

Winter 1969

The Response of Some Relevant Community Resources to Intra-Family Violence

Raymond I. Parnas
University of Arkansas

Follow this and additional works at: <http://www.repository.law.indiana.edu/ilj>

 Part of the [Family Law Commons](#)

Recommended Citation

Parnas, Raymond I. (1969) "The Response of Some Relevant Community Resources to Intra-Family Violence," *Indiana Law Journal*: Vol. 44: Iss. 2, Article 2.

Available at: <http://www.repository.law.indiana.edu/ilj/vol44/iss2/2>

This Article is brought to you for free and open access by the Law School Journals at Digital Repository @ Maurer Law. It has been accepted for inclusion in *Indiana Law Journal* by an authorized administrator of Digital Repository @ Maurer Law. For more information, please contact wattn@indiana.edu.



JEROME HALL LAW LIBRARY

INDIANA UNIVERSITY
Maurer School of Law
Bloomington

THE RESPONSE OF SOME RELEVANT COMMUNITY RESOURCES TO INTRA - FAMILY VIOLENCE††

RAYMOND I. PARNAS†

Presumably, an important test of a good society is how much preventable real trouble it removes from the shoulders of its citizens, and, after that, how rapidly and effectively it marshals what it knows to repair the damage done by non-preventable trouble.¹

Social agencies have been created to meet the bread-and-shelter problems of the low-income group. But it does not follow inevitably that all low-income families know about such agencies, will avail themselves of the services offered, or can meet the 'entrance requirements' of the agencies. Nor is it definitely established that these agencies are prepared to serve all areas of human need, or for that matter that society is conscious of all such areas.²

For the increasing number of people looking for something constant, unchanging, and reassuring to cling to in our rapidly changing society, the wife-beating syndrome may fill the bill. Despite dramatic proliferation of education and sophistication in the twentieth century, the growing trend toward emotional and psychological assaults has thus far failed to sound the death-knell for the physical assault as a still popular means of intra-family warfare (or any other kind of warfare for that matter). That serious intra-family conflict should cease to exist altogether is unthinkable. But that we should be unable to choose what may well be a more effective method of hurting our partners—through the psyche rather

†Assistant Professor of Law, University of Arkansas.

††This article is part of a comprehensive study of intra-family violence which includes a detailed description and analysis of the police and court response to this phenomenon as well as the social agencies discussed here. See Parnas, *The Police Response to the Domestic Disturbance*, 1967 WIS. L. REV. 914. The substance of the study is primarily derived from field observations, interviews, and documents made available to the writer through the cooperation of the agencies discussed and their personnel. Although some special and comparison research was conducted in New York City, Washington, D.C., and St. Louis, the study focused on Chicago as its primary source of data with particular concentration on the near north side because of its "city in microcosm" character. Accordingly, unless otherwise noted, references are to Chicago institutions. The expenses of the field work have been underwritten by the Ford Foundation and the Walter E. Meyer Research Institute of Law. I extend my sincere appreciation to all those who have aided in this effort.

1. E. KOOS, *FAMILIES IN TROUBLE* vii (1946) (Lynd preface).
2. *Id.* xv.

than the body—is a severe blow to our rationality.

An intra-family assault is obviously a symptom of some deeper personal or intra-family problem. If the underlying problem is not openly discussed and resolved in some fashion after the initial outburst, the irresolution may cause frequent repetition of such assaults perhaps with increasing violence and injury.³ Divorce or separation, although terminating the close environmental and emotional connections within which the assaultive behavior has occurred, is usually sought only after repeated abuse or serious injury. Furthermore, the grounds-fault doctrine of American divorce law is a perfect example of the treatment of symptoms rather than causes. Were the basic, and usually mutual, causes of marital breakdown discovered and discussed, perhaps fewer families would follow through with divorce. Even if divorce still followed, perhaps insight into oneself, one's partner, and the marital relationship gained through a "simple" process of guided communication could alleviate the extent and agony of alimony, child-support and custody fights. In addition, such counseling might prevent subsequent marriages of the parties to new partners from producing new domestic disputes and marital collapse, at least from the same causes.⁴ In any event, recurring assaultive behavior occurs with couples who, for some reason, perhaps inexplicable, or perhaps due to legal or religious problems, cultural, sexual or financial reasons, or the presence of children, fear or simply ignorance, remain together.

Intra-family violence is no small part of the violence problem confronting the United States today.⁵ Indicative of the pervasiveness of assaultive intra-family behavior is the number of calls for police intervention in "domestic disturbances."⁶ Although it has been suggested that the poor and uneducated tend to call on the police much more readily in

3. See Parnas, *The Police Response to the Domestic Disturbance*, 1967 Wts. L. Rev. 914, 939-42.

4. These are the basic functions of the new Divorce Conciliation Service of the Circuit Court of Cook County. See Merryfield, *A 'Good' Divorce Takes Insight*, Chicago Tribune, Jan. 21, 1968, § 5 at 5. The free professional counseling offered by the Service, however, is provided only to those with an action already pending in the Divorce Division and who exhibit a willingness to have counseling. The Circuit Court of Cook County, *Are You Eligible For Reconciliation Counseling?* 1 (pamphlet).

5. For example, of 510 murders in Chicago during 1966, 396 are classified under the broad heading of general domestic altercations and involved some acquaintanceship between the victim and offender ranging from marital and blood relation to casual business relations. One hundred thirteen of these were related by blood or marriage, and an additional twenty-nine were boy friend-girl friend relationships. Chicago Police Dept., *Murder Analysis 1966* at 1, 3, May 12, 1967 (pamphlet). See Parnas, *supra* note 3, at 916 n.6.

6. "Domestic disturbance" is the phrase used by the Chicago Police Dept. to refer to all calls, except the most serious, that involve conflict between relatives or others living in family-like intimacy. The recent rise of mass domestic disturbances, *i.e.*, riots and street disorders, has made the phrase somewhat confusing.

such matters than do others,⁷ nonetheless, domestic disturbance calls constitute a large proportion of total calls for police service,⁸ which perhaps reflects the appreciable percentage of our "affluent" society which this class of people continues to comprise. The standard police response in such a case is adjustment rather than arrest, even if all the necessary conditions for an arrest are present.⁹ Naturally, however, arrests are essential in some cases.¹⁰ Thus, although an economic and educational class selection reduces the number of domestic disturbances in which police are involved, and the adjustment policy of the police greatly reduces the number of such disputants arrested, violence within the family is so common that, for example, as much as fifty per cent of the caseload of Chicago's Court of Domestic Relations consists of intra-family assault matters.¹¹ That court's response in the vast majority of these cases is either to dismiss "for want of prosecution" in the absence of the complainant or at her request, or to release the defendant on a non-

7. Parnas, *supra* note 3, at 915. See E. Koos, *supra* note 1, at ix; Janowicz, *Whom Should the Family Agency Serve?*, 48 SOCIAL CASEWORK 85 (1967).

8. Parnas, *supra* note 3, at 914 n.2.

9. *Id.* at 929-37.

10. *Id.* at 937-42.

11. Parnas, *The Court Response to Intra-Family Violence* (unpublished draft).

The Court of Domestic Relations was established as a branch of the old Municipal Court of Chicago in 1911. The allocation of 'jurisdiction' to the specialized branches was in the discretion of the Chief Justice, within the confines of the jurisdiction of the court as a whole. The Court of Domestic Relations has never been assigned *all* family related problems. In part, this was due to the limited jurisdiction of the old Municipal Court which had, for example, no jurisdiction over felonies. However, jurisdictional limitations are no longer a significant factor under the new Judicial Article. Therefore, the 'jurisdiction' of any court in the circuit court system depends solely on the judgment of the Chief Judge. Nonetheless, the family 'jurisdiction' of the Court of Domestic Relations is substantially the same now as it was in earlier years—nonsupport, paternity, disorderly conduct and other misdemeanors, assault and battery charges between relatives, and contributing to the dependency, delinquency, or sexual delinquency of a juvenile. Separation, divorce, adoption, felonies between relatives, and offenses by juveniles have never been a part of this court's function. These matters are fragmented among other courts. Thus it was and still is possible for the affairs of one family to be under adjudication simultaneously in two or more of the following courts: Court of Domestic Relations, Juvenile Court (formerly known as Family Court), Boy's Court, Women's Court, Felony Court, Divorce Court, Welfare Court, County Court, and Probate Court.

On December 12, 1966, a local branch court of the First Municipal District became the district's third Boy's Court. All pending cases and substantially all of the matters which would have been within the 'jurisdiction' of this redesignated branch court were added to the 'jurisdiction' of the Court of Domestic Relations. Therefore, in addition to its prior 'jurisdiction,' the Court of Domestic Relations has been assigned *all* misdemeanor cases (except 'disorderly conduct intoxication safekeeping arrests') arising out of Police Districts 7, 8 and 9. Thus the name 'Court of Domestic Relations' has become at least partially a misnomer.

Id. at 4-6.

existent peace bond after a brief lecture.¹²

The response of legal institutions to the symptom of intra-family assault has been inadequate to prevent recurrences of these relatively minor assaults and, perhaps more importantly, inadequate to check the build-up of family discord to the point of complete family breakdown, aggravated battery or homicide.¹³ The intervention of authority, threat of arrest, custody, judicial lecture, peace bond, fine, or even incarceration restores peace only temporarily if the causes remain undisclosed and undiscussed and if the parties remain or return together. Courts¹⁴ and police¹⁵ do frequently attempt to mediate disputes in pursuing their adjustment policy, and in so doing sometimes attempt to deal with the causes of the assault. But neither policemen nor judges have sufficient time to satisfactorily fulfill this function. In addition, many policemen and judges do not have the necessary human sensitivity, insight and expertise to perform as counselors and mediators. More importantly, judges and police officers have not traditionally viewed this role as one of their primary functions. A persistent job done out of necessity rather than as a consequence of role perception will be marked by ad hoc, inconsistent, unsympathetic and lack-luster performance. Even seen as a vital part of the patrolmen's and judges' admittedly crammed roles, adequate adjustment of domestic disturbances requires full and imaginative use of all relevant community resources.

We need to make referral to family agencies more frequently, more comprehensively, more imaginatively and more skillfully. . . .

Why do we need to refer? Because our clients need marital counseling, parent-child counseling, psychiatric assistance, vocational counseling—all sorts of individual and family help, and we cannot provide all these services. [W]e cannot provide everything or even most of the things our clients need. . . . We do not have many of the institutional services, such as the counseling service mentioned above. . . . Therefore we must refer to community resources.¹⁶

What relevant community resources, in addition to the police and courts, are available, and how do they respond to the problem of intra-

12. *Id.* at 15-66; Parnas, *supra* note 3, at 931, 946 n.115.

13. Parnas, *supra* note 3, at 959-60; REPORT OF THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS 167 (1968).

14. Parnas, *supra* note 11, at 21-26.

15. Parnas, *supra* note 3, at 932-33.

16. Knudson, *The Criminal Court and the Private Agency*, 5 NAT'L PAROLE AND PROBATION J. 27, 31 (1959) (remarks of Bernard Kogan).

family assaults? In addition to court-connected services,¹⁷ the twentieth century has produced a wide variety of public, private, and parochial service agencies—particularly in large urban areas. The purpose of this article is to describe the responses of a few of those Chicago¹⁸ community services which *appear* most relevant to the problem of intra-family violence. The services discussed are: settlement houses; neighborhood churches; family service agencies; legal aid societies; alcoholism services; and Office of Economic Opportunity multi-purpose neighborhood centers.

I. SETTLEMENT HOUSES

The social settlement movement began in England toward the end of the nineteenth century and quickly spread to the United States. Like so many other institutions, the social settlement was a response to the problems occasioned by the tremendous growth of the cities after the industrial revolution.¹⁹

17. When the Cook County Circuit Court was established in 1964, it retained the Social Service Department and the Psychiatric Institute which were formed in 1911 and 1914 as part of the innovative Municipal Court of Chicago. Facilities for both are located in close proximity to the Court of Domestic Relations and continue to have their closest working ties with that court. But because of the broad jurisdiction of this court (see note 11 *supra*), the primary function of the Social Service Department has been to maintain continuing supervision and administration of non-support and paternity cases. Thus the few efforts of this agency in matters of intra-family violence have usually been limited to a single consultation for recommendation of a warrant or referral to some other agency. Parnas, *supra* note 3, at 933-34. See Parnas, *supra* note 11, at 6-11.

Unlike the Social Service Department, the bulk of the Psychiatric Institute's intakes are initiated by the courts rather than by walk-ins or referrals from other agencies. But the typical court involved domestic disturbances—disputes rising out of "normal" incompatibility, "normal" personality differences, and "normal" family problems of budget, discipline, and position frustration—are not generally referred to the Institute. Such referrals as do occur usually involve matters of alcoholism, recidivism, apparent mental illness, or some unusual aspect. Interview with Dr. Edward J. Kelleher, Director of Psychiatric Institute of the Cook County Circuit Court, in Chicago, December 6, 1966. See Parnas, *supra* note 11, at 10-14.

Unlike Chicago, New York City has had a very specialized court to deal solely with matters of intra-family violence since the establishment of the Home Term Court in 1946. See Home Term—A Socialized Court for Family Problems in the New York City Magistrates' Court System (1948). Home Terms' successor after passage of the New York Family Court Act in 1962 is the City Wide Family Offenses Term which took that part of the New York Family Court's jurisdiction which included "exclusive original jurisdiction . . . over any proceeding concerning acts which would constitute disorderly conduct or an assault between spouses or between parent and child or between members of the same family or household." N.Y. Family Court Act § 812 (McKinney Supp. 1968). The court-connected services of these courts have reflected their specialization. In addition to probation (having primarily a conciliation rather than supervisory function) and mental health facilities, for ease and immediacy of referral the court has located within its facilities Catholic, Protestant, and secular family counselors, in addition to a well-equipped and supervised nursery for the children many court-involved disputants are forced by circumstances to bring along. See Parnas, *supra* note 11.

18. See introductory note.

19. L. PACEY, READINGS IN THE DEVELOPMENT OF SETTLEMENT WORK 1 (1950): Begun as friendly households in parts of the city where social problems were greatest, with the idea of dispensing hospitality and collecting factual material

Unlike most other service agencies, a unique and most important feature of the settlement house has been, from its inception, its goal of becoming an integral part of the neighborhood it serves—where residents would come not only with their problems but for recreation as well.²⁰ In their effort to understand the community and be accepted by it, workers tended to live in the settlement house or the immediate neighborhood.

Chicago has a comparatively long history of settlement house activity, beginning with the famous Hull House founded by Jane Adams and Elizabeth Gates Starr in 1889.²¹ Today there are thirty settlement houses scattered throughout Chicago.²² One of those is Olivet Community Center located in Chicago's near north side. Olivet serves about 25,000 people, mostly black, in a neighborhood which includes a large, low income, high rise housing project. The Center's facilities indicate some of the activities available—"a gymnasium, auditorium, workshop, kitchen, craft shop, meeting rooms, classrooms, nursery school facilities, and several apartments for staff members."²³

The settlement house program has been characterized as "experimental, flexible, ready to demonstrate a method or meet a need and then relinquish the particular activity to another organization."²⁴ However, consistent with the higher goals of promoting beneficial and productive inter-personal relationships through community self-awareness, settlement house methodology is for the most part oriented to the group work rather than case work approach.²⁵ It is also not surprising that a large percentage of the activities of a settlement house, like Olivet, are youth

about 'how the other half lives,' they soon found themselves formulating statements of needs—even methods of supplying these needs. The resident workers were not merely reporting to the rest of society as they had originally intended, but they were stimulating their neighbors to cooperate in the battle to receive equal privileges for the economically dispossessed, the educationally deprived, the physically handicapped, and those discriminated against because of race, foreign birth, nationality, or religion.

When specific needs seemed too pressing to be ignored, settlements tried to meet them temporarily in a local, neighborhood way, meanwhile seeking a wider, more adequate, permanent solution. Often they treated symptoms while seeking causes.

20. E. Koos, *supra* note 1, at 82-83:

The services offered informally by the personnel of these agencies were so varied and so easily obtained that families turned to them readily. . . . The workers in the agency were also called upon to listen to complaints, to settle quarrels, to share joys, and even to act as godparents. The families which made use of the settlement facilities regarded the personnel not as professional workers but rather as fortunately placed friends.

21. L. PACEY, *supra* note 19, at 1.

22. Chicago Federation of Settlements and Neighborhood Centers, Action . . . Where It Counts (circular).

23. Olivet Community Center, General Fact Sheet No. 13, Sept. 29, 1966 (mimeo).

24. Garner, *Why New Settlements?*, in L. PACEY, *supra* note 19, at 273.

25. *Id.*

oriented. Individual counseling and adult activities are a part of settlement house work, but the emphasis is on the group, and, perhaps partly as a result of that emphasis, the bulk of participants are youths.

At least in their initial treatment, domestic disturbances would seem peculiarly unsuited to a group work approach, and therefore one might not expect to find any substantial marital counseling occurring within the settlement house. Thus, despite more than forty-five different services offered by Olivet and despite the fact that a worker may talk to parties requesting marital counseling if the problem appears superficial, "referrals for marital counseling" elsewhere are the norm.²⁶ The Olivet director showed little interest in involvement in on-going disturbances, indicating that such problems were either for the police or a lawyer.²⁷

Despite this non-involvement with domestic disputants several features of the settlement house approach seem particularly relevant to the crucial problems of achieving meaningful contact and communication between the social agency and the people most in need of its services. The settlement house strives for contact and communication by: locating the agency in the midst of the area of greatest need; organizing the agency as a part of rather than apart from the neighborhood; initiating contact with those needing the services offered; providing assistance when needed rather than only on a normal five day, eight hour or otherwise regulated schedule; and cooperating with other agencies which overlap its sphere of influence.²⁸

Perhaps a casework service could be incorporated into or associated with the settlement house structure and thereby benefit from that institution's acceptability in the community.

II. NEIGHBORHOOD CHURCHES

The neighborhood church incorporates in varying degrees many of the relevant features of the social settlement: it is located in the area of need, is a part of rather than apart from the neighborhood, and is available to provide assistance at other than regular hours. In addition, and generally unlike the social settlement, many clergymen are involved in casework with domestic disputants. The relationship between clergyman

26. Olivet Community Center, *Right in the Middle of Need 15* (1963) (brochure).

27. A Neighborhood Legal Assistance Center was organized in 1965 with the cooperation of Olivet and the United Friends (another community group). The Center is staffed with volunteer attorneys, occupies offices provided by these cooperating agencies, and operates two nights a week and on Saturday mornings. These services were established as a result of a survey "which showed that the poor in the intended service area had three times as many legal problems as middle income residents interviewed and that, by in large, legal resources were unknown to them or unutilized." LCK, Second Draft (11-8-66).

28. A. HILLMAN, *NEIGHBORHOOD CENTERS TODAY* iii, 66 (1960).

and parishioner may be such that a wife threatened by her husband at 3 A.M. will call the clergyman at his neighborhood residence; his motivation may be such that he will appear at the home of the disturbed family as soon as possible to conciliate the dispute; he may thereafter meet with the parties in an effort to prevent a future recurrence.

The combination of on call or short call availability for crisis intervention and a casework approach makes the neighborhood church a rather unique community resource in the handling of domestic disturbances. With the exception of the police, *some* local clergy (and perhaps some settlement workers) are substantially the only other source of any kind of domestic disturbance crisis intervention. Initial corrective contact in close proximity to the time of the crisis may have several advantages, some of which are: first-hand observation and the communication of greater information on a specific problem; the probability of greater receptivity and cooperation of at least one and perhaps both of the disputants; as a result of these factors an intensified and more rapid resolution of a specific and immediate problem; and, as a result of the latter factor, confidence which should provide a foundation for any necessary longer-range treatment.²⁹ The clergyman, because of previous contact, the absence of suspicion as to goals and purposes, his peculiar authority, and confidence due to his position probably *could* perform the task of corrective crisis intervention better than anyone else.³⁰

Unfortunately, for this purpose, although theological edifices are often huge, their keepers number only a handful in any community. Moreover, despite the great increase in recent years in pastoral counseling, lack of motivation to engage in family counseling and crisis intervention further reduces the already limited group available. Even the efforts of those who are motivated are only peripheral to the primary concerns with which the bulk of a clergyman's time is spent. Finally, it is doubtful

29. See Duckworth, *A Project in Crisis Intervention*, 48 SOCIAL CASEWORK 227 (1967); United States Government Memorandum, LEAA Grant Application—The City College of New York 5d (Feb. 14, 1967); The Psychological Center of The City University of New York, First Annual Report 9-10 (Sept. 1966).

30. On the other hand, a previous relationship between disputant and counselor may be an obstacle to contact because many persons may feel embarrassed by their personal difficulties, and therefore reluctant to call someone they know. This factor may account, in part, for the readiness of disputants to call for impersonal police intervention.

In addition, although the Church as a facility may be a part of the community, there may be a feeling among the residents that the clergyman's role as an advisor in time of trouble is limited because he is "in a measure removed from the vicissitudes of life." E. Koos, *supra* note 1, at 88 n.12. For example, "Our Pastor is a *good* man and he lives a good life, but I know he doesn't really know how I feel about not knowing what to do." E. Koos, *supra* note 1, at viii (Lynd preface). Because of growing involvement of the clergy in civil rights and problems of the inner city, perhaps this contact barrier is being lowered.

that the participants in many domestic disputes to which police are summoned have contact or could easily be induced to establish contact with a neighborhood church or local clergyman. This is not to say that neighborhood churches are not a valuable and relevant response to intra-family violence. They are and their use should be expanded, but with the realization that other vehicles are necessary.

III. FAMILY SERVICE AGENCIES

Established in 1911, the Family Service Association of America is the national, accrediting, standard-setting federation for over 300 non-profit, voluntary family social services and marriage counseling agencies in North America.³¹ Its continued existence is based upon the recognition that:

The survival of healthy family life can no longer be taken for granted. Because of the complexities and tensions of our accelerated industrial society, millions of families under stress need professional help in solving their personal and family problems. Family life is being battered from all sides. Constant attention to the stresses that seriously strain family life and individual adjustment is required.³²

Of the numerous private and parochial family service agencies in Chicago, the Family Service Bureau, a member of F.S.A.A., is the largest, with seven offices throughout the city equipped with social case workers to provide professional counseling services to all residents of the metropolitan area who request it—without charge when necessary. Clients may be referred elsewhere, assisted satisfactorily in one or two interviews, or counseled for a period of months.³³

The object of the Family Service Bureau, and undoubtedly most if not all other family service agencies, is “to maintain and strengthen family life through individualized services to families in trouble.”³⁴ The extent of such services depends in the first instance upon the scope given the word “family.” Like the courts, and to some extent the police, the Bureau’s interest and assistance greatly increase when children are involved.³⁵ Prevalent concern for children is readily apparent in recent

31. Family Service Association of America, *Facts about the Family Service Association of America 2* (pamphlet).

32. *Id.* at 3. (emphasis added).

33. See WELFARE COUNCIL OF METROPOLITAN CHICAGO, *SOCIAL SERVICE DIRECTORY OF METROPOLITAN CHICAGO 158* (1966); United Charities of Chicago Family Service Bureau (pamphlet).

34. WELFARE COUNCIL OF METROPOLITAN CHICAGO, *supra* note 33, at 158.

35. Parnas, *supra* note 3, at 955 nn.145-47.

F.S.A.A. and Family Bureau policy pronouncements.³⁶

Those persons least able to cope with problems of modern urban living are those who turn to or require police involvement and therefore possibly court involvement in their domestic affairs. Yet, despite the obvious availability and relevance of a family service agency to the problems of the police-involved domestic disputant, even when children are involved most such disputants do not come into contact with these essential services. A study of the source of clients of the New Haven, Connecticut Family Service Agency in 1961 showed the following :

[T]he agency was serving a substantially smaller percentage of the Negro population than it had served in 1954-55. Two possible explanations for this finding are offered: First, 'psychological self-concern' is in a sense a social luxury for the new Negro migrants: that is, they have concentrated all their energies on coping with the problems of eking out a livelihood in a new community. Second, many of them have migrated from communities in which counseling services are lacking, and they may not be aware of their availability. . . .³⁷

Perhaps contributing most significantly to the lack of contact with those most in need of the family service agency's services is the traditional policy of the majority of social agencies of all types to depend entirely upon the client to make initial contact, either on his own unaided initiative or through the unsolicited and voluntary referral of others. Such an approach is itself an insurmountable obstacle to significant contact. Unsolicited and voluntary referrals depend not only upon the initiative of the referrer but also on his perception of the problem, his awareness of appropriate resources, and an absence of interdisciplinary hostility. Even if disputants are appropriately referred, their ignorance, hostility or inertia, which may have contributed to the problem itself, may effectively preclude them from taking the rather sophisticated

36. Family troubles and their by-products are tragic, *particularly as they harm thousands of children—our future citizens—each year.*

United Charities of Chicago, note 33 *supra*. (emphasis added).

The Family Service Bureau places *particular emphasis on working with families with minor children*, on providing planning and counseling services for the aging and their families and on assisting unmarried mothers who must live in the parental home because they are minors and who, from choice or necessity will keep their babies.

UNITED CHARITIES OF CHICAGO, REPORTS FOR 1964 (1965). (emphasis added).

The marked increase in the child population and the growing concern about serious behavioral problems led to the *decision [in 1964] to serve more families with minor children.*

Family Service Association of America, *supra* note 31, at 3. (emphasis added).

37. Janowicz, *Whom Should the Family Agency Serve?*, 48 SOCIAL CASEWORK 85 (1967).

step of seeking help for their problems through private nonmandatory conciliatory sources.³⁸

The Family Service Bureau has acknowledged that economically and educationally deprived inhabitants of the inner city have not been reached by the Bureau's services as readily as the middle class individual:

[T]he agency has been concerned to find better ways of reaching and serving the predominantly low income population which has a high incidence of family breakdown, illegitimacy, delinquency and mental illness. Characteristically these families are slow to seek out casework service because of their distrust of established organizations, their hopelessness in regard to change and because of difficulties in communication between professional social workers and lower class individuals.³⁹

Relevant to the problem of alleviating these barriers is a demonstration project begun in 1967 and operating in the Bureau's Inner City District.⁴⁰ The project directs two innovations at the contact problem: Decentralization of facilities is occurring through the location of three specialized units in high need neighborhoods of the inner city; at the same time the Bureau is also beginning to employ non-professional case aides, who are indigenous to the neighborhoods in which the contact and comprehension problem is most severe, to work in teams with the Bureau's professional case workers. Although primarily directed at meeting the Bureau's personnel shortage problem, the casework aides serve a more basic function: they serve as a bridge between their community and the Bureau in an effort to establish the contacts which are so vital to the Bureau's goal.⁴¹

The aides are responsible for making home visits to explain

38. [If] social agencies . . . are prepared to offer the inclusive services claimed in their statements of purpose, this fact must be known. As the culture has grown, both in size and complexity, families know less instead of more of the help they may expect to receive with their troubles. . . .

A fundamental characteristic of the social work philosophy, of the whole institutional organization of social work, must be abandoned in this connection. In the words of a practicing social worker in this area, 'We of course cannot go looking for people to serve. We can only wait until they bring their problems to us.' One immediately asks why this need be true in a culture the characteristics of which so obviously place the individual and the family at a disadvantage.

E. Koos, *supra* note 1, at 124.

39. United Charities of Chicago, Request To The Wieboldt Foundation 5 (mimeo).

40. 11 UNITED CHARITIES OF CHICAGO REPORTS, No. 3 (Nov. 1967).

Through it [Jeanette Hanford, Director of the Family Service Bureau said] we hope to find new solutions to the severe shortage of professional social workers and to offer a coordinated range of services to families in deprived neighborhoods through new methods and new approaches.

41. *Id.* See United Charities of Chicago, *supra* note 39.

to clients and prospective clients what services are available through the Family Service Bureau, and to help them select the services suited to their own problems. When the need is indicated, an aide may refer a client to another social agency and help him work with it.

Aides visit families where a crisis has occurred—a death, desertion, serious illness, a child expelled from school—and offer the Bureau's help. They assist in cases where a family is hesitant about using the agency's services or about continuing once it has started.⁴²

These innovations appear very analogous to some of the basic techniques which the settlement house has employed so successfully. Decentralization of facilities and the use of some workers living in the neighborhood served seems to provide the best method for any social agency to establish contact with a community, gain an understanding of it, and obtain the confidence of its people. This outreach approach of the settlement house combined with the dominant purpose and casework methods of the Family Service Bureau should prove most effective in reaching and aiding many of the mass of poor families who remain relatively untouched.

IV. LEGAL AID SOCIETIES

Like the Family Service Bureau, Chicago's Legal Aid Bureau is an organ of the United Charities of Chicago. Because of their common administrative origin, these two agencies maintain a close working relationship in order to more fully service their clients' needs. Referrals between the two are frequent, and the Legal Aid Bureau has its own social service department staffed by a small contingent of caseworkers from the Family Service Bureau.

The Legal Aid Bureau offers its clients a rare combination of legal assistance and social service. Families whose legal difficulties are rooted in serious social and personal problems are referred by Legal Aid lawyers to the Legal Aid Social Service Department. . . . Legal protection and casework treatment thus work hand-in-hand.⁴³

The Legal Aid Bureau, which has been in existence since 1886, has always handled domestic problems. However, "when the general family stability broke down" after World War II, requests for such

42. 11 UNITED CHARITIES OF CHICAGO REPORTS, No. 3 (Nov. 1967).

43. UNITED CHARITIES OF CHICAGO, REPORTS FOR 1965 (1966).

assistance greatly increased.⁴⁴ Thus in 1965, forty-three per cent of all cases coming to the Bureau involved family problems of some kind.⁴⁵

One of the common misconceptions about lawyers in general is that their role is principally that of an advocate to be called in *after* damage has occurred and not to be sought out as a counselor to confront an anticipated and growing need. This is particularly true in cases of domestic difficulty where a lawyer is not ordinarily sought until the parties already view their marriage as far beyond repair. Unfortunately most lawyers probably tend to adopt their client's view of a situation with only halfhearted discussion, if any, about alternatives to divorce. Naturally this picture of the lawyer as the terminator of marriages affects those in a position to refer people with marital problems to community resources. For example, a police officer, when asked to whom he referred domestic disputants, volunteered "people only go to a lawyer as a last resort." Thus the Bureau's family cases are in large part divorces. A staff attorney indicated that the Bureau annually handles about 1,000 divorces, which represents five per cent of all Chicago divorces.

Two other factors confine the role of the Legal Aid Bureau in adjusting domestic disputes. The Legal Aid Bureau does not handle any criminal litigation and therefore does not become involved in the defense of disorderly conduct or assault charges resulting from some domestic disputes.⁴⁶ Also, the problems of making contact with the masses in need of legal, social, or referral services offered by the Legal Aid Bureau are similar to those previously discussed with regard to the Family Service Bureau and are further complicated by the ethical problem of solicitation.

V. ALCOHOLISM SERVICES

Whether it be a riot, homicide, battery, assault or minor domestic disturbance, frequently some or all of the participants will have had their conduct affected by consumption of alcohol.⁴⁷ Whether a symptom or a cause, alcohol's recurring presence cannot be ignored in any consideration of community response to interpersonal violence.

"He's a good man when he's sober, but when he's drunk, he beats on me—I just can't take it anymore," is the regretful plea heard ad nauseam by police, courts, and social workers. Most such offenders are not true alcoholics but nonetheless they appear to drink frequently and

44. Legal Aid Bureau of the United Charities of Chicago, 75 Years of Providing Equal Justice Under Law (1962) (pamphlet).

45. See UNITED CHARITIES OF CHICAGO, *supra* note 43.

46. *Id.*

47. For example, intoxicants were known to have been consumed by the offender and/or the victim shortly before 264 of 510 murders which occurred during 1966 in Chicago. Chicago Police Dept., Murder Analysis 1966, at 1. See Pittman & Handy, *Patterns in Criminal Aggravated Assault*, 55 J. CRIM. L. C. & P.S. 466 (1964).

substantially to relieve frustrations and it is often when they do that they lash out violently. Of course the wife, child, or other relative or acquaintance will receive the blow. Nonetheless one may well speculate as to whether the availability of alcohol as a release may mollify more difficulties than it causes.

A variety of alcoholic treatment services abound. The extent of the problem is widely known, but unfortunately its resolution is not. Court attached psychiatric clinics attempt to deal with offenders with drinking problems.⁴⁸ Most outside referrals by police, courts, and social agencies are made to Alcoholics Anonymous, which now has more than 400,000 members and 14,000 local groups in ninety countries.⁴⁹

"The only requirement for A.A. membership is a *desire* to stop drinking."⁵⁰ This "simple" membership policy coupled with the policies of continuous individual anonymity⁵¹ and of institutional nonaffiliation with other organizations results in an organization which "does *not* furnish initial motivation for alcoholics to recover, solicit members or try to persuade anyone to join."⁵² Thus, as a matter of fundamental policy based on considerations of personal and family privacy, initial and continuing contact with the group is the responsibility of the alcoholic.

An interesting lesser-known former adjunct of A.A. is the separate organization known as Al-Anon Family Groups.⁵³ Al-Anon is based on recognition of the fact that alcoholics usually are not born out of and do not exist in a vacuum. The causes and effects of alcoholism involve the family and friends of the alcoholic, and therefore Al-Anon members are those persons who have been or are "being deeply affected by close

48. Domestic relations discord, alcoholism, and sex offenses, were the causes of arrests and reasons for referrals at the top of our referral list. This is a change in the recent trends in respect to the fact that there were more alcoholic referrals than sex offense referrals. Domestic discord accounted for 974 referrals, sex offenses 691, and alcoholism as a primary reason for arrest, 825. When alcoholism as a secondary factor in the reason for arrest is added to the primary factor, there were 1,929 such cases.

The Psychiatric Institute—Cook County Circuit Court, 1966 Annual Report 5.

49. Alcoholics Anonymous World Services, *Is A.A. For You*, Mar. 1968 (pamphlet).

50. Alcoholics Anonymous World Services, *Alcoholics Anonymous in Your Community*, Aug. 1967 (pamphlet). (emphasis added).

51. Bill W., *A. A. Tradition—How It Developed* 11-20, Dec. 1967 (pamphlet).

52. Alcoholics Anonymous World Services, *supra* note 50. But although the quoted material states the traditional policy of A.A., this same recent pamphlet also states that: "A.A. members may call on the alcoholic who wishes help—although they may feel it is best for the alcoholic to request such help first." And the referral book being used by a demonstration project unit of the New York City Police Dept. (See note 73 *infra*) in referring to Alcoholics Anonymous states that it "provides ex-alcoholics who will reach out to the person suffering with alcoholism." Both statements are somewhat ambiguous but they may indicate a shift in policy away from the strict requirement that the alcoholic make the initial contact.

53. Al-Anon Background, April 1966 (mimeo).

contact with an alcoholic.”⁵⁴ Through A.A. type interchanges with others having had or presently having similar problems, insight into oneself and one’s relationship with the alcoholic are encouraged. Hopefully this insight will help the member not only to deal with his or her own burden, but also to help the alcoholic.⁵⁵

For referral purposes broader knowledge of the existence and goals of Al-Anon among police, courts, and social agencies would seem warranted. Although a drinker may refuse to admit his problem and thus fail to take the necessary initiative of seeking help at A.A. or other alcoholism services, his wife, particularly if she is the brunt of his abuse, will much more readily admit *his* problem, and seek help. Once confronted by the Al-Anon process, however, some undoubtedly will refuse to be a part of a group because “after all he’s the one who needs the therapy, not me.” Given the opportunity, however, others may recognize that through this somewhat indirect course, at least self, and perhaps spouse and thus family, can be salvaged.

VI. OFFICE OF ECONOMIC OPPORTUNITY MULTIPURPOSE NEIGHBORHOOD CENTERS

It is easy to point out some of the basic problems faced by significant numbers of poor people—inadequate education, poor mental and physical health, unemployment, exploitative credit practices, substandard housing, disorganized family life, isolation from the decision-making processes of society, and a sense of hopelessness. But the conditions of poverty are personal concerns because poor people are individual human beings. In order to eliminate poverty, communities must respond to these broad challenges with programs, services, and processes that recognize human diversity.⁵⁶

The Office of Economic Opportunity, created by 1964 War on Poverty legislation,⁵⁷ provides, among other things, funds and guidance for the creation of “community action programs” directed toward “but

54. Al-Anon Family Groups, *Al-Anon-Family Treatment Tool in Alcoholism*, Jan. 1968 (pamphlet).

55. Professor David Pittman has noted:

Al-Anon plays a vital role for those persons who are living as family members in a family unit with a practicing alcoholic, for the members of the family learn to cope with the problem of an alcoholic family member. I see this organization as being one of the bulwarks in a comprehensive community program to alleviate alcohol engendered problems.

Id.

56. O.E.O. Community Action Pamphlet, *The Neighborhood Center 1*, July 1966.

57. Economic Opportunity Act § 601, 42 U.S.C. § 2941 (1964), *as amended*, (Supp. II, 1966).

not limited to, employment, job training and counseling, health, vocational rehabilitation, housing, home management, welfare, and special remedial and other non-curricular education assistance for the benefit of low income individuals and families."⁵⁸ A community action program mobilizes and utilizes public or private resources within any appropriate homogeneous area⁵⁹ and "provides services, assistance, and other activities of sufficient scope and size to give promise of progress toward elimination of poverty or a cause or causes of poverty through developing employment opportunities, improving human performance, motivation and productivity, or bettering the conditions under which people live, learn and work. . . ."⁶⁰

Within the scope of the community action program concept, the O.E.O. has urged creation of multipurpose neighborhood centers. No standard blueprint for all such centers is provided because no two neighborhoods are exactly alike, but, rather, a combination of services chosen by the people of the area to be served and reflecting their special needs is suggested. The ultimate goal is that the center be an integral part of the neighborhood, where all relevant community resources are pooled and immediately accessible, where people will be helped in using their own resources as well as the available community ones, and where they "will want to go, not simply because they can get free medical treatment or legal advice, but because it is a comfortable, familiar, friendly, and exciting place to be."⁶¹ The O.E.O. multipurpose neighborhood center concept has obviously derived much from the settlement house approach.

Despite initial and central awareness of the center's need to be an integral part of its community, the recurring difficulty of communication and contact with those most needing the services offered became apparent quite early in the O.E.O.'s existence.

To inform the poor about existing agencies and service, the neighborhood center must first establish communication with its constituency. The usual methods of making contact—posters, radio, television, newspapers—are generally inadequate. The experiences of neighborhood centers have shown that there is no substitute for personal contact.⁶²

Obvious though this simple conclusion is, its implementation is extremely difficult. Such difficulty is the recurring obstacle to any kind of adequate community response not only to intra-family violence but to

58. 42 U.S.C. §§ 2785(a), 2786 (Supp. II, 1966).

59. 42 U.S.C. § 2782(a) (1) (Supp. II, 1966).

60. 42 U.S.C. § 2782(a) (2) (1964).

61. O.E.O. Community Action Pamphlet, *supra* note 56, at 1.

62. *Id.* at 2.

all of the social problems of the poor. A possible breakthrough is the acknowledgment of some of the relevant community resources of need for personal contact *at the instigation of the agency* in place of reliance solely upon the needy to make their specific problems known. Through employment of local residents, VISTA workers and local volunteers such an "outreach" is being attempted by O.E.O. For example, the O.E.O. centers in Chicago, termed "Urban Progress Centers," have utilized the services of block workers to periodically knock on doors and inform neighbors of the services available at the center.

Because services offered by an O.E.O. center are substantially the concern of local interests rather than federal authorities, they may differ greatly from place to place. "To determine the nature and extent of needs for family counseling service of people seeking assistance from Urban Progress Centers as well as a sound approach to meeting those needs," a study was made under the auspices of the Welfare Council of Metropolitan Chicago.⁶³ By sub-contracting with the Family Service Bureau and the Family Welfare Department of the Salvation Army, experienced caseworkers were assigned to two Urban Progress Centers for a period of six months *following their opening*.⁶⁴ On the basis of *those persons coming to the Center seeking family related counseling during these opening months*, the Summary Report of the Family Casework Service Project in Urban Progress Centers concluded :

Though family counseling services are generally in short supply in the community, the findings of this Project do not indicate that development of family casework treatment components per se in the Centers is a goal which should be urgently pursued at this time.⁶⁵

The considerations prompting this unusual conclusion are vaguely listed in the Report as follows :

- a. The nature and value of the needs and problems identified by the Centers ;
- b. The shortage of professionally trained manpower ;
- c. The potentials for further developing the skills and abilities of Center staff through supervision and training ;
- d. The potentials for developing a meaningful working partnership between the Centers and social agencies.⁶⁶

63. Welfare Council of Metropolitan Chicago, Summary Report of the Family Casework Service Project in Urban Progress Centers i (Publication No. 1018) (pamphlet).

64. *Id.* at 1.

65. *Id.* at 9.

66. *Id.* at 9-10.

This short-sighted conclusion, founded on wholly insufficient data, makes the Urban Progress Center, with respect to domestic disputants, into little more than another diagnostic and referring agency in the already long line. Referral *out* of the neighborhood multipurpose center would seem by definition to defeat, or at least reduce, its *raison d'être*.

Nonetheless, the potential for contact and treatment of the domestic disputant exists within the concept of the O.E.O. center and merely waits understanding implementation. The Center is a vehicle which attempts to combine the contact, comprehension and confidence approaches of the settlement house for communication with those in need with the dominant purpose and casework approach of the family service agency. It has administrative advantages which project both the contact and treatment potential beyond that of either the settlement house or family service agency, such as: greater accessibility to federal funds for financing the program and, therefore, the capacity to extend localization of services and employment of indigenous personnel; the ability to deal with many problems of the same individual or family at the same time and place through coordination of services offered and inter-referral because of *concentration* of many services in convenient places; and the greater involvement of local residents in the center's administrative and policy-making decisions.

As previously noted, one important failing in the policy and practice of most community resources, with the exception of the police, is their unavailability at night, on holidays, and on weekends for crisis intervention. The majority of domestic disturbances occur during these non-work hours since that is when most disputants are together. Also as previously noted, temporal and spatial proximity to the conflict serve positive functions in corrective methodology. The O.E.O. Center might be an excellent vehicle to supplement and, in some appropriate cases, replace the police in around the clock crisis intervention.⁶⁷

CONCLUSION

Here were people, tier upon tier of them, living in the five—and six-story flats confronting each other across a city street. Somewhere else—downtown, on other streets—were institutions set up to care for welfare, whose presence to care for people in trouble enables solid citizens in some measure to

67. Some patrolmen have seen the value to *them* of the Urban Progress Center as a comprehensive place to refer the multitude of people with diverse problems with whom they have contact daily. But a policy determination and implementation of such a liaison between police and the neighborhood centers, *at least* for such simple referral purposes, is essential for the function of a knowledgeable, consistent, and meaningful referral system.

rationalize away the wreckage of an acquisitive society. Did the two—the troubles of people and the agencies set up to help people cope with their troubles—actually meet?⁶⁸

A 1946 study conducted in quest of the answer to this question found such connections to be startlingly “meager.”⁶⁹ Today, despite the increased activity of older agencies, the establishment of new agencies, decentralization of some agencies, and even partial recognition of the contact problem, the answer to that question remains identical. For the population has boomed and economically, educationally, and emotionally deprived blacks and others have migrated to our large metropolitan areas; the ugly shadow of the high rise, low income public housing project has dwarfed the problems of the old tenement; and the disparity between the haves and the have nots has been recognized as never before by the latter. That the problems of the poor and deprived have far outdistanced gains made by community resources to meet such needs is beyond question.

Disregarding the critical problem of financing, once an agency becomes motivated to treat the problems of domestic disputants, the initial and most troublesome issue is making contact. Traditional reliance on client initiative may to some extent be realistic with respect to a middle class disputant, but it is entirely misplaced and largely ineffective with respect to the poor, given their vastly different circumstances and psychology. Furthermore, while an alcoholism service *could* achieve contact with some drunks by simply combing the streets for them because their condition is often on public view, such ease of contact is usually not the case with respect to domestic disputants since their squabbles usually occur in the privacy of a home.

We have seen that relevant agencies appear to be cognizant of the contact problem. Many are attempting to resolve it by reaching out to and increasing their understanding of those in need. This process may consist of such techniques as decentralization of facilities, having workers move into the neighborhoods to be served, employment of indigenous aides, field visits, emergency services, and use of advertising media. Undoubtedly greater use of these techniques is necessary; and the imagination to create improved techniques is essential.

But in the final analysis the knowledge that a problem exists in a particular family still usually depends on a disputant bringing the problem to the attention of the outreachers. Have the poor and ignorant been suffering their family problems in silence all these years? Or has an out-

68. E. Koos, *supra* note 1, at viii (Lynd preface).

69. *Id.*

reacher been with us all along gathering information which has not been put to its fullest use? One conclusion of the 1946 study quoted at the outset of this section was that "a vast array of human trouble [exists] largely untouched by any and all of the resources for help set up by society."⁷⁰ This is still undoubtedly true, but as is so often the case the actual and potential role of the *police* as a resource relaying "help set up by society" to those in need of it has been ignored.⁷¹ If contact with those

70. *Id.* (emphasis added).

71. The National Advisory Commission on Civil Disorders has recognized the value of utilizing the "service" function of the police on many fronts including marital disputes:

The Commission believes that police cannot, and should not, resist becoming involved in community *service* matters. There will be benefits for law enforcement no less than for public order.

First, police, because of their 'front line position' in dealing with ghetto problems, will be better able to identify problems in the community that may lead to disorder. Second, they will be better able to handle incidents requiring police intervention, particularly marital disputes that have a potential for violence. How well the police handle domestic disturbances affects the incidence of serious crimes, including assaults and homicides. Third, willing performance of such work can gain police the respect and support of the community. Finally, development of nonadversary contacts can provide the police with a vital source of information and intelligence concerning the communities they serve.

REPORT OF THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS 167 (1968). (emphasis added).

[Pertinent to the Riot Commission's interest in the police response to intra-family violence is the fact that the New Jersey Commission on Civil Disorders "investigating the Newark riots of the summer of 1967 has found that most complaints of police brutality arise out of incidents that began as family disturbance calls and that these civilian complaints were on the increase before the outbreak of the riot." Bard & Berkowitz, Family Disturbance As A Police Function 5 (presented at the 2nd National Symposium on Law Enforcement Science and Technology conducted by the Law Enforcement Science and Technology Center, I.I.T. Research Institute, Chicago, Illinois, April 18, 1968, to be published in the Proceedings of the Symposium) (mimeo).]

Cited by the National Advisory Commission on Civil Disorders (*supra* at 167) as a program of special interest to improve police performance of the "service" function is the New York Police Department's experimental Family Crisis Intervention Unit. The project is the brainchild of Dr. Morton Bard and Dr. Sydney Berkowitz of the Psychological Center of The City University of New York, both of whom have prior vocational police experience. In cooperation with the New York City Police Department, and with the support of the Office of Law Enforcement Assistance of the Department of Justice (Training Grant No. 157), the Psychological Center undertook the training of this specialized police unit for a two year period beginning May 1, 1967.

The major objective of this project is to demonstrate the crime preventive and preventive mental health possibilities inherent in training police as specialists in family crisis intervention. The methods employed in the demonstration rest upon theoretical formulation in community psychology generally and upon technical advances in crisis intervention and utilization of subprofessional mental health workers [the police] in particular. The project emphasizes crime prevention as it seeks to forestall assault, homicide, and suicide, which are frequent consequences of family violence.

Bard & Berkowitz, *supra*, at 6. This project has not as yet been described in the *legal* literature. The demand for innovation in meeting the present social crisis in the United States requires that this highly imaginative program be at least briefly described here:

(1) Preparatory Phase. Nine white and nine black policemen, with a minimum of

most in need of their services is desired by specifically relevant community agencies why not make use of a generalist agency existing in every city

three years experience, were selected from a total of forty-five volunteers on the basis of interest, motivation and aptitude for family crisis intervention. The eighteen men were given a month of special training which was concluded with three specially written family crisis plays, enacted by professional actors, in which the patrolmen intervened in pairs. "The plays were written without conclusion: the outcomes were improvised by the actors in response to the behavior of the policemen. The value of the experience was to enable the men to see how different interventions could produce different outcomes." Bard & Berkowitz, *The Community As Laboratory: Exploring Psychoanalytic Concepts 3* (presented at the Fourth Annual Conference of the Adelphi University Institute of Advanced Psychological Studies, *Psychoanalytic Contributions to Community Psychology*, to be published in the Proceedings) (mimeo).

(2) Operational Phase. The men were assigned to the Thirtieth Precinct, a multi-racial area of West Harlem. They are divided into nine biracial teams which are separated into three groups. Each six-man group works a different eight hour watch. One team mans a radio car each eight hour watch and is dispatched to *all* complaints in the entire precinct which can be predetermined to involve "family disturbances." Although when not responding to "family disturbances" the unit car performs normal patrol functions, it is not responsible for any designated sector and thus when responding to a family call the officers can expend all the time they deem necessary to adequately deal with the situation, without the pressures that a regular patrolman might feel to get back to the "more important business" of aggressive patrol in his assigned sector. The other two teams, also on duty during each watch but not manning the unit car, provide backup assistance in case of multiple calls at the same time, so that all family disturbance calls in the precinct are handled by unit personnel around the clock and throughout the entire demonstration period. "On each family intervention a report is completed and filed according to address in the unit car, thus enabling responding officers to determine if a family about to be visited is already known to the unit and to note previous actions and recommendations." United States Dept. of Justice, Office of Law Enforcement Assistance, *Grantee's Quarterly Progress Report 2*, Apr. 20, 1968 (mimeo).

An interesting facet of the project is continuous in-service training. Each six-man group appears one day each week at the Psychological Center for group discussion under professional leadership and for individual debriefing with an advanced doctoral student in clinical psychology. "The intent of the discussions is to increase sensitivity and provide continuous review of intervention techniques." *Id.*

(3) Evaluation Phase. To facilitate evaluation, a neighboring police precinct (the Twenty-fourth) with a similar population serves as a basis for comparison. Comparisons of such variables as rates of family disturbance calls, recurrence of complaints by the same family, homicides and serious assaults within and outside of families, injuries to policemen in responding to disturbance calls, and complaints of police mistreatment will be attempted. After a year of operations some *signs* of the effects of the project are quite encouraging: responses of those served and requests for service at the stationhouse indicate that the effective discharge of the units' duties is having a positive effect upon community attitudes toward the police; despite the highly sensitive and highly emotional character of family intervention, no member of the unit has had a complaint made against him for improper performance of his duty; despite the recorded high hazard involved in family crisis intervention, not a single injury has been sustained by a member of the unit in handling a family disturbance although three regular patrolmen in the Thirtieth and Twenty-fourth precincts were injured responding to family calls during the same period. *Id.* at 4-5.

This program is not intended to convert the police officers into a social worker or psychotherapist. The project is an attempt to demonstrate a method of increasing the effectiveness of the policeman in a characteristic police role. This is laden with import for community and family mental health. Given the knowledge and skills consistent with his function, the policeman's efficiency may be improved, lives saved, and families preserved.

Bard & Berkowitz, *Training Police as Specialists in Family Crisis Intervention: A Community Psychology Action Program*, 3 *COMMUNITY MENTAL HEALTH J.* 317 (1967).

which daily learns of countless instances of isolated and repeated family crises as well as innumerable other social problems of interest to specific agencies? Police do in fact frequently refer persons to community resources. However, at present the utilization of police contact and its effectiveness depend solely on the initiative, knowledge, and untrained ability of the individual officer.⁷² The officer should be encouraged to make referrals and instructed in interview techniques to accurately pinpoint common problems. A small but comprehensive, fully indexed and briefly summarized file of community resources should be readily available to him on patrol. In addition, he should be instructed in the most effective way of suggesting referral so as to produce the highest rate of subsequent contact.⁷³

Police contact could also be used to refer agencies to disputants.⁷⁴ This, of course, would produce the highest number of contacts. But does a confidential relationship exist between the police and the complainant? It never has. It would seem no right of privacy would be violated; nor would a nuisance be created by phone calls or knocks on the door or other attempts to communicate, at least so long as the contacts were not repetitive and unduly persistent. Any objection that the followup of a call for police service would restrain disputants from invoking the essential

72. Parnas, *supra* note 3, at 933-35.

73. *The Commission recommends* the establishment of guidelines covering, at a minimum: "[T]he handling of minor disputes—between husband and wife. . . . Guidelines should cover resources available in the community—family courts, probation departments, counseling services, welfare agencies—to which citizens can be referred." REPORT OF THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS 164 (1968).

New York's Family Crisis Intervention Unit car (see note 71 *supra*) carries a complete resource file of the *closest* community agencies available for referral. In setting up the file, the project contacted the agencies listed in advance to inform them of the Unit, obtain their cooperation, and to secure the name of an individual at each agency so that referrals can be given a more personal touch. A referral slip is provided by the Unit officer to the referree. Referral follow-up forms are provided to referral agencies so that the project can attempt to tabulate whether contact is made, when, by whom, and what disposition is made (but thus far the agencies, complaining of manpower shortages, have failed to report back in sufficient numbers for meaningful evaluation). Referral patterns in the Unit precinct have clearly been broadened—eighty-five per cent of the referrals by the comparison precinct are to courts whereas only about forty-six per cent of the Unit's referrals are to courts. "[T]he project is clearly establishing itself as an unusual 'case-finding' facility in preventive mental health terms. *It may, though, require provision of other than the traditionally available agency structures to take advantage of the early detection inherent in the approach.*" United States Dept. of Justice, *supra* note 71, at 8. (emphasis added).

74. Two indications of this procedure are noted in the Family Crisis Intervention Unit resource file. The Youth Service Center entry reads, "If it does not seem likely that the client will make contact on his own, make a note to this effect on the referral form and the Youth Board will get in touch with the family." An entry for a social worker at the Psychological Center is also contained in the file under the Mental Health tab. This entry indicates that the social worker will call the family "where officers decide that she can be of help in the motivation of the family to come into the Psychological Center" and that she will "in limited instances . . . make home visits."

police contact would ring true with respect to perhaps a few persons; however, the force of such an objection is blunted by the fact that at present the police are called so frequently for such personal matters despite supposedly widespread ghetto hostility and animosity.⁷⁵ When one is being physically threatened or harmed one calls out to anyone who might help and usually only the police are available. There may be superficial problems raised by this approach, perhaps stemming from its novelty, but there seems to be no reason why such a procedure could not be attempted in some form.

Both methods *require* communication, understanding, and cooperation among police and social agencies in policy making and implementation for optimum results. If the complex problems of our inner cities are to be alleviated, the informational contact facility of the patrolman must be fully tapped and used; his supportive function and potential must be emphasized and exploited; and interagency duplication, lack of cooperation, and hostility must be abolished.⁷⁶

75. Nowhere on the contemporary scene is there a potentially more volatile confrontation than exists between police and residents of the urban ghetto. Undercurrent in this confrontation is a subtle paradox: while police symbolize all that is feared, envied, and hated, they are also the first to be called upon for help in the event of sickness, injury or trouble. When there is trouble in the ghetto family, it is often those who are most hated and feared to whom the troubled family turns for help.

Bard & Berkowitz, *The Community As Laboratory: Exploring Psychoanalytic Concepts*, *supra* note 71, at 2.

76. Parnas, *supra* note 3, at 958 n.157.