



NIJ Studies: Spouse Assault Replication Program:
Studies of Effects of Arrest on Domestic Violence

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Table of Contents

Introduction.....	1
Methodologies of the Studies.....	1
Findings of the Studies.....	1
Critiques of Studies.....	2
Summary.....	2
References.....	5
In Brief.....	6
Minneapolis Domestic Violence Experiment.....	6
Replication studies.....	6
Results.....	6
Criticisms of the studies.....	7
Overall summary.....	7



Introduction

The Spouse Assault Replication Program, sponsored by the National Institute of Justice, attempts to replicate Sherman and Berk's 1984 Minneapolis Domestic Violence Experiment. Their study was the first to employ randomization to compare the effectiveness of different police responses to domestic violence. They found, according to victims' and official reports, that arrest for misdemeanor domestic violence was almost twice as effective as other police actions in reducing repeated violence. Their study received a great deal of attention and influenced public policies.

After detailed analysis of the Minneapolis study, criticisms began to emerge. Some of the criticisms related to selection of cases, low level of participation by police officers, and possible lack of follow-through in truly randomizing the police responses.

The replication studies were conducted in Omaha, Charlotte, Milwaukee, Metro-Dade (Miami, Florida area), Colorado Springs, and Atlanta from 1985 to 1990 to determine whether the Minneapolis study's results could be reproduced in other settings. To date, results from all the studies except Atlanta have been made public.

Methodologies of the Studies

All the studies dealt with cases in which there was probable cause for a misdemeanor arrest, but the studies varied somewhat in selection of cases. For example, in Omaha, the parties involved must have lived together for some part of the year preceding the incident, and there had to be no warrant on file for the abuser. The Charlotte study excluded cases where victim wanted an arrest, where the police thought arrest was necessary to ensure safety of victim, or where a restraining order or warrant had been issued. In the Metro-Dade study both the victim and the abuser had to be present when police came. In Colorado Springs, unlike other settings, only 38% of cases involved an assault.

In each study, cases were randomly assigned to a variety of responses (see Table I). The Omaha study included a sub-study on effects of issuing a warrant for offenders who were absent when the police arrived. In Milwaukee, police were required to warn the couple that if they were called again, they would have to make an arrest. In Charlotte, police frequently "advised" the couple along with other randomized responses, and one police response consisted of issuing a citation for the offender to appear in court. In Colorado Springs, three out of four officer options included issuing emergency protective orders.

The consequences of arrest also varied. In Charlotte fewer than 1% of the abusers who were arrested spent any time in jail, and abusers who were jailed averaged 9.4 hours in jail. In the Metro-Dade study, the average time an abuser was held in jail after arrest was 14.6 hours. Rates of prosecution of abusers varied from 1% to 35%. In Milwaukee, 5% of the offenders were charged, and 1% were convicted.

Findings of the Studies

The studies vary greatly in the types of outcome measures used (see Table I). A simplified summary of the results suggests that, while arrest was sometimes related to an initial deterrent effect, it often faded by the end of one year. In Omaha, Charlotte, and Milwaukee, arrest was

not more effective than other options in reducing recidivism by abusers. In Metro-Dade and Colorado Springs, arrest had deterrent effects according to victim data but not according to official arrest reports. In Omaha issuing a warrant when the offender was absent was a deterrent. There are indications in some of the studies that arrest was a deterrent only for offenders who were employed.

Critiques of Studies

The major criticism of the studies is that they fail to take into account the context in which arrest takes place. The studies did not include the cultural background of the couples, what might have occurred between the couple before the call, the behavior of police during the call, or the consequences of arrest. Previous histories of offenders were not consistently analyzed. For example, in Charlotte, 69.4% of the offenders had previous criminal histories, so being arrested again might not have had much effect on them. The studies also could not measure the effects of police coming to victims' houses during a violent incident. Police arrival interrupts ongoing violence and may give victims time to escape or get in touch with help.

In several of the studies, arrested abusers spent little or no time in jail. Few arrested men were prosecuted or found guilty, and the reports did not include information about whether any offenders were involved in court-ordered batterers treatment. Although some studies mentioned that police gave out victim information cards, there was no analysis of the types of formal or informal support that the victims received. These studies were clearly not focused on coordinated criminal justice responses to domestic violence.

Other limitations of the studies include the failure to take into account the effects of the different police options used. For example, in Colorado Springs, the issuance of emergency protective orders might have confused the results. In Milwaukee, warnings from police might have frightened victims away from calling for further help.

Summary

These replication studies did not show that arrest definitely deters future violence by all types of domestic abusers. However, looking only at arrest and only at levels of repeated violence is an oversimplification. Recidivism is an inadequate measure of the effects of arrest. It is important to look at victims' perspectives on police interventions and at the message that arrest (or failure to arrest) gives to the victim, the abuser, their children, and to the community. The results of giving this message may not be immediately measurable. Since no alternative intervention by police has been consistently shown to be more effective than arrest, arrest for domestic violence seems morally correct. It treats domestic violence as a serious crime that is comparable to other crimes.

Table I: Published Spouse Assault Replication Program Studies: Interventions and Findings

Site	Police Options	Scope	Findings	Follow-Through & Offender Characteristics
Omaha, NE	1. Arrest; 2. Separation by forcing offender to leave or convincing victim to leave; 3. Mediation; Random assignment to compare effects of warrant issuance if offender absent at police arrival.	Covered whole city; only certain police shifts.	Arrest related to fewer assaults w/ in 6 mos.; w/in 1 yr. arrest related to same level of recidivism as non-arrest; when offender absent at police arrival & received warrant, recidivism was lower according to official & victim interview data* ; unemployed suspects more likely to reoffend than employed.	Mean jail time following arrest was about 16 hours. 65% offenders previously arrested, 64% offenders sentenced to jail, probation or fines.
Charlotte, NC	Excluded cases where victim insisted on immediate arrest (42% of the cases); 1. Advising & sometimes separating; 2. Issuing citation for offender to appear in court; 3. Arresting offender at incident.	All cases in city.	Official reports show arrest not a deterrent at 6 mos.; victim reports at 6 mos. show arrest & citation were deterrents but at 12 mos. the citation response was related to the most recidivism.	Only 1% offenders convicted & jailed; 69% of offenders had previous criminal histories; abuser's prior criminal history related to rate of recidivism; 35.5% offenders with citation or arrest were prosecuted; less than 1% were jailed.
Milwaukee, WI	1. Full arrest; 2. Short arrest; 3. Warning message that if	4 poor districts in city.	Repeat violence lower for arrested offenders w/in 6 mos., same w/in	5% offenders charged with a crime and 1% convicted.



	police return someone will go to jail.		11 mos., & higher between 11-18 months (source of data unclear--whether official data or victim interviews at 6 mos.); full arrest (12 hrs. jail & \$250 bail) slightly greater deterrent than short arrest (3 hrs., no bail). Researchers conclude arrest did not deter the unemployed.*	
Site	Police Options	Scope	Findings	Follow-Through & Offender Characteristics
Metro-Dade, FL	Stage 1: Random assignment to arrest; Stage 2: Random assignment to Safe Streets Unit follow-up intervention (detectives visiting homes).	Initially included only married couples, then expanded to cohabitants.	Victim interviews and official data indicate less recidivism for arrested offenders at 6 mos.; victim reports at 6 mos. indicate less recidivism for employed suspects.* Assignment to Safe Streets Unit follow-up intervention related to somewhat less recidivism.	Average suspect spent 14.6% hours under arrest.

Site	Police Options	Scope	Findings	Follow-Through & Offender Characteristics
Colorado Springs, CO	1. Emergency protective order & arrest of suspect; 2. Emergency protective order & crisis counseling for suspect; 3. Emergency protective order; 4. Restoring order at the scene.	Only 38% of cases involved an assault; 54% were harrassment.	Police data shows light deterrence for employed abusers. Victim interviews show arrest as deterrent.	7% of victims & 24% of suspects were in the military.

*Bold print indicates findings have been reported as statistically significant.

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In Brief

- Sponsored by the National Institute of Justice.
- Attempts to replicate the Minneapolis Domestic Violence Experiment (Sherman and Berk, 1984).

Minneapolis Domestic Violence Experiment

- Employed randomization to compare the effectiveness of different police responses to domestic violence.
- Findings: arrest was almost twice as effective as other police actions in reducing recidivism.

Replication studies

- Done in Omaha, Charlotte, Milwaukee, Metro-Dade (Florida), Colorado Springs, and Atlanta from 1985 to 1990.
- All dealt with cases in which there was probable cause for a misdemeanor arrest.
- Studies varied somewhat in police responses used and in consequences of arrest.

Results

- Some studies showed an initial deterrent effect of arrest, but it often faded by the end of one year.
- Omaha, Charlotte, and Milwaukee: arrest was not more effective than other options in reducing recidivism by abusers.
- Metro-Dade and Colorado Springs: arrest had deterrent effects according to victim data but not according to official recidivism data.
- Omaha: issuing a warrant when the offender was absent was a deterrent.
- Some of the studies indicate that arrest was a deterrent only for offenders who were employed.

Criticisms of the studies

- Fail to take into account the context in which arrest takes place.
- Studies were clearly not focused on coordinated criminal justice responses to domestic violence.
- Fail to consider moral issues and message that arrest gives to everyone involved, including children.

Overall summary

- No police intervention has consistently been shown to be more effective than arrest.

This *In Brief* highlights issues discussed in a longer document created by Arlene Weisz and is available through your state domestic violence coalition.

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