437d(u)(3)(A); 42 U.S.C. § 1437f(f)(8).

APPENDIX B

NEW HAMPSHIRE DOMESTIC ABUSE INVESTIGATION CHECKLIST

I. VICTIM (Interview separate from suspect)

Described the victim's location upon arrival.

Recorded victim's name, dob, address, home and work phone numbers.

Noted time dispatched, time arrived.

Recorded any spontaneous statements made by the victim.

Described the victim's emotional condition.

Described the victim's overall physical condition and appearance.

Documented the victim's injuries in detail (size, location and coloration) and if medical treatment sought.

Noted victim's relationship with suspect.

Documented evidence of alcohol and/or other drugs consumed by victim relative to the incident.

Recorded any history of substance/chemical use by victim.

Noted any restraining/court orders.

Gave victim written notice of rights and services on safety pamphlet.

Asked victim about the presence and location of any firearms and ammunition within the dwelling.

Asked victim about the presence and location of any deadly weapons used or threatened to be used, by the suspect.

Received written or recorded statement from the victim.

II. SUSPECT (Interview separate from victim)

Described the suspect's location upon arrival.

Recorded suspect's name, d.o.b., address, home and work phone numbers.

Recorded any spontaneous statements made by the suspect.

Described the suspect's emotional condition.

Described the suspect's overall physical condition and appearance.

Described the suspect's injuries in detail (size, location and coloration) and if medical treatment sought.

Documented evidence of alcohol and/or other drugs consumed by suspect during incident.

Asked suspect about the presence, location, type of firearms and ammunition, located within the dwelling.

Asked suspect about the presence of other deadly weapons located within the dwelling.

If arrested, advised Miranda rights, asked suspect if he/she wanted to make a statement, knew of restraining order, and/or understood order.

Received written or recorded statement from suspect.

III. CHILDREN

Every report must note if children live in the home, whether or not they are present, and child's relationship to each person present at scene.

Listed names, ages, school and teacher for each child present.

Interviewed each child alone.

Recorded any spontaneous statements made by the children.

Described each child's emotional state.

Described and documented each child's injury, if applicable.

Notified DCYF of any child's injuries.

IV. WITNESSES

Interviewed the reporting party.

Identified all witnesses and interviewed them separately.

Recorded all witnesses' addresses and phone numbers.

Recorded names and addresses of emergency personnel.

Identified treating physician and hospital.

Received written statements.

V. EVIDENCE

Recorded the "911" number and incident number.

Obtain recording of "911" call.

Photographed the victim's injuries - received permission for additional photos in 24-48 hours.

Photographed the suspect's injuries.

Impounded and took into evidence all deadly weapons used or threatened to be used.

Took into evidence any objects thrown or otherwise used in incident.

Attached related reports, photos and evidence tags.

VI. OTHER

Incident was domestic violence abuse and/or violation of a protective order.

As required by RSA 173-B, removed all firearms and ammunition present in dwelling.

ABUSE DEFINED:

- a. Assault or reckless conduct (RSA 631:1 through 631:3)
- b. Criminal Threatening (RSA 631:4)
- c. Sexual Assault (RSA 632-A:2 through 632-A:5)
- d. Interference with freedom (RSA 633:1 through 633:3-a)
- e. Destruction of property (RSA 634:1 & 634:2)
- f. Unauthorized entry (RSA 635:1 & 635:2)
- g. Harassment (RSA 644:4)

APPENDIX C

INSTITUTIONAL REVIEW BOARD APPROVAL FOR THE USE OF
HUMAN SUBJECTS

University of New Hampshire

Research Conduct and Compliance Services, Office of Sponsored Research
Service Building, 51 College Road, Durham, NH 03824-3585
Fax: 603-862-3564

17-Apr-2007

Seabury, Catherine
Sociology, Horton SSC
3 Clark Mill Road P.O. Box 152
Weare, NH 03281

IRB #: 3975

Study: Effect of Federal STOP grants on domestic violence outcomes

Approval Date: 16-Apr-2007

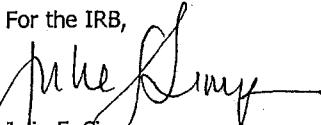
The Institutional Review Board for the Protection of Human Subjects in Research (IRB) has reviewed and approved the protocol for your study as Exempt as described in Title 45, Code of Federal Regulations (CFR); Part 46, Subsection 101(b). Approval is granted to conduct your study as described in your protocol.

Researchers who conduct studies involving human subjects have responsibilities as outlined in the attached document, *Responsibilities of Directors of Research Studies Involving Human Subjects*. (This document is also available at <http://www.unh.edu/osr/compliance/irb.html>.) Please read this document carefully before commencing your work involving human subjects.

Upon completion of your study, please complete the enclosed pink Exempt Study Final Report form and return it to this office along with a report of your findings.

If you have questions or concerns about your study or this approval, please feel free to contact me at 603-862-2003 or Julie.simpson@unh.edu. Please refer to the IRB # above in all correspondence related to this study. The IRB wishes you success with your research.

For the IRB,



Julie F. Simpson
Manager

cc: File