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PRAXIS INTERNATIONAL BUILDING BLOCKS TRAINING WEBINAR SESSION

*Best Practices for Law Enforcement Response To Domestic Violence*  
With Marcus Bruning, Retired Deputy Sheriff, St. Louis County, MN

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**Best Practices for Law Enforcement  
Response to Domestic Violence**

Marcus Bruning,  
Retired Deputy Sheriff, St. Louis County, MN

Wednesday, April 16, 2014

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**Welcome!**

- If using audio only:
  - Email comments to [maren@praxisinternational.org](mailto:maren@praxisinternational.org)
- If using computer:
  - “Chat” comments or questions to group via **Public Tab** on screen – TEST CHAT NOW
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### The Changing Role of Law Enforcement

- Who are the players?
- Victim
- 911
- LAW ENFORCEMENT
- Advocacy
- Emergency Medical Services
- Jail

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### Who are the Players?

- Prosecutor (Conditions of Bail)
- Release Agent / Probation
- Social Services (Child or Vulnerable?)
- Now Who?
- Civil proceedings?
- How about the trial and beyond?

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### Who are the Players?

- Prosecutor
- Defense?
- Judge / Jury
- Probation (sentencing)
- Treatment Programs

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## My Responsibility

- Paradigm shift
- What do I need?
- What do others need from me?
- I am not only responsible for my own role
- I now take responsibility for the case
- Not today's incident but the "incident" in the eyes of the victim

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## Questions?

Chat in questions or comments...

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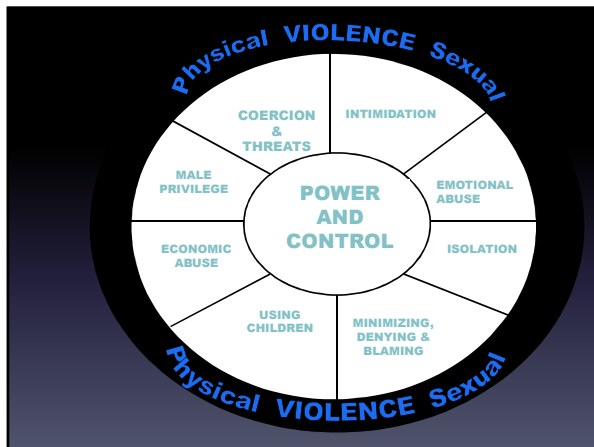
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## Officer's Use Of Force

The Test:

- Did the officer use force to protect themselves or another from imminent bodily harm?
- Was the force used, reasonable? (for them)
- Graham v. Connor

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## A New Way of Looking at Violence

- Is the focus on physical signs of injury?
- Or reasonable use of force?

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## Self Defense Test

- Did the subject use force to protect themselves or another from imminent bodily harm?
- If so, was the force they used reasonable?

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## Women's Use of Violence

- Intent
- Effect
- Outcomes
- What makes it different?
- Hierarchy
- Belief Structures

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## Predominant Aggressor

- Custodial Issue Only
- Only utilized when both players fail the Self - Defense Test

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## What if...?

- We don't get it?
- We underestimate the seriousness?
- Short-Shift the report?
- We take the easy way out?
- We drop the ball?

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## Questions?

Chat in questions or comments...

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## Victim Engagement

- Why do we need to keep the victim involved?
- Do we need to?

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### What do we know about domestic violence that makes continuous victim engagement so important?

- ❖ DV is a patterned crime.
- ❖ Rarely resolved with the 1st intervention
- ❖ Most interventions focus on single DV incident
- ❖ Usually part of a pattern of coercion, intimidation, use or threat of violence
- ❖ Battering is a continuing set of violent actions committed over time
- ❖ Interventions look different



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Victims' Needs from the Criminal Justice System:

- ❖ Timely Help
- ❖ Help that won't increase danger to victim
- ❖ Some degree of control
- ❖ Explanation of criminal justice process
- ❖ Honesty
- ❖ Continued support throughout the process
- ❖ Swift and appropriate justice
- ❖ To be heard
- ❖ Help for the offender



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*This May Be Our Only Chance To Reach The Victim!*



What can we do to get them in to the lifeboat?

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Effective Engagement = The Victim Believes That...

- ❖ Intervention will counteract the batterer's power.
- ❖ We understand the reality of living with battering.
- ❖ System partners are working together.
- ❖ We are there to help no matter how long it takes.



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**Effective victim engagement by patrol officers and investigators...**

Sets the tone for all future contacts with the criminal justice system. In the words of one investigator:

*"If I treat her with respect and let her know I'm concerned the first time I meet her, when it happens again she is more likely to take my call, or even call me. If I get frustrated and angry because I need her in order to get him and I throw up my hands, saying 'fine, you want to live that way, go ahead,' then I'm just one more person slapping her in the face."*

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**Risk and Lethality:**

Showing the prosecutor, judge, jury, probation officer the full story...

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*Asking victims for the whole picture*

- This incident is perhaps the tip of the iceberg or it may be the whole story (we recognize that not every case is part of a pattern!)
- Most of what the victim is going to tell us will come out just after an incident...so we need to ask the right questions.

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**Risk Factors: Acts or threats of violence associated with risk and lethality:**

- Stalking
- Strangulation
- Threats to kill the victim
- Threats to kill that the victim believes
- Threats to kill that are conveyed to others
- Threats of suicide
- Forced sex or pressuring for sex when separated
- Serious injury
- Carries, has access to, or threatens to use a weapon

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**Risk Factors (cont.)...**

- Violence outside the home (in public)
- Aggression towards interveners
- Animal abuse or killing of pets
- Damages victim's property
- Violence when victim is pregnant

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**Risk is higher when accompanied by:**

- Increase in frequency, severity or type
- Frequent use and/or impairment by drugs or alcohol
- Victim attempting a permanent break
- History of estrangements, separations, and reunions
- Failure of prior interventions
- Victim who stays despite severe abuse
- Abuser is controlling and/or jealous
- Abuser has mental health issues

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## Assessing Risk and Lethality

- Law enforcement's role
- How do we quantify that "gut feeling?"
- How do we paint the full picture for prosecutors, judges, probation?...

*Information about context and severity can have a profound impact on prosecution.*

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## Report Example:

"Officer Jones and I met the victim. She told me her boyfriend, John Doe, accused her of cheating on her and they started to argue. During the argument he pushed her and caused a scratched her on her arm from the doorway. He also threw a picture frame at her and she had to jump out of the way. I saw a small scratch on victim's arm. Off. Tim arrived and took photographs."

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## Impressions? (Raise Your Hand)

- Will this case get charged?
- Will bail be set?
- Will the suspect be held accountable?
- What in what more might we want to know...

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### Three Risk Questions

- (1) Do you think he/she will seriously injury or kill you, your children, or someone else close to you?  
- What makes you think so? (or, Why not?)
- (2) How frequently does he/she intimidate, threaten, or assault you?  
- Is it changing?  
- Is it getting worse? Is it getting better?
- (3) Describe the time you were most frightened or injured by him/her.

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### **Excerpt from St. Paul Police report:**

"I asked [the victim] the Blueprint questions. She said she and [the suspect] have been together for 17 yrs. and have 2 children together. She said the physical abuse started about 2 yrs ago. The time she was most afraid was last Christmas when he punched her so violently it left a scar on her cheek. That's when she tried to leave him. He would not accept her leaving. She says the violence is getting worse and she believes he will seriously injure or kill her. He follows her when she goes out. Two days ago he attempted to pour boiling water on her and told her if she called police he would go after her family."

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Is this different from the type of police reports you typically see in DV cases?

Chat in...

- How will having this information impact the case as it moves forward?
- How will having this information impact the bail hearing?

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### Let's consider...

- What risk factors are present?
- How can this additional information impact the case?

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### Chat it in...

- How do we shift the burden for holding the offender accountable from the victim to the Criminal Justice System?

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### Importance of a Well-Written Report

- Multiple readings and uses of the report.
- Documentation in domestic violence incidents.

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### Multiple Uses of a Domestic Violence Report



- Report is used by many different groups.
- Report information is used for many different purposes.

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### The Standard

- Members of the TEAM who were not on the scene must be able to read your investigative report and complete their job as if they were actually on scene.

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## Questions and resources:

### ❖ Contacts:

- Marcus Bruning, [marcusbruning@gmail.com](mailto:marcusbruning@gmail.com)
- Denise Eng, Praxis International Blueprint for Safety Program Manager, [denise@praxisinternational.org](mailto:denise@praxisinternational.org)

### ❖ Resources:

- Blueprint for Safety *Best Practice Assessment Guide*  
[http://praxisinternational.org/blueprint\\_materials.aspx](http://praxisinternational.org/blueprint_materials.aspx)
- Praxis International *St. Louis County Sheriff's Manual*  
<http://files.praxisinternational.org/sheriffhandbook.pdf>

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