



The Negative Impact of Dual Arrest and Intimate Partner Violence

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History of Intimate Partner Violence (IPV)

- Prior to 1960's: IPV condoned
(Bacham & Coker, 1995; Mills, 1999)
- 1960's: Advocates for battered women speak out
(Dasgupta, 2003; Fagan, 1996)
- 1970's: Hands-off policy (Fagan, 1996)
- 1980's: - Minneapolis Domestic Violence Experiment
(Sherman & Berk, 1984)
- Law Suits (Bohmer et al., 2002)
- 1990's: - VAWA (Dasgupta, 2003)
- Family Protection and Domestic Violence Act
(Haviland et al., 2001)
- Mandatory Arrest Laws (Goodmark, 2004)
- Mandatory Prosecution (Carlson & Nidey, 1995)

Backlash of Policies: Increase in Dual Arrests

Table 1. Increased Arrest Rates of Battered Women Since the Advent of Mandatory/ Preferred Arrest Laws

Authors	Increase?	
	Single Arrests	Dual Arrests
Chesney-Lind (2002)	Yes	Yes
Hamberger & Potente (1994)	Yes	Yes
Henning & Feder (2004)	--	Yes
Klein (2004)*	Yes	Yes
Martin (1997)	--	Yes
Miller (2001)	Yes	--
Swan & Snow (2002)	Yes	--

*Klein (2004) estimates that the overall increase in erroneous arrests of battered women averages 25-35% nationwide since the advent of mandatory/preferred arrest laws.

Note. Dashes indicate the arrest rate was not estimated.

Backlash of Policies: Increase in Dual Arrests of Victims

Table 2. For Every IPV Arrest, How Many Are Female Primary Perpetrators?*

Author(s)	Number of Women Out of All IPV arrests	Number of Women Arrest Actually Primary Perpetrators
Henning & Feder (2004)	17 out of 100	--
Henning, Renauer, & Holdford (2006)	13 out of 100	range of 1-5 out of 100 (using classification scheme)
Henning & Renauer (2005)	17.5 out of 100	7 out of 100 (successfully prosecuted)
O'Dell (in press)	--	Average 3 out of 100 (informal observations)
Swan & Snow (2002)	20 out of 100	Range 2-5 out of 100 (using classification scheme)

*Best-estimate averages from findings above: 3-5% of all IPV arrests are of actual female primary perpetrators. One-half to three-quarters of female IPV arrests are erroneous.

Note. From *Battered Women Arrested for Domestic Violence* by K. McCloskey, (2005, August), Paper presented at the meeting of American Psychological Association, Washington, D.C.

Dashes indicate that arrest rate was not estimated.

Why the Increase in Dual Arrests?

- Manipulative Behavior of Batterers
(Bohmer et al., 2002; Miller, 2001)
- Criminal Justice System Response
 - Profile of 'domestic violence victim'
(Haviland et al., 2001; Martin, 1997)
 - Profile of 'dual arrest victim'
(Finn et al., 2004; Martin, 1997)
 - Police views of IPV and IPV policies
(Finn et al., 2004; Hartman & Belknap, 2003; O'Dell, in press)
 - Lack of proper education and training on IPV
(Finn et al., 2004; Martin, 1997; Miller, 2001)



Consequence of Dual Arrests

- **Batterers Maintain Control** (Humphries, 2002)
- **Employment** (Humphries, 2002)
- **Financial** (Humphries, 2002)
- **Mental Health** (Hamberger & Potente, 1994)
- **Family** (Dutton & Goodman, 2005; Goodmark, 2004)
- **Legal** (Abraham, 2001; Goodmark, 2004)



Implications

- Guidelines on proper protocol during IPV scenes
- Impact of research on legislation
- Proper education
- Batter treatment programs for victims of IPV

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