Police Arrest Decisions in Heterosexual and Same-Sex Intimate Partner Violence Scenarios

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Intimate partner violence (IPV) is a pervasive problem that affects sexual minority (SM) and heterosexual populations. The frequency of IPV among SM populations is as common or more prevalent than heterosexual couples (Edwards, Sylaska, & Neal, 2015). For example, nearly 30% of lesbian women and 16% of gay men have experienced severe physical violence perpetrated by an intimate partner (Walters, Chen, & Breiding, 2010). Despite high prevalence of IPV among SM populations, estimates suggest less than half of the incidents are reported to law enforcement personnel (Kuehnle & Sullivan, 2003).

In recent years, criminal justice and social service strategies have been identified to help mitigate survivor trauma, increase suspect apprehension, and facilitate IPV case processing. Additionally, federal legislation has produced more progressive law enforcement responses to heterosexual IPV (Freedman, 2002), however, SM IPV has been left relatively unaddressed (Dicker, 2008). This is problematic as police responses to SM IPV may be affected by negative attitudes such as homophobia and IPV myth adherence. To date, few empirical studies have examined police perceptions of and responses to SM IPV (Pattavina, Hirschel, Buzawa, Faggiani, & Bentley, 2007; Russell, 2017; Younglove, Kerr, & Vitello, 2002). This report presents findings from a study that assessed police-participant adherence to homophobia, IPV myths, and predictors of arrest in an IPV scenario (see Franklin, Goodson, & Garza, 2019).

Police Attitudes toward Sexual Minorities and IPV

Westernized cultures have deeply entrenched notions of appropriate gender behaviors for men and women (Johnson, 1997). Guidelines have largely emphasized heterosexism (Arnott, 2000) and have positioned any non-heterosexual behavior as less valued, which has facilitated sexual stigma and homophobia (Herek, 2009). Correlates of adherence to homophobia among police personnel include officers who identify as White, male, reported less education, attended religious services, held a patrol assignment, and reported negative attitudes toward SM populations (Bernstein, 2004; Bernstein & Kostelac, 2002; Lyons et al., 2005).

Myths surrounding IPV pertain to oversimplified stereotypes about the victim, perpetrator, and dynamics of abuse. For example, general misconceptions of IPV often stem from beliefs that women "can leave when they want to," and "provoke the abuse" (see Koss et al., 1994). Related, the narrative of IPV has positioned this as a heterosexual woman's problem involving a male perpetrator (Freedman, 2002), thus SM populations have been sidelined from concerns surrounding IPV. While not systematic, the durability of this misinformation has translated to some police agency responses (Lutze & Symons, 2002; Martin, 1975). Individual police personnel may have misconceptions regarding perpetrator motivation for violence, delayed victim decision-making, and engage in victim blame (DeJong, Burgess-Proctor, & Elis, 2008; Stewart & Maddren, 1997).

Police Response to Sexual Minority IPV Survivors

Limited empirical studies have examined police perceptions of and responses to SM IPV. Findings have suggested police adhere to gender bias and general misconceptions about SM IPV (Cormier & Woodworth, 2008; Russell, 2017). Police officers have reported heterosexual men as the most dangerous perpetrators and sexual-minority women and heterosexual men as the most culpable victims (Russell, 2017). Related, Canadian police personnel have perceived heterosexual IPV as the most serious form of IPV compared to other relationship dyads (Cormier & Woodworth, 2008). Limited research has also suggested police officers are likely to respond to at least one SM IPV incident during their careers (Tesch et al., 2010). Mandatory arrest laws and offense seriousness have been robust predictors of arrest in both heterosexual and SM IPV (Pattavina et al., 2007).

Methods

Data were obtained from a larger study on police training and responses to sexual and family violence. Online surveys were collected using Qualtrics after police participation in a mandatory 4-hour training that addressed sexual and family violence during the 2016-2017 training cycle. The survey captured demographic and occupational experiences, attitudes concerning crime victims, perceptions of sexual and family violence, and responses to a randomly-assigned, manipulated vignette. Voluntary and anonymous participation was solicited through announcements and incentivized through a tiered contribution to a charitable organization benefitting law enforcement. No

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direct incentives were offered for participation in the online survey. Overall, there were 1,221 responses, 467 of which contained completed data.

Sample Demographics

Participants averaged 44 years old (*Range* = 25.0 - 64.0) and the majority were men (75.8%). Over half of participants identified as White (54.3%) , followed by Latinx (21.0%), African American (15.4%), Asian/Pacific Islander (6.6%), Native American/Alaska Native (0.4%), and Other (2.1%). About two-thirds (67.0%) of participants reported a four-year or graduate degree. Participants averaged 18.15 years of experience (*Range* = 1.0 - 42.0), and 62.3% identified their rank as a "police officer" compared to "sergeant" (26.6%), "lieutenant" (9.0%), "captain" (1.9%) or "assistant chief/higher" (0.2%).

Domestic Violence Vignettes

This study used a 3 (sexual orientation) x 2 (presence of evidence) x 2 (victim trauma response) factorial design and participants were randomly assigned to one of 12 vignettes that were modified from Menaker and Franklin (2015) and depicted an IPV scenario. *Sexual orientation* was manipulated to reflect a female same-sex couple, male same-sex couple, and a heterosexual couple. A single binary variable captured sexual orientation (heterosexual couple = 0, same-sex couple = 1) in the analysis. *Physical evidence* was manipulated to reflect a victim with visible injury and no visible injury and a binary variable captured the presence of physical evidence (no = 0, yes = 1). *Stereotypical trauma response* was manipulated to reflect a victim who presented with expressive emotionality, behavioral displays of upset, and a linear recollection of events versus a victim who displayed flat affect and fragmented memory. A binary variable captured stereotypical trauma response (no = 0, yes = 1).

Variables

Likelihood of arrest with victim cooperation. The dependent variable was arrest captured with one item that asked participants, "how likely is it that you would arrest [perpetrator] in this situation if [victim] was willing to cooperate?" This item was measured on a 6-point, Likert-type scale from 1 (*extremely unlikely*) to 6 (*extremely likely*; see Table 1) and higher values were indicative of a greater likelihood of arrest.

Table 1. Descriptive Statistics for Continuous Variables

Variables	Mean	SD
Likelihood of Arrest	4.98	1.42
Homophobia	3.06	1.46
Adherence to IPV Myths	1.79	0.73
IPV Policing Processes	5.44	0.83
IPV Policing Operations	4.39	1.08
Years of Service	18.15	9.50

Homophobia. 5-itmes from the Cognitive Negativism Subscale (CNS) of Wright, Adams, and Bernat's (1999) 24-item Homophobia Scale were used (see Table 1). The CNS captured adverse attitudes toward SM individuals and all items were measured on 6-point, Likert-type scale from 1 (*strongly disagree*) to 6 (*strongly agree*). Mean scores were calculated and

higher values were reflective of increasingly negative attitudes toward SM individuals.

Adherence to IPV myths. 15-items were used from the 18-item Domestic Violence Myth Acceptance Scale (DVMA; Peters, 2008) to capture IPV misconceptions that blame the victim, excuse the perpetrator, and justify the abuse (see Table 1). Items were measured on a 6-point, Likert-type scale from 1 (*strongly disagree*) to 6 (*strongly agree*) and mean scores were calculated. Higher scores indicated stronger endorsement of myths.

Perceived objectives in IPV response. Two indices captured operational and process objectives in IPV response. An initial pool of 9-items were generated from a modified version of the Objectives for Handling Domestic Violence Scale (Stalans & Finn, 2006). Items were measured on a 6-point Likert type scale from 1 (*extremely unimportant*) to 6 (*extremely important*). The first index was comprised of 6-items, included statements such as "to remain objective as possible," and was labeled *Domestic Violence (DV) Policing Processes*. The second index was comprised of 3-items, included statements such as "to handle disputes in a timely manner," and was labeled *DV Policing Operations*. Mean scores were calculated for both indices and higher scores indicated increased importance placed on policing processes and operations.

Controls. Six variables were included as control measures: sex, race/ethnicity, educational attainment, current rank, years of service, and number of "family violence" calls responded to in the previous 12 months. *Officer sex* was a binary variable (see Figure 1) and *race/ethnicity* was recoded into three dummy variables where "White" was the reference category. *Years of service* was a continuous variable that measured years employed in law enforcement (see Table 1) and *number of family violence calls* was an ordinal variable that captured how many family violence calls the police participant had responded to in the past 12 months (see Figure 2).

Figure 1. Participant's Sex
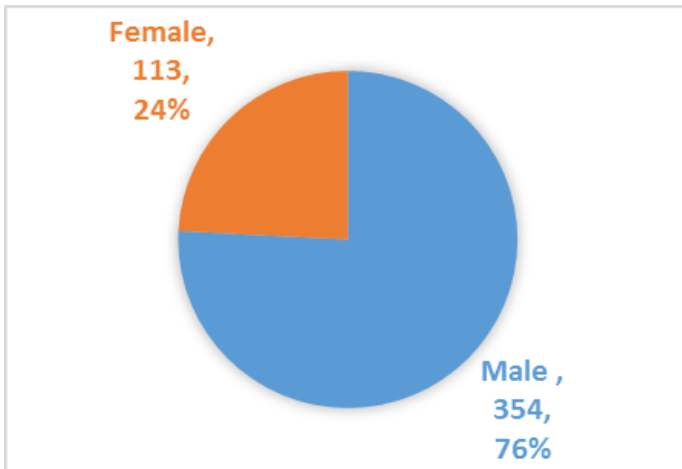
Results

Descriptive statistics indicated that, across all scenarios, participants would be relatively likely to arrest the perpetrator. Participants scored just above the midpoint on the homophobia scale and below the midpoint on IPV myth adherence. Participants indicated DV Policing Processes and DV Policing Operations

were important objectives when responding to IPV calls for service.

Figure 2. Number of Family Violence Calls
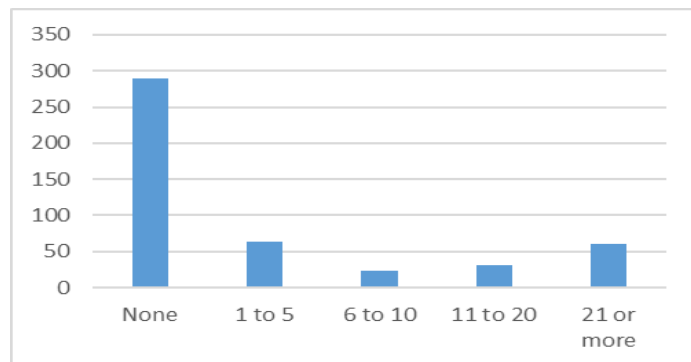
Predicting Officers' Decision to Arrest

A multivariate ordinary least squares regression model was estimated to determine factors that predicted the arrest decision in a scenario of IPV. Four variables were significant predictors of arrest (see Table 2). First, the sexual orientation of the couple was a significant, negative predictor of arrest. In other words, police participants were significantly less likely to arrest the perpetrator when a SM couple was involved in the scenario *despite victim willingness to cooperate.* Second, when there was presence of physical evidence, police participants were significantly more likely to indicate they would make an arrest. Third, IPV myths was a significant, negative predictor suggesting that stronger adherence to IPV myths decreased arrest. Finally, increased perceptions of police processes in handling IPV cases increased likelihood of arrest. The remaining variables were not significant.

Table 2. Predictors of Arrest with Victim Cooperation

Variables	Effect on Likelihood of Arrest
Same-Sex Couple	-
Presence of Physical Evidence	+
Presence of Stereotypical Trauma Response	No Effect
Homophobia	No Effect
IPV Myth Adherence	-
IPV Policing Processes	+
IPV Policing Operations	No Effect
Female Officer	No Effect
African American Officer	No Effect
Latinx Officer	No Effect
Education	No Effect
Rank	No Effect
Years of Service	No Effect
Number of IPV Calls for Service	No Effect

Discussion

The present study contributed to the narrow body of research on police perceptions of and responses to IPV. Several findings

are worthy of additional discussion. First, findings suggest some police participant adherence to homophobia, which reiterates previous studies that have noted endorsement of negative attitudes toward SM individuals (Bernstein, 2004; Lyons et al., 2005). Endorsement of homophobia among system personnel can contribute to negative stereotypes that further hinder formal disclosure and delay the intervention of social services or appropriate programming for survivors. Second, adherence to IPV myths was relatively low among participants, however, increased endorsement still predicted decreased arrest in the IPV scenario. Findings parallel previous research that suggests police personnel may hold misconceptions around the dynamics of IPV (DeJong et al., 2008) and emphasize the negative impact these stereotypes have for IPV survivors. Results from the current study also underscore the importance of the couple's sexual orientation as a predictor of arrest and highlight the continued presence of adverse attitudes directed toward SM IPV survivors (Cormier & Woodworth, 2008; Russell, 2017). Finally, the presence of physical evidence was the strongest predictor of arrest and this finding replicates previous empirical work that suggest the seriousness of a crime leads to formal case processing (Hirschel & Hutchinson, 2001).

Implications and Recommendations for Texas

Findings from the current study have important implications, particularly for police personnel. For example, police intervention in SM and heterosexual IPV is necessary for survivor safety, suspect apprehension and survivor help-seeking behavior. Given that homophobic attitudes were present among police participants and endorsement of IPV myths decreased the likelihood of arrest, police training would benefit from a continued focus on the stereotypes surrounding IPV while dismantling misinformation pertaining to SM IPV. Indeed, empirical evidence suggests that police training should focus on cultural competency and human inclusion to increase knowledge and self-efficacy in working with LGBTQ populations (Israel, Harkness, Delucio, Ledbetter, & Avellar, 2014). Additionally, it would be important to also determine if similar attitudes exist among other criminal justice personnel and direct service providers as these myths can have obvious negative consequences for IPV survivors.

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