

Basic Training Module Specifications

<u>Functional Area:</u>	I. Investigation
<u>Subject Area:</u>	H. Investigation of Domestic Violence
<u>Module Title:</u>	1. NATURE AND PREVALENCE OF DOMESTIC VIOLENCE
<u>Hours:</u>	Not less than 3 hours

Notes to Instructor:

This material is designed to be taught by an instructor with expertise in the nature and prevalence of domestic violence. Completion of an MCOLES-approved instructor training course in domestic violence is recommended. The *Michigan Law Enforcement Response to Domestic Violence: Officer Manual* shall be the primary resource for the Domestic Violence Modules.

A list of individuals who have completed the MCOLES instructor training and statewide domestic violence programs are available through MCOLES.

Instructor shall be familiar with Public Acts 177, 178, 179, and 180 of 2023 and incorporate amendments to law as appropriate.

Module Objectives start on next page:

I.H.1.1. Demonstrate an Understanding of the Historical Context and Changes in Society's Understanding of Domestic Violence.

- a. Describes the changes surrounding society's understanding of and response to domestic violence.
- b. Describes how domestic violence affects the entire community:
 - (1) family, co-workers, friends, children and even neighbors of the victim are often hurt or killed by the assailant;
 - (2) children suffer physical, psychological, emotional and behavioral trauma from living in a battering environment;
 - (3) medical costs, work loss and public safety costs are significant; and
 - (4) without intervention, children learn that violence is an acceptable way to solve problems and violence remains a continuing community safety problem.
- c. Describes the role of a domestic violence service program in a coordinated community response:
 - (1) provides shelter to victims;
 - (2) provides support and legal advocacy for victims;
 - (3) provides services to children;
 - (4) some programs provide counseling services to assailants; and
 - (5) to assist victims to develop safety plans for themselves and their children.

Notes to Instructor:

It is important to emphasize that domestic violence is really a *cycle* of violence. The dynamics are such that the relationship may get better at times but then become violent at times. Officers are typically called to the scene during times of eruption, but from the victim's perspective he or she may be conscious of better times. The batterer may seem different at times, almost nice, which makes domestic violence situations particularly harmful and insidious in subtle ways. Moreover, when the victim decides to leave or end the relationship, the batterer often becomes unwilling to let go. Domestic violence situations are constantly in flux and what officers observe at the scene may not be what happens all the time in the relationship.

I.H.1.2. Demonstrate an Understanding of the Nature of Domestic Violence

- a. Recognizes that domestic violence is not limited to any race, sexual orientation, age, socioeconomic class, educational level or occupation.
- b. Describes domestic violence as a pattern of learned behavior which occurs over time that:
 - (1) is used by assailants to get victims to do what the assailants want;
 - (2) includes a variety of abusive and criminal behavior;
 - (3) includes the use of violence and/or the threat of violence;
 - (5) often increases in severity and frequency over time; and
 - (6) can ultimately end in homicide.

I.H.1.2. Demonstrate an Understanding of the Nature of Domestic Violence (continued)

- c. Recognizes that domestic violence is not:
 - (1) just an argument or disagreement between partners;
 - (2) a problem that can be worked out by talking;
 - (3) a minor or isolated incident; or
 - (4) caused by drugs or alcohol.

Notes to Instructor:

Domestic violence is characterized by power and control, rather than anger. Through power and control, the batterer will isolate the victim, cause physical harm, keep the victim from work, and engage in a variety of behaviors to control the relationship. The most dangerous time in such relationships, therefore, is when the victim wants to leave. The batterer perceives this as a loss of power and control.

I.H.1.3. Demonstrate an Understanding of the Behaviors Used by Domestic Violence Assailants.

- a. Describes some of the types of criminal behavior used by assailants:
 - (1) physical abuse (e.g., hitting, pushing, shoving, kicking, strangulation, use of a weapon, etc.);
 - (2) sexual abuse (e.g., forces sex on the victim, physically attacks body parts, rapes the victim in front of the children);
 - (3) threats of violence (e.g., against victim, children, family, friends, etc.);
 - (4) stalking (e.g., following, calling, appearing at victim's home or place of work, etc. (may also include threats));
 - (5) kidnapping;
 - (6) destruction of property; and
 - (7) injuring or killing pets.
- b. Describes other types of abusive behavior the assailant may use:
 - (1) emotional abuse (e.g., humiliation, manipulation through lies and mind-games, criticism, name calling, etc.);
 - (2) economic abuse (e.g., keeps the victim from working, controls the finances, makes the victim ask for grocery money, etc.);
 - (3) children used as pawns (e.g., threatens violence against the children, visitation used to harass or keep track of the victim, etc.);
 - (4) intimidation to instill fear through looks, gestures and actions (e.g., smashing objects, destroying property, placing self between victim and an escape route, etc.);
 - (5) isolation of the victim by controlling who the victim sees and talks to, belittling the victim's family and friends;
 - (6) threats to commit suicide and leave the victim responsible for the suicide;
 - (7) repeated threats to engage in the above behaviors; and
 - (8) minimizing and/or denying abusive behavior.

I.H.1.4. Demonstrate an Understanding of Assailant Behavior Officers Might Encounter at the Domestic Violence Scene.

- a. Describes how assailants may present themselves to officers by:
 - (1) attempting to rationalize their violent behavior by:
 - (a) portraying the victim as "hysterical," alcoholic, mentally ill or otherwise needing to be physically restrained;
 - (b) complaining that they are the real victims in the family; or
 - (c) stating that the victim is destroying the family and the assailant is only trying to keep the family together;
 - (2) denying or minimizing the violence when confronted with evidence of their violent behavior by:
 - (a) making statements such as the victim "bruises easily," or there was "just a little pushing" and no real violence;
 - (b) stating that there was an argument but "it was nothing and everything is fine now";
 - (3) blaming the victim for the violence by stating that the victim became physical, but not giving a complete description of events that may include:
 - (a) the assailant was attempting to intimidate the victim by breaking objects, pounding walls or threatening injury to children, family, friends or pets;
 - (b) the assailant was physically blocking the victim's means of escape; or
 - (c) the assailant was attempting to force sex on the victim;
 - (4) making complaints to the police against the victim in an attempt to counter any complaint the victim may have made in response to the assailant's violence;
 - (5) appearing to be calm, non-combative and cooperative; or
 - (6) attempting to draw officers in by making statements such as "what would you do", or "you know how it is."
- b. Describes strategies used by the assailant to intimidate the victim to not participate, and to interfere with investigation and prosecution, such as:
 - (1) calling the police requesting information on the victim's location;
 - (2) attempting to file false police reports if the victim has left (e.g., missing person, stolen car, kidnapping, etc.);
 - (3) attempting to prosecute the victim;
 - (4) attempting to prevent the victim from following through with a case (e.g., threatens or begs the victim to drop charges promising to change, etc.);
 - (5) using a variety of strategies to delay court hearings and increase the victim's financial hardship (e.g., changes lawyers, asks for continuances, etc.);
 - (6) giving the victim erroneous information about the criminal justice system to create confusion or prevent the victim from acting (e.g., withholds court notices or gives victim wrong appearance information, etc.); and
 - (7) making reports to Children's Protective Services alleging that the victim is neglecting or abusing the children.

I.H.1.5. Demonstrate an Understanding of Victim Behaviors Officers Might Encounter at the Scene of Domestic Violence.

- a. Describes behaviors common to victims of violence or trauma:
 - (1) acts panicked or excited;
 - (2) shuts down or fails to respond; or
 - (3) believes that things will just somehow work out.

- b. Describes behaviors domestic violence victims may display at the scene:
 - (1) minimizes or denies the violence;
 - (2) rationalizes the assailant's behavior to attempt to justify it;
 - (3) is reluctant to discuss specifically what happened, especially if the assailant is at the scene;
 - (4) asks police to leave;
 - (5) asks police not to make an arrest;
 - (6) tries to protect assailant from the police;
 - (7) does not want the assailant prosecuted; or
 - (8) expresses anger.

- c. Describes some of the circumstances in victims' lives that may explain at-scene behavior:
 - (1) victims are frequently isolated as a result of the assailant's control over:
 - (a) activities;
 - (b) friends; or
 - (c) contact with family;
 - (2) victims often must focus on the assailant's whereabouts for self- protection, using survival techniques on a daily basis;
 - (3) victims may believe that the violence can be controlled by:
 - (a) observing and attempting to predict the assailant's behavior;
 - (b) changing their own behavior; or
 - (d) putting the assailant's needs and desires first;
 - (4) victims may blame themselves since:
 - (a) assailants tell victims it is their fault;
 - (b) victims believe they should be able to control the assailant's behavior by changing their own behavior; or
 - (c) victims may be unable to believe that someone who says they love them would inflict abuse; and
 - (5) victims become frustrated because no matter what they do they cannot end the violence.
 - (6) as a coping strategy, victims may rationalize the assaultive behavior and may attribute the behavior to:
 - (a) substance abuse,
 - (b) job stress,
 - (c) mental illness, or
 - (d) other stresses.

I.H.1.6. Demonstrate an Understanding of the Consequences Victims May Face as They Consider Leaving the Assailants.

- a. Describes how victims are at greatest risk when leaving or when the assailant believes the victim is leaving:
 - (1) the risk of homicide increases after separation;
 - (2) victims legitimately fear retaliation against themselves, children and other family members and friends; and
 - (3) victims may feel safer staying since they can then keep track of the assailant.
- b. Describes how leaving, like other major life changes, is a process, with barriers for victims that may include:
 - (1) fear;
 - (2) feeling they cannot make it on their own;
 - (3) a financial inability to leave and care for themselves and children;
 - (4) pressure by family, friends, clergy, etc., not to leave; or
 - (5) assurances by the assailant that the violence will stop.

I.H.1.7. Demonstrate an Understanding of the Consequences Victims May Face When Participating in the Criminal Justice System.

- a. Describes the life-threatening consequences the victim may face for participating in the criminal justice system:
 - (1) the assailant may threaten the victim, the children, the victim's family or friends to prevent the victim from participating;
 - (2) the system cannot assure the victim's safety from the assailant if the victim participates; and
 - (3) the assailant knows where to find the victim and can continue to intimidate the victim throughout the investigation and court process.
- b. Describes the other obstacles to participating in the criminal justice system:
 - (1) the victim may have suffered consequences for participating in the past;
 - (2) the assailant knows the victim and can interfere with the victim's ability to appear in court by:
 - (a) preventing mail from reaching the victim; or
 - (b) misinforming the victim about court dates and times, etc.;
 - (3) the time demands that prosecution makes may drain the victim's resources:
 - (a) continuances and other system or defense-initiated delays may cost the victim time from work; or
 - (b) numerous court appearances may be a financial drain due to the costs of childcare and transportation, etc.; and
 - (4) family and friends may pressure the victim not to participate; and
 - (5) the victim may lack information about the criminal justice system.

I.H.1.8. Demonstrate an Understanding of Indicators that Can Assist Officers in Assessing When an Assailant Might Kill.

- a. Describes the importance of understanding common indicators of a life-threatening situation:
 - (1) some assailants are more likely to kill in certain circumstances; and
 - (2) because victims know their assailants better than anyone, they know when their lives are in danger and must be believed when they state they are in danger.

- b. Describes the importance of assessing the lethality at each intervention:
 - (1) the assailant may have left the scene upon officer arrival;
 - (2) the assailant knows the victim and therefore can predict the whereabouts of a victim and the victim's family; and
 - (3) the assailant may be stalking the victim.

- c. Describes indicators of a potential life-threatening attack by the assailant:
 - (1) the victim has left, or the assailant has discovered the victim is about to leave or file for a divorce;
 - (2) weapons are present;
 - (3) the assailant has threatened to kill self, victim, or others;
 - (4) ease of access to the victim and/or the victim's family;
 - (5) a history of prior calls to the police;
 - (6) engaged in stalking behavior.
 - (7) threatened to take the victim hostage;
 - (8) killed or mutilated a pet;
 - (9) a history of assaultive behavior;
 - (10) a history of using weapons;
 - (11) the assailant has an alcohol and/or drug addiction; or
 - (12) evidence of non-fatal strangulation.

- d. Recognizes, and documents, the signs and symptoms of non-fatal strangulation at the scene, including:
 - (1) physical indications, such as:
 - (a) redness, bruising, or swelling on or around the neck;
 - (b) red eyes, vision changes, droopy eyelids;
 - (c) rope or cord burns around the neck; or
 - (d) ringing in ears, dizziness, fainting, or headaches; or
 - (2) behavioral indications, such as:
 - (a) mood extremes, delusions, or slow thinking;
 - (b) excessive agitation, belligerence, or aggression;
 - (c) disorganized speech or illogical behavior, or
 - (d) confusion or the inability to focus.

Notes to Instructor:

As used in this objective, *non-fatal strangulation* is an attempt to kill, or seriously injure a person, by squeezing the throat, to cut off the flow of oxygen to the brain, usually causing unconsciousness.

The latest research studies regarding domestic violence show that non-fatal strangulation is the most common predictor of domestic violence homicides. It is also the best predictive risk factor for future abuse and assaults. These studies also show that non-fatal strangulation tends to occur after the initial assaults begin, as the abuser becomes increasingly violent over time. Multiple non-fatal strangulations can even place the victim at greater risk for traumatic brain injury.

It is important for officers to understand the significance of non-fatal strangulation as the primary indicator of future violence in a relationship, but at the same time recognize that the signs and symptoms of strangulation may not be immediately apparent at the scene. Physical signs can appear days, or even weeks, after the initial law enforcement response.

A thorough investigation of domestic violence must include inquiries into potential non-fatal strangulation. Such information must be documented in the offense report.

Strangulation is defined in Michigan statutes and is punishable as a 10-year felony. See MCL 750.84. Also, see Module I.B.1. (Crimes Against Persons).

Module History

Revised	6/98
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