

UNIT TITLE: Identifying Predominant Aggressors in Domestic Violence Cases (Train-the-Trainer)

UNIT NUMBER: 6.12.0

INSTRUCTOR: John B. Rogers and Kate Faragher-Houghton



Maine Criminal Justice Academy

15 Oak Grove Road
Vassalboro, ME 04989

Prepared by: John B. Rogers
Kate Faragher-Houghton

Date: 01/03/2008

Administrative Information

Estimated time range: 2-4 hours

Methods:

1. Lecture
2. Video Scenarios
3. Group Discussions

Materials/Equipment

1. VCR Player
2. Handout – Predominant Aggressor Decision Tree
3. Handout – Definitions of Probable Cause, Predominant Aggressors, Self-defense & Defense Wounds
4. Handout – Bulleted Sheet of Course Highlights
5. Handout – Power and Control Wheel

Media

1. VCR Tape “ How to Identify Predominant Aggressors in Domestic Violence Cases”

INSTRUCTIONAL GOAL AND OBJECTIVES

INSTRUCTIONAL GOAL:

Statistics showing the prevalence of domestic violence are staggering. The American Medical Association has targeted battering as a significant public health threat to women. By understanding domestic violence as a crime that is common across socioeconomic levels, law enforcement in all communities can work to reduce it. There are widely held misconceptions about domestic violence. Some of these misconceptions are: 1) abuse is mutual, 2) victims provoke and deserve the abuse they get, and 3) victims could easily leave the relationship if they really wanted to. It is the goal of the Maine Criminal Justice Academy goal to debunk these and other myths. The immediate safety of victims and any involved children should be the primary concern of law enforcement officers. After immediate safety is addressed, it is the responsibility of the law enforcement officer to follow-up with victims to provide referrals to community agencies that can assist in safety planning and providing long-term support. Law enforcement officers are most effective when they are part of a network of support for victims, making it more likely for them to be able to escape abusive relationships.

There are many potential partners for working to reduce domestic violence. Some of these are victim advocates, district attorneys, faith community leaders, and school teachers. Aggressive intervention and enforcement by public safety officials can reduce: 1) domestic violence homicide, 2) repeat spousal calls for service, and 3) the devastating effect domestic violence has on children.

Inappropriate dual arrests have occurred in the past and continue to occur, putting victims of domestic violence in a position of being re-victimized again. Many times, victims of domestic violence are in fear of imminent bodily injury and they defend themselves either by striking first or by fighting back. Many times there are injuries to both parties. It is the goal of the Maine Criminal Justice Academy to train officers in how to properly identify who is the Predominant Aggressor and arrest that person.

Prosecution is a method of intervention that can significantly increase the probability of ending abuse. Aggressive investigation and thorough documentation greatly improves the chances for successful prosecution. This in most cases involves follow-up by the law enforcement officers to re-interview the victim, interview the witnesses, take more photographs, or collect more evidence in case prosecution goes forward without a cooperative victim.

PERFORMANCE OBJECTIVES

After this unit of instruction, the students will be able to accomplish the following objectives as presented in class:

- 6.12.1 I. Explain how to reduce the inappropriate dual arrests that frequently occur at scenes of domestic violence.
- 6.12.2 II. Define: Probable Cause, Self-defense and Predominant Aggressors.
- 6.12.3 III. Explain how to read defense wounds.
- 6.12.4 IV. Demonstrate how to use the "Decision Tree" to determine who are the Predominant Aggressors in domestic violence cases.



UNIT OUTLINE AND PRESENTATION DATA

OBJECTIVES AND INSTRUCTIONAL CUES

- I. Domestic Violence Introduction – Ice Breaker
 - To understand “How to Identify Predominant Aggressors” you must understand how domestic violence evolved.
- II. Share law enforcement experiences with domestic violence
 - 1. Enforcing the law.
 - a. 1970’s - No Protection Orders.
 - 1. No bail conditions.
 - 2. Must witness crime to arrest, except Aggravated Assault.
 - 3. Can not force abuser out of the house.
 - 4. Victims had to go to court to sign a complaint for assault.
 - 5. Training for police was blaming and was received as male-bashing.
 - b. 1980’s - Warrantless arrests for assault were passed into law.
 - 1. Better training for police to understand the cycle of abuse, most LE agencies were not arresting for DV.
 - 2. Bail conditions were introduced.
 - 3. Permanent protection orders came into existence.
 - 4. Pro-arrest approach was taking hold. (Sherman and Berk 1982 with the Minneapolis Experiment on pro-arrest.
 - 5. Late 1979 Washington State enacted the 1st mandatory arrest statute.
 - 6. Changed to primary aggressor in mid 1980’s.
 - c. 1990’s – Community involvement to Combat Domestic Violence.
 - 1. More warrantless crimes were added: criminal threatening, terrorizing, stalking and more sexual crimes.
 - 2. Warrantless arrests were extended to family or household members.
 - 3. Involved police in the training.
 - 4. Katherine Haggarty shooting in 1992.
 - 5. Nicole Brown Simpson/Goldman killing in 1994.
 - 6. Identifying and arresting “Primary Aggressors.”
 - 7. Domestic violence committed by Law Enforcement Officers was recognized.
 - d. 2000’s – Extensive Community involvement to combat #1 Crime.
 - 1. Protection orders on-line by September 2001 and linked to FBI national database.
 - 2. Maine cases will be linked to court system.
 - 3. Out-of-state cases may or may not be prosecuted.
 - 4. All will be verified similar to warrants.
 - 5. Predominant Aggressor Training at BLETP.
 - 2. LE experience as Chief in Farmington – Policies/Discipline.
 - 3. Graduate School research.
 - 4. Maine Chiefs Of Police Association experience with Policies.
 - a. 1994 - first statewide DV policy (1 of 8 mandatory minimum).
 - b. 2000 – first rewrite of the DV policy.
 - c. 2001 – first policy on DV committed by LE Agency employees.

Show 2:20 Minute Introduction Video

Tell Kelley Rd DV story

DV Advocates were Training LE Officers

DV Advocates and LE Officers were Co-training Officers

DV Advocates, Le Officers and DA’s were Co-training Officers

Training CLEO’s



UNIT OUTLINE AND PRESENTATION DATA

OBJECTIVES AND INSTRUCTIONAL CUES

- d. 2003 – combined 2 DV policies making them both mandatory.
- e. 2008 – mandatory standards for “Identifying Predominant Aggressors in DV Cases.”

III. **What is Domestic Violence?** – A pattern of behavior by one person whose goal is to gain and maintain control over a partner or family member. Tactics can include verbal, emotional, financial, sexual, and physical abuse. Abuse can also include destruction of property and threats or injury to children and animals in the home.

- a. Domestic abuse homicides continue to account for approximately 50% of all homicides in Maine over time – 9 of 23 homicides/39% in 2006, but domestic violence assaults increased 1.7 % from 5459 in ‘05 to 5554 in ‘06 (Maine Department of Public Safety)
- b. 31% of American women report being physically or sexually abused by an intimate partner during their lifetime (Commonwealth Fund Survey, 1998)
- c. In 2000, 5554 domestic assaults were reported to LE Agencies (Maine Department of Public Safety, 2006).
- d. In 2006, over 13,000 people received services from the domestic abuse projects in Maine; 96% were women and children (Maine Coalition to End Domestic Violence)
- e. A domestic assault occurs every hour and a half in Maine (Department of Public Safety, 2006)
- f. In Maine, the majority (over 75%) of domestic violence victims who are killed, are killed during or after they have left the abuser.
- g. DV is the leading cause of injuries to women between the ages of 15-44 in the U.S. – More than traffic crashes, muggings and rapes combined.
- h. Women are the targets of abuse in 85% of all intimate partner violence (U.S. Dept. of Justice, Bureau of Justice Statistics, 1998.)33% of men counseled for battering are well-rested professional men.
- i. Nationally 50% of homeless women and children are on the streets because of violence in the home.
- j. Nationally the annual medical cost to DV is \$4-8 billion.
- k. Nationally the annual cost to businesses in lost wages, S/L and absenteeism is \$100 billion.

Cite here some references for the factoids.

Goal I. Explain how to reduce the inappropriate dual arrests that frequently occur at scenes of domestic violence.

6.12.1

1. Power and Control Wheel

- a. Violence is Physical or Sexual
- b. Intimidation – Looks, gestures, actions, displaying weapons
- c. Emotional Abuse – Name calling, making her feel guilty
- d. Isolation – Controlling money, movement, what she can do
- e. Blaming – Making light of abuse, saying she caused it

Show Power & Control Wheel



UNIT OUTLINE AND PRESENTATION DATA

OBJECTIVES AND INSTRUCTIONAL CUES

- f. Using children – Threatening children or to take them away
- g. Male privileges – Man decision, treating her like a servant
- h. Economic Abuse – Not letting her get a job, allowances
- i. Coercion and Threats – Threats to her life, drop charges

Remember what abuse is, and what it is not:

- a. The abuser wants power and control.
- b. They choose whatever behaviors will accomplish that in a given moment.
- c. That's why abuse doesn't escalate predictably from an insult to murder.
- d. Over time it is the control that goes up, not a particular tactic (physical abuse).
- e. Abuse is generally not caused by stress, unemployment, substance abuse problems, mental illness, or anger. Offenders usually manage these issues well with everyone in their lives except for with the person they feel entitled to abuse.
- f. If you stay focused on power and control you will be a better investigator than if you get sidetracked by excuses that don't affect whether the crime occurred and the suspect did it.

2. Law Enforcement Crime Wheel

Instructor draws a circle with murder at the top, then goes down clockwise, writing in a.-h. to demonstrate how law enforcement gets involved with power and control.

Murder – Your #1 Job is to stop Murder

- a. Verbal Abuse – may or may not be a crime
- b. Opened Hand Slap – may or may not be a crime
- c. Closed fist punch – is a crime
- d. Repeated punches – is a crime
- e. Assaults with injures – is a crime (may be felony)
- f. Broken bones – is a crime (may be a felony)
- g. Weapon threats – is a felony crime
- h. Murder – is a felony crime

3. Negative Consequences of Dual Arrests

Ask – How many times are dual arrests done?

Ask – What were the circumstances?

Ask – How many successful dual arrest DV prosecutions have you witnessed?

Ask – What were the circumstances?

4. What are the negative consequences of dual arrests?

- a. Dual arrests are rarely prosecuted.
- b. Children are removed from home and taken into custodial care.
- c. Victim is not protected.
- d. Batterer gains more power.

Draw LE Crime Wheel on Chalkboard/Whiteboard

Get audience to answer these questions



UNIT OUTLINE AND PRESENTATION DATA

OBJECTIVES AND INSTRUCTIONAL CUES

- e. Victim experiences fright of arrest.
- f. Victim may not call the police in the future.
- g. Victim gets a criminal record.
- h. Department may risk a lawsuit.

The only time in Maine when we see true mutual combat is in cases resulting in a charge of disorderly conduct, when both parties are agreeing to “take it outside”. This is obviously not what we are talking about with domestic violence.

Maine Disorderly Conduct Law – A person is guilty of Dis. Con. if:

A. In a public place, the person intentionally or recklessly causes annoyance to others by intentionally:

- (1) Making loud and unreasonable noises;
- (2) Activating a device, or exposing a substance, that releases noxious and offensive odors; or
- (3) Engaging in fighting, without being licensed or privileged to do.

5. Common Ties of LE Officers to Victims of Domestic Violence

Ask - Have there ever been times in your job when you have been afraid? On Domestic calls? What happened?

Ask - As a law enforcement officer, have you ever been called names?

Ask - Do you ever change your behavior to fit the “police officer” image?

Ask - Have you ever felt depressed because of your work?

Ask - Have you ever felt stressed in your job?

Ask - Why do you stay on the job?

Difference - Police go home at end of shift and DV victims can not

Difference - Police have weapons, training and the authority to use and DV victims do not

6. Questions on Slapping

Ask – Is it ever okay or not a crime for a woman to slap a man first?

Ask – How many people have children that spank their children with an open hand? Is that okay?

Goal II. Define: Probable Cause, Self-defense and Predominant Aggressors.

1. Probable Cause #1 - The existence of circumstances that would lead a reasonable and prudent person, to believe in the guilt of the suspect.
2. Probable Cause #2 – “facts and circumstances within the knowledge of the officers and of which they have reasonably trustworthy information which would warrant a prudent and cautious person to believe that the arrestee did commit or is committing the offense”

17-A M.R.S.A. §501-A

Get audience to answer these questions

Get them to understand that it is not always a crime – Self-defense

6.12.2

Handout Definitions

Blacks Law Dictionary

Maine v. Parkinson (1978)



UNIT OUTLINE AND PRESENTATION DATA

OBJECTIVES AND INSTRUCTIONAL CUES

3. Self- defense #1 – An act done in the reasonable belief of immediate danger, and, if an injury was done by a defendant in justifiable self-defense, he can never be punished criminally or held responsible for damages in civil action (Blacks Law Dictionary).
4. Self-defense #2 – A person is justified in using a reasonable degree of physical force upon another person in order to defend himself or a 3rd party what he reasonably believes to be the imminent use of unlawful force.
5. Predominant Aggressor: (formally known as Primary Aggressor): The person who is most responsible for the abuse, uses the highest level of abuse, has an established history of abuse in the relationship, and who represents the more serious present threat of abuse, when both parties have committed some sort of abuse toward each other.
 - The **DOMINANT** or **MOST SIGNIFICANT** aggressor.
 - Has established history of domestic violence.
 - At the scene of a domestic violence crime.
 - Both parties have committed some sort of violence toward the other.
 - In determining who is the predominant aggressor, officers should consider:
 1. Who in the relationship is the overall aggressor in terms of power and control dynamics?
 2. Who is at most risk of future harm?
 3. Was the amount of force used appropriate and reasonable?
 4. What is the relative severity of the injuries inflicted on each person?
 5. What is the likelihood of future harm?
 6. Did one person act in self-defense?
 7. Have there been prior complaints of domestic violence with the involved parties?

Goal III. Explain how to read Defense Wounds.

6. Defense Wounds – Wounds that can occur on both the victim and the aggressor when defending themselves. **Officers should look to see if the stories match the injuries.**
 - Ask** - Who was defending self?
 - Note** – Wounds can be on both victim/aggressor
 - a. Victim Wounds from Aggressor
 1. Hands – from defense of edge wound
 2. Shoulders – from covering up face
 3. Arms – from being grabbed
 4. Back – from turning away
 5. Back of Hand – covering up face/body

Blacks Law Dictionary

17-A M.R.S.A. §108-1 & 2

Handout Definitions

6.12.3

Show 4:10 Minute Defense Wound Video



UNIT OUTLINE AND PRESENTATION DATA

OBJECTIVES AND INSTRUCTIONAL CUES

b. Aggressor Wounds for Victim

- 1. Face scratches – from victim fighting back
- 2. Eye Gouges – from victim fighting back
- 3. Bites to Arm – from victim escaping headlock

c. Look to See if Story Matches Injuries

- 1. First injury is not necessarily the victim
- 2. Worst injury is not necessarily the victim
- 3. Remember true mutual combat is very rare – Maine Dis.-Con.
- 4. Officers’ job is to figure out who is the Predominant Aggressor, not to arrest both and let the DA figure it out.

Goal IV. Demonstrate how to use the “Decision Tree” to determine who are the Predominant Aggressors in domestic violence cases.

1. Predominant Aggressor Decision Tree

- Explain how flow works – Only a tool, is intended as a training guide only and is subject to state law and local agency policy
 - a. When One Person Used Violence – Arrest for charge on a single person
 - 1. When in doubt – investigate further
 - b. When 2 People Used Violence
 - 1. Was one person acting in self-defense? If so, then arrest a single person
 - 2. When in doubt – investigate further. **If NO, then:**
 - 3. Was one person the more dominant or significant aggressor? If so, then arrest a single person.
 - 4. When in doubt – investigate further. **If NO, then:**
 - 5. Were both people equally aggressive? If so, then arrest both people. **REMEMBER**
 - a. Mutual combat is rare.
 - b. Maine law calls it disorderly conduct.
 - c. Separate and distinct offenses generally broken up by time or distance.

2. Self-defense Video Vignette #1 (Man Hit in Head with Frying Pan).

Woman said:

- Going to take kids away
- Shakes kids when disciplined.
- He threatened to call Child Protective Services.
- Got look in his eye that she never saw before.
- Came after with a knife.
- “I’m going to cut your pretty face.”

Man said:

6.12.4

Pass out Decision Tree

Give Example and explain how rare it is.

Show 1:32 Minute Video



UNIT OUTLINE AND PRESENTATION DATA

OBJECTIVES AND INSTRUCTIONAL CUES

- Threatened to call CPS, holds hand on head.
- “She hit me with a frying pan.”

Who would you arrest? Man or Woman – **MAN**: Possible Crimes: Criminal Threatening, Criminal Threatening with a Dangerous Weapon, Possible Child Abuse?

3. **Self-defense Video Vignette #2 (Family squabble)**

Man said:

- Wife “screwing around again” – scratches on face
- Wife was pushing husband
- Man said he only pushed away
- Man said he may have hit her or pushed her

Woman said:

- “Came home from shopping and he got mad.” – Son holding onto Mom
- “We did a push and a shove and it got out of hand.”
- Had 2 hands around neck and was trying to push off.

Who would you arrest? Man or Woman – **MAN**: Possible Crimes: Assault, Attempted Murder (strangulation). Remember marks on neck; predominant aggressor. Woman – no because scratches on face.

- Remember the Power and Control on her push away.
- Interview son separately.

4. **Predominant Aggressor #1 (Man Coming Over to Visit Kids)**

Man said:

- “She grabbed me by the neck” (marks on side of neck).
- Admitted she grabbed him.
- “She tried to push me out the door.”
- “He came over to see the kids.”
- “It was all behind closed doors.”

Woman said:

- “He was really really violent.”
- “Asked him to leave.”
- She was frightened.

Who would you arrest? Man or Woman – **MAN**: Possible Crimes: Assault, Criminal Threatening. Remember who is predominant aggressor.

Woman – NO because she was defending the home and her children.

- Remember the power and control.
- Would you interview the kids separately?
- What about prior arrest?
- What about prior incidents or protection orders?
- Remember that visitation rights are a civil issue.

5. **Predominant Aggressor #2 (Man and Woman fight on the Street)**

Show 1:38 Minute Video

Use Decision Tree
Get audience to commit to a decision

Show 1:00 minute Video

Use Decision Tree
Get audience to commit to a decision



UNIT OUTLINE AND PRESENTATION DATA

OBJECTIVES AND INSTRUCTIONAL CUES

Woman said:

- He banged her head on the concrete.
- She got mad and they were raising hell.
- She said she did slap him first.

Man said:

- She slapped my face.
- “My lips are busted.”
- He hit the witness once because “He got in my face.”
- “I lost it.”

Witness said:

- He hit her 2-3 times.

Who would you arrest? Man or Woman – **MAN**: Possible Crimes: Assault, Criminal Threatening. Remember who is predominant aggressor.

What about Assault on the Witness? Woman – **NO** because she was not the predominant aggressor.

- Remember the power and control.
- What about prior arrest?
- What about prior incidents or protection orders?
- What about the witness?
- Remember it is not a crime to be intoxicated.

6. Self-defense #1 (Man Hit in Head with Ashtray)

Man said:

- She hit him in the head with an ashtray.
- They were arguing over money/dress.
- She started going off and hit him in the head.

Woman said:

- She was not injured.
- They were arguing and “I hit him with an ashtray.”
- He did not hit her.

Who would you arrest? Man or Woman

Why or Why Not?

What about Power and Control tactics that you observed?

- Man came to door.
- Woman was hiding until man called her out.
- Officer had to call her out of the room.
- She seemed very frightened and scarred. Why?

Possible Crimes: Assault, Criminal Threatening, Criminal Threatening with a Dangerous Weapon. Remember who is predominant aggressor.

7. Self-defense #2 (Man Hit in Head with Ashtray - continued)

Show 1:16 minute Video

Give example of slapping not being a crime to arrest for.

Use Decision Tree
Get audience to commit to a decision

Show 2:17 minute Video

Use Decision Tree
Get audience to commit to a decision

Remember: you can always investigate further



UNIT OUTLINE AND PRESENTATION DATA

OBJECTIVES AND INSTRUCTIONAL CUES

Ask – Was the amount of force used by the woman reasonable and necessary?

- Man was taking off rings
- Man was escalating verbally with name calling and threats
- Woman said several times “Don’t”

Ask - Who would you arrest? Man or Woman? What charge(s)? Have the audience justify the arrest.

Ask – Was the perceived harm actual or imminent?

- Imminent – possible history of abuse.
- Woman knew assault was coming.

Ask – What do you think was her perception in regards to what was going to happen?

- Again, woman knew assault was coming.

Ask – Would those earlier questions have assisted your decision, if you were officer on scene?

Ask – What were the power and control tactics used?

- Man was taking off rings and other threats.
- Called her a slut, told her he was going to the “big game.”
- He kept backing her up, etc., etc., etc.

8. Self-defense #3 (Drunk Man Threatening Police Officer)

- Drunk man causing a disturbance.
- Has been assaultive to law enforcement in the past.
- He said, “Why don’t you shut up.”
- Would not put the bottle down – Said “No” 9 times.
- Held bottle by neck in right hand with left hand clenching fist.
- Started to move toward officer.

Would you arrest the man? YES.

- What you charge him with? Possible Crimes: Assault, Criminal Threatening, Criminal Threatening with a Dangerous Weapon.

What level of force would you use in self-defense?

- Soft hands? Spray? Impact Weapon, Taser? Deadly Force?

Ask – So what is the difference between arresting here and your own use self defense for a perceived imminent threat, compared to a woman in a home? **ANSWER: NONE**

Ask – Do you now understand why we do the common ties between law enforcement and victims of domestic violence? **ANSWER: A** victim of domestic violence has the same rights that we do, and yet we often do not enforce those rights because we do not do the predominant aggressor analysis.

9. Self-defense #4 (Man Hit in Head with Ashtray – The Rest of the

Show 3:35 minute Video

Use Decision Tree
Get audience to commit to a decision

Remember: you can always investigate further

Show 2:00 Minute Video

Use Decision Tree
Get audience to commit to a decision

Remember: you can always investigate further (Do you need too?)



UNIT OUTLINE AND PRESENTATION DATA

OBJECTIVES AND INSTRUCTIONAL CUES

Story)

Ask – Has anyone not decided to arrest the man at this point?

- Officers should do in-depth interview of all parties including kids.
- Officers should make sure the story match the injuries.
- Any past occurrences?
- Any prior arrests?

10. Wrap Up with Bulleted sheet of Course Highlights

Show 6:06 Minute Video

Use Decision Tree
Get audience to commit to a decision

Go Over Bulleted sheet of Course Highlights

Extra Material or Trainers

1. Dual Arrest Beyond the Obvious #1 (Man and Wife Fighting #1)

Man said:

- Wife hit me in the nose and might be broken.
- You “ought” to consider arresting her.
- We were at a party and she freaked out because I was talking to another woman.
- We argued all the way home.
- Wife was throwing stuff around the house and she locked herself in the bedroom.

Woman said:

- He hit me in the eye, kicked me the chest and stomach.
- We did get into a fight and was arguing.
- “I don’t want him arrested.”
- I got jealous because he was talking to another woman.
- We argued all the way home and into the house. The babysitter saw us arguing and went home.
- He pushed the bedroom door open and told her to get out. She refused, so he threw her down on the floor.
- That’s when I kicked him.

Who would you arrest? Man or Woman – MAN.

Why or Why Not?

What about Power and Control tactics that you observed?

- Man came to door
- Police have been there before and arrested him. He confirmed this, but said she made up the story.
- She did not want him arrested. Why?

Ask – Does the woman have a self-defense claim?

Ask – Was the amount of force used by the woman reasonable and necessary?

Possible Crimes: Assault, Criminal Threatening. Remember who is predominant aggressor.

Show 11:19 Minute Video

Use Decision Tree
Get audience to commit to a decision

2. Dual Arrest Beyond the Obvious #2 (Man and Wife Fighting-cont.)



UNIT OUTLINE AND PRESENTATION DATA

OBJECTIVES AND INSTRUCTIONAL CUES

Woman said:

- I slapped him because he threw our wedding picture and broke it.
- He called me a bitch.
- He just went crazy.
- He hit me in the stomach and kept kicking me and would not stop.

Who would you arrest? Man or Woman - **MAN**

Why or Why Not?

Ask – Has the woman acted in self-defense?

Ask – Has the woman committed an illegal assault?

Ask – Is there a disparity of the force between the man & woman?

Ask – In what content did he use violence?

Ask – In what context did she use violence?

Ask – If a dual arrest occurs, have we provided effective?
intervention in regards to:

- Victim safety - **NO**
- Offender accountability - **NO**
- Providing a general deterrent to the community - **NO**

3. Tips on Training Law Enforcement Officers

- a. Understand and respect the job and perspective of law enforcement.
- b. Be sincere in your delivery of the information.
- c. Be professional in your appearance and manner of speaking, although humor is also often appreciated.
- d. Stay flexible with questions and set the tone to encourage a positive learning environment.
- e. Address breaks, directions to the restrooms, etc. at the beginning of the training.
- f. Model strong collaborative relationships between law enforcement and officers by being a strong training team.
- g. Handling problems: take control of your environment – room and people.
 1. Walk around the room.
 2. Be human by relating your background and story.
 3. Allow people to debate but control it. Prepare in advance.
 4. Be direct and authoritative about the principles being taught.
 5. Encourage the audience to work out challenging questions or statements from one audience member, by asking what other's think, or whether they agree.

6. Be ready for audience members to protest that predominant

Show 1:19 Minute Video

Use Decision Tree
Get audience to commit to a decision

Show 15:20 Minute Video



UNIT OUTLINE AND PRESENTATION DATA

aggressor is really just creating or reinforcing a gender bias against men. Remind them of the reality that predominantly women and children are being killed and seriously injured in Maine. Remind them that by and large abusers are men and victims are women. Note that even in same-sex abusive relationships there exists a predominant aggressor.

- h. Practice, Practice, Practice. Know your subject.
- i. The key is the presentation, not the presenter.
- j. Understand this is a new concept and not we may have to educate prosecutors and judges at a later time.
- k. End session with wrap up sheet.

Criterion Testing

1. (Goal 6.12.1) According to the class on Domestic Violence, what is **NOT** a negative consequence of a dual arrest in Domestic Abuse cases?
 - a. The department risks a lawsuit.
 - b. Victims are protected.
 - c. Children are removed from their home and taken into custodial care.
 - d. Dual arrests are rarely prosecuted.

2. (Goal 6.12.2) According to the class on Domestic Violence, when two people use violence against each other, the Predominant Aggressor can **best** be described as?
 - a. The person who hits first.
 - b. The person with the most injury.
 - c. The person with the least injury.
 - d. The most significant aggressor who has a history of domestic abuse.

3. (Goal 6.12.3) According to the class on Domestic Violence, Which of the following is/are a defense wound(s) for a victim of Domestic Abuse?
 - a. Injuries to the back of the head.
 - b. Injuries to the back of the forearms.
 - c. Injuries to the feet.
 - d. All of the above.
 - e. None of the above.

4. (Goal 6.12.4) According to the class on Domestic Violence, when a law enforcement officer enforces Domestic Abuse laws that have been alleged, what is the **primary goal** to keep in mind?
 - a. Preventing violations of protection orders from occurring.
 - b. Preventing murder from occurring.
 - c. Preventing assault from occurring.
 - d. Preventing child abuse or child neglect from occurring.

Bibliography

1. Maine Revised Statute Annotated 17-A M.R.S.A. § 108-1 & 2.
2. Maine Revised Statute Annotated 17-A M.R.S.A. § 501-A.
3. “Beyond the Obvious – Improving Strategies in the New Millennium in Domestic Violence Arrests,” California Alliance of Advocates for Domestic Violence, 2000.
4. Partnership in Protection: Community Policing to Combat Domestic Violence, Training Manual, 1997.
5. Maine Law Enforcement Officers Manual, Federico, John, Chapter 1 – Probable Cause, 2003-2005.
6. Maine Law Enforcement Officers Manual, Federico, John, Chapter 2 – Arrests, 2003-2005.
7. Maine Law Enforcement Officers Manual, Federico, John, Chapter 26 – Domestic Abuse, 2003-2005.
8. State of *Maine v. Parkinson* 389A.2d 1, 8 (Me.1978).
9. Blacks Law Dictionary – Probable Cause and Self-defense.
10. Maine 2006 Uniform Crime Reports – Maine Department of Public Safety
11. Commonwealth Fund Survey, 1998