

2012

# Perceiving and Reporting Domestic Violence Incidents in Unconventional Settings: A Vignette Survey Study

Hadar Aviram

*UC Hastings College of the Law*, [aviramh@uchastings.edu](mailto:aviramh@uchastings.edu)

Annick Persinger

Follow this and additional works at: [http://repository.uchastings.edu/faculty\\_scholarship](http://repository.uchastings.edu/faculty_scholarship)



Part of the [Law and Gender Commons](#)

---

## Recommended Citation

Hadar Aviram and Annick Persinger, *Perceiving and Reporting Domestic Violence Incidents in Unconventional Settings: A Vignette Survey Study*, 23 *Hastings Women's L.J.* 159 (2012).

Available at: [http://repository.uchastings.edu/faculty\\_scholarship/9](http://repository.uchastings.edu/faculty_scholarship/9)

**Faculty Publications**

**UC Hastings College of the Law Library**

**Author:** Hadar Aviram

**Source:** Hastings Women's Law Journal

**Citation:** 23 HASTINGS WOMEN'S L.J. 159 (2012).

**Title:** *Perceiving and Reporting Domestic Violence Incidents in Unconventional Settings:  
A Vignette Survey Study*

Originally published in HASTINGS WOMEN'S LAW JOURNAL. This article is reprinted with permission from HASTINGS WOMEN'S LAW JOURNAL and University of California, Hastings College of the Law.

████████████████████

# Perceiving and Reporting Domestic Violence Incidents in Unconventional Settings: A Vignette Survey Study†

*Hadar Aviram\* and Annick Persinger\*\**

## I. INTRODUCTION

For the last few decades, the prevalent perception of domestic violence has been through a lens of patriarchy and gender domination. The classic domestic violence scenario, in which a man abuses a woman, has not only been the cornerstone of scholarship and activism,<sup>1</sup> but also the basis for law enforcement policies, such as mandatory arrests<sup>2</sup> and mandatory, no-drop prosecutions.<sup>3</sup> More recently, researchers have uncovered a variety of factors, beyond patriarchal social norms, that contribute to domestic violence.<sup>4</sup> Exemplifying the existence of factors outside of gender roles, researchers have found that domestic violence incidents also commonly occur in unconventional scenarios, such as same-sex relationships and opposite-sex relationships where women perpetrate violence against men.

---

† Paper originally presented at the Fourth Annual Conference on Empirical Legal Studies, held at the University of Southern California, November 20, 2009.

\* Associate Professor, University of California, Hastings College of the Law.

\*\* J.D., 2010, University of California, Hastings College of the Law; member of the State Bar of California.

We are grateful to Evan Lee, Shauna Marshall, and the Hastings community for their generous assistance in the conduction of this project. We would also like to thank Haim Aviram, Shlomo Bekhor, Dave Braman, Heather Field, David Greenberg, DeLayne Harthorn, Randy Persinger, J.J. Prescott, Dorit Reiss, Darien Shanske, and Marc Spindelman for their thoughtful comments on various aspects of the project, and Sheryl Briggs, Chad Goerzen, and Theodore Lo Scalzo for software assistance.

1. CATHARINE MACKINNON, *FEMINISM UNMODIFIED: DISCOURSES ON LIFE AND LAW* (1987); Lucy Berliner, *Domestic Violence: A Humanist or Feminist Issue?*, 5 J. INTERPERSONAL VIOLENCE 128, 128–29 (1990).

2. Lawrence W. Sherman et al., *The Variable Effects of Arrest on Criminal Careers: The Milwaukee Domestic Violence Experiment*, 83 J. CRIM. L. & CRIMINOLOGY 137 (1992).

3. David A. Ford & Mary Jean Regoli, *The Criminal Prosecution of Wife Assaulters: Process, Problems, and Effects*, in LEGAL RESPONSES TO WIFE ASSAULT: CURRENT TRENDS AND EVALUATION 127 (N. Zoe Hilton ed., 1993).

4. Donald G. Dutton & Kenneth Corvo, *Transforming a Flawed Policy: A Call To Revive Psychology and Science in Domestic Violence Research and Practice*, 11 AGGRESSION & VIOLENT BEHAV. 457 (2006).

The impact of this research on shaping public policy, however, is far from complete.<sup>5</sup>

While victim surveys and other research confirm that all types of domestic violence incidents are largely underreported—albeit less so than decades ago—researchers estimate that when such incidents occur outside of typical patriarchal settings they are reported even less frequently. This project uses a vignette survey research design to uncover the tendencies to report domestic violence incidents in various types of relationships and the reasons for underreporting.

#### A. RATES OF DOMESTIC VIOLENCE IN NONTRADITIONAL SETTINGS

##### 1. Incidence of Domestic Violence in Same-Sex Relationships

Domestic violence occurs in same-sex relationships at about the same rate as in opposite-sex relationships.<sup>6</sup> After reviewing two decades of research on the rates of domestic violence in both opposite-sex and same-sex couples, Rohrbaugh found that the “research suggests that violence occurs at the same rate (12% to 50%) in same-gender couples as it does in cross-gender couples.”<sup>7</sup> The general method of studying victims already accessing domestic violence services allows researchers to circumvent difficulties related to reluctance to report abuse, as these victims have already come forward. Thus, much of the research does not represent the United States’ LGBT population’s rate of reporting abuse, and reflects to an even lesser degree the rate such abuse is reported specifically to the police.

Bryant and Demian conducted a national survey where they asked 1749 lesbian and gay men about “the two greatest challenges to their relationships,” and found that 7% of lesbians and 11% of gay men reported “physical abuse” by a partner.<sup>8</sup> The survey, however, did not identify the rate that victims of same-sex violence reported abuse to the police; instead, Bryant and Demian’s report based the rate of occurrence of LGBT domestic violence on responses to its anonymous national survey. The anonymity of the national survey may have overcome, to a degree, the reluctance of same-sex domestic violence victims to report abuse.

In another study, the National Lesbian Health Care surveyed 1925

---

5. Roland D. Maiuro et al., *Are Current State Standards for Domestic Violence Perpetrator Treatment Adequately Informed by Research?: A Question of Questions*, in DOMESTIC VIOLENCE OFFENDERS: CURRENT INTERVENTIONS, RESEARCH, AND IMPLICATIONS FOR POLICIES AND STANDARDS 21 (Robert A. Geffner & Alan Rosenbaum eds., 2001).

6. Shannon Little, *Challenging Changing Legal Definitions of Family in Same-Sex Domestic Violence*, 19 HASTINGS WOMEN’S L.J. 259, 260–61 (2008).

7. Joanna Bunker Rohrbaugh, *Domestic Violence in Same-Gender Relationships*, 44 FAM. CT. REV. 287, 287 (2006).

8. A. Steven Bryant & Demian, *Relationship Characteristics of American Gay and Lesbian Couples: Findings from a National Survey*, in SOCIAL SERVICES FOR GAY AND LESBIAN COUPLES 101, 112 (Lawrence A. Kurdek ed., 1994).

lesbians with a questionnaire that asked about “physical and sexual abuse,” along with other mental health concerns specific to the lesbian community, and 12% reported being “harshly beaten” by a partner at least once.<sup>9</sup> Correspondingly, in its study of same-sex domestic violence, the National Coalition of Anti-Violence Programs estimated that 25% to 33% of all same-sex relationships involve violence.<sup>10</sup>

Although many of these studies only limitedly represent the population, and cannot collect data from victims who either do not recognize the violence in their relationships as abuse or choose not to report the violence even anonymously, the collective findings demonstrate that same-sex domestic violence occurs. Taking into consideration that research on opposite-sex domestic violence also struggles with problems related to underreporting, it is possible to draw the conclusion from the aggregate research on LGBT domestic violence that abuse occurs at similar rates in same-sex and opposite-sex relationships. This equal prevalence of same-sex domestic violence means that, despite the similar gender socialization of both partners in same-sex relationships, one partner uses a combination of coercion, threats, intimidation, emotional harm, isolation, and economic superiority as a means of exerting power and control over the other partner—in other words, as a means of perpetuating domestic violence.

## 2. Incidence of Domestic Violence Perpetrated by Women Against Men

Domestic abuse of men by women has also been documented, and there are abundant indications that it is not an uncommon occurrence. In an early study, Gelles found the same incidence of violence toward husbands as toward wives.<sup>11</sup> Newer findings based on survey research confirm the existence of the phenomenon, though the exact frequency of this type of violence has been hotly debated. Some studies find that about 11% to 12% of surveyed men report being abused, but others find methodological faults in the definitions of violence used for these surveys.<sup>12</sup> Most recently, Fiebert reviewed ninety-nine empirical studies and twenty-three reviews and meta-analyses, and demonstrated that women are as physically aggressive as—or more aggressive than—men in their

---

9. NATIONAL COALITION OF ANTI-VIOLENCE PROGRAMS, LESBIAN, GAY, BISEXUAL, AND TRANSGENDER DOMESTIC VIOLENCE IN 1999 2 (2000), available at <http://www.avp.org/publications/reports/1999ncavpdrpt.pdf>.

10. *Id.*; see also DAVID ISLAND & PATRICK LETELLIER, MEN WHO BEAT THE MEN WHO LOVE THEM: BATTERED GAY MEN AND DOMESTIC VIOLENCE (1991).

11. RICHARD J. GELLES, THE VIOLENT HOME: A STUDY OF PHYSICAL AGGRESSION BETWEEN HUSBANDS AND WIVES (1974).

12. Denise A. Hines & Kathleen Malley-Morrison, *Psychological Effects of Partner Abuse Against Men: A Neglected Research Area*, 2 PSYCHOL. MEN & MASCULINITY 75, 76–77 (2001).

relationships with their spouses or male partners.<sup>13</sup> The aggregate sample size in the reviewed studies exceeds 77,000.<sup>14</sup>

Beyond the issue of frequency, several studies have assessed the consequences of domestic violence perpetrated by women against men. While some studies found relatively low percentages of serious injuries among victimized men,<sup>15</sup> which can be attributed to size and physical prowess,<sup>16</sup> other studies have found higher rates of physical injuries. Morse's study found that between 10.4% and 19.6% of the abused men suffered an injury.<sup>17</sup> Similarly, Makepeace found that 17.9% of the abused men in his sample sustained a mild or moderate injury.<sup>18</sup> An examination of violence patterns may explain these higher rates. According to Archer's findings, women were more likely than men to throw items at their partners, as well as slap, kick, bite, punch, and hit with an object, which would make up for the size and physical force differential.<sup>19</sup>

#### B. REASONS FOR UNDERREPORTING NONTRADITIONAL DOMESTIC VIOLENCE

Complex factors make same-sex domestic violence and abuse perpetrated by females against male partners different from traditional situations of domestic violence, and may result in increased reluctance for individuals in nonnormative relationships to report abuse to authorities. Some of the factors that may discourage reporting in nontraditional settings include misconceptions based on the type of relationship, and a perception that the police are inadequately equipped to respond to domestic violence that deviates from the typical gender narrative of abuse perpetrated by men against women. Further, the addition of complicating dynamics, such as threats to "out" a same-sex partner or mutual violence between same-sex and opposite-sex partners, may result in even more hesitance to report abuse in nonnormative relationship settings.

---

13. MARTIN S. FIEBERT, REFERENCES EXAMINING ASSAULTS BY WOMEN ON THEIR SPOUSES OR MALE PARTNERS: AN ANNOTATED BIBLIOGRAPHY (2001), available at <http://news.mensactivism.org/files/fiebert.pdf>.

14. FIEBERT, *supra* note 13; see also Kristin L. Anderson, *Perpetrator or Victim? Relationships Between Intimate Partner Violence and Well-Being*, 64 J. MARRIAGE & FAMILY 851, 856 (2002) (who used the National Survey of Families and Households and found higher victimization rates among men than among women).

15. M. Cascardi et al., *Marital Aggression: Impact, Injury, and Health Correlates for Husbands and Wives*, 152 ARCHIVES INTERNAL MED. 1178, 1181 (1992).

16. Hines & Malley-Morrison, *supra* note 12.

17. Barbara J. Morse, *Beyond the Conflict Tactics Scale: Assessing Gender Differences in Partner Violence*, 10 VIOLENCE & VICTIMS 251, 266 (1995).

18. James M. Makepeace, *Gender Differences in Courtship Violence Victimization*, 35 FAM. REL. 383, 386 (1986).

19. John Archer, *Sex Differences in Physically Aggressive Acts Between Heterosexual Partners: A Meta-Analytic Review*, 7 AGGRESSION & VIOLENT BEHAV. 313, 323-26 (2002).

### 1. Misperceptions of Abuse

Batterers use the “Myth of Mutual Battering” in both heterosexual and homosexual relationships to perpetuate abuse by instilling the belief that each partner is both a perpetrator and a victim. This myth is particularly problematic in same-sex abusive relationships as a result of the more pervasive misconception (compared to heterosexual relationships) that two men or two women are “just fighting.”<sup>20</sup> This misconception means that same-sex victims are at risk for failing to recognize or understand that they are in an abusive relationship. The Power and Control Wheel for LGBT Relationships includes mutual abuse as a way a batterer rationalizes the violence in a relationship.<sup>21</sup> For example, in a same-sex relationship a batterer may say to the victim that women cannot abuse women or that men cannot abuse men to minimize the abuse.<sup>22</sup> Thus, as a mechanism of asserting dominance over a partner, batterers use accusations of mutual abuse to deny abuse, minimize the violence, or blame the victim.

The perception that gays and lesbians are “just fighting” is further exacerbated because abused lesbians and gay men more often defend against their batterers with physical force than heterosexual women do.<sup>23</sup> As a result of the victim’s use of force, he or she is more likely to believe a batterer, or even friends and counselors who suggest that the victim is the perpetrator, and thus does not deserve support or access to resources. One activist notes, “[i]n a culture without many healthy role models for lesbian [and gay] relationships . . . the batterer can convince [his or] her partner that the abusive behavior is normal and that any problems the partner has with it are a reflection of [his or] her lack of experience and understanding of [gay or] lesbian relationships.”<sup>24</sup>

The “just fighting” perception might be even more of a hurdle in a reversed-role violent setting, in which a male victim may be unlikely to perceive himself as a victim or perceive a female partner as an abuser, particularly if he engages in violence as well (even if to a lesser degree than the female partner).

Batterers in both same-sex and opposite-sex relationships may try to convince their partner that the physical violence in their relationship is mutual abuse or “just a fight,” so that the partner does not identify her- or himself as a victim of domestic violence. Thus, using the victim’s self-doubt and the fact that in nontraditional settings it may be more difficult

20. Sandra E. Lundy, *Abuse That Dare Not Speak Its Name: Assisting Victims of Lesbian and Gay Domestic Violence in Massachusetts*, 28 NEW ENG. L. REV. 273, 283 (1993).

21. *Power and Control Wheel*, DOMESTIC ABUSE INTERVENTION PROJECT, <http://www.theduluthmodel.org/pdf/PowerandControl.pdf> (last visited Jan. 23, 2012).

22. See, e.g., *Lesbian, Gay, Bisexual and Trans (LGBT) Caucus*, TEX. COUNCIL ON FAMILY VIOLENCE, <http://www.tcfv.org/membership/caucuses-ally-groups-and-networks-cans/lesbian-gay-bisexual-and-trans-lgbt-caucus> (last visited Jan. 23, 2012).

23. Lundy, *supra* note 20, at 283.

24. *Id.* at 282.

than in straight relationships to identify which party is the aggressor and which is the victim, the batterer can alienate the victim from sources of assistance, and the relationship and the abuse may continue unchecked.

## 2. Perceived Harm in Approaching the Police

### a. "Outing" Threats and Shame

Beyond the well-documented concern about revealing unpleasant or shameful details regarding a private home-life, unconventional domestic abuse incidents present special concerns for victims. In some same-sex relationships, the concern about being "outed" in the process of reporting a complaint to the police might amplify explicit or implicit threats on the part of the batterer to "out" his or her partner—a form of abuse available exclusively to the same-sex batterer. In threatening to "out" a partner, the same-sex batterer uses societal homophobia as a mechanism to control and isolate a partner. Even if gays and lesbians are "out" in certain aspects of their lives, individuals "may decide not to disclose their sexual orientation to friends, family, or employers, for fear of loss of emotional support or the ability to sustain themselves financially."<sup>25</sup> These threats are in themselves emotional abuse, as they provide a form of psychological leverage over a victim who seeks to keep a divergent sexual orientation private in a homophobic society.

"Outing" threats are extremely powerful because the "outed" partner could potentially lose a job, or even housing.<sup>26</sup> Further, relationships with friends and family that the victim perceives as unaccepting of homosexuality could be severely damaged, especially if a victim's sexuality is announced in the negative context of domestic abuse. These victims are particularly vulnerable to social isolation, either as a result of reluctance to tell family and friends about the sex of their partner or fear that homophobic friends and families will reject the homosexual victim after learning of his or her sexuality. This social isolation limits the abused individual's resources for escaping the relationship and for support in resorting to the police or other agencies available to assist victims.

Threats to "out" a partner to an ex-spouse or authorities are particularly effective when the victim believes that a homosexual orientation will result in losing custody of children. "Outing" could legitimately put a biological parent's custody at risk, as lesbians have lost custody to ex-husbands—even those that have substance abuse issues or murder convictions—based on the assertion that children "should be afforded the opportunity to grow up in a non-lesbian household."<sup>27</sup> Also, for gay males, threats to "out" a victim may

---

25. Mary Eaton, *Abuse by Any Other Name: Feminism, Difference, and Intralesbian Violence*, in *THE PUBLIC NATURE OF PRIVATE VIOLENCE: THE DISCOVERY OF DOMESTIC ABUSE* 195, 206 (Martha Albertson Fineman & Roxanne Mykitiuk eds., 1994).

26. Rohrbaugh, *supra* note 7, at 293.

27. Evan Fray-Witzer, *Twice-Abused: Same-Sex Domestic Violence and the Law*, in



not only relate to sexuality but also to a victim's positive HIV status.<sup>28</sup>

Threats to "out" a partner provide a same-sex abuser with a proxy for power unavailable to male batterers in heterosexual relationships. Male batterers in heterosexual relationships, however, have other tools available to effectuate power and control over their partners. For example, abusive men use their "male privilege" to define themselves as "king of the castle," or the authority in the relationship.<sup>29</sup> Male batterers use their socially constructed male privilege to treat their female partners like servants and prevent them from entering the workforce, thereby creating economic leverage to stymie their partner's efforts to leave the relationship. Nevertheless, there is no heterosexual equivalent to the threat to "out" a partner. While not buttressed by "male privilege," a same-sex batterer can still use economic superiority and all the other mechanisms that male batterers employ as a means to control and isolate their partners.

Thus, same-sex batterers have an "extra weapon in their arsenal of terror," as threats to "out" a victim play on the victim's fear of societal homophobia.<sup>30</sup> This extra weapon is extremely powerful because it serves dual purposes for the batterer. Threats to "out" a partner both reinforce the batterer's control over the socially isolated victim and limit the likelihood that the victim will report to the police, which would expose the victim's sexual orientation.

While "outing" threats are a form of intimidation unique to same-sex domestic violence scenarios, concerns about the public aspect of approaching the police are also present in opposite-sex relationships in which the man is the victim. The difficulties of battling negative stereotypes of passivity, femininity, and ineptness may be as pervasive as "outing" threats, even if the female batterer makes no explicit use of them.

#### b. Perceived Inadequacy of Police Response

Victims in same-sex relationships may fear homophobic reactions from the authorities or fear that as homosexuals they may not be taken as seriously, suggesting that societal homophobia creates another barrier beyond the power and control exerted by a partner to escaping domestic violence. One study in which police answered hypothetical domestic violence scenarios to determine whether the police respondents would treat same-sex complaints as seriously as heterosexual events found reason for "cautious optimism," as there were no statistically significant differences between what the police perceived their response would be in each

---

SAME-SEX DOMESTIC VIOLENCE: STRATEGIES FOR CHANGE 19, 21 (Beth Leventhal & Sandra E. Lundy eds., 1999).

28. Nancy J. Knauer, *Same-Sex Domestic Violence: Claiming a Domestic Sphere While Risking Negative Stereotypes*, 8 TEMP. POL. & CIV. RTS. L. REV. 325, 337 (1999).

29. *Power and Control Wheel*, *supra* note 21.

30. Lundy, *supra* note 20, at 282.

scenario.<sup>31</sup> Also, many police sensitivity programs now include same-sex domestic violence as part of the curriculum.<sup>32</sup> Despite these advances, however, the gay and lesbian community continues to distrust the police, perceiving that law enforcement may react with bias or even refuse to become involved.<sup>33</sup>

Some of these concerns may be warranted. For example, one respondent in a study of third-party responses to domestic violence reported that the police officer who responded to her call for help, called her a “‘queer devil’ and told her she deserved trouble because she is a lesbian.”<sup>34</sup> One prominent Boston attorney has openly criticized lesbians who seek protection from the courts, admitting, “‘a personal hatred and bias against women using the legal system and the police system in their fights with each other.’”<sup>35</sup> Although these statements and other worst-case scenario instances of negative reactions from the authorities are anecdotal, there remains widespread distrust of authorities on the part of gays and lesbians. If individuals in same-sex relationships do not trust the authorities, no matter how positively police actually respond to these situations, same-sex domestic violence will go unreported.

The perception that the police would not be helpful in non-stereotypical scenarios may go beyond the perceived police homophobia, and is a serious issue with regard to men victimized by women. Since this particular pattern of abuse subverts the patriarchal stereotypes of domination and submission,<sup>36</sup> men are discouraged from filing formal complaints because of their concern about having to encounter sarcasm, disbelief, and ridicule, which will embarrass them.<sup>37</sup> Indeed, an analysis of a massive compilation of Canadian survey data revealed equal levels of domestic victimization in women and men.<sup>38</sup> In an analysis of data from the 1999 Canadian General

---

31. Jane A. Younglove et al., *Law Enforcement Officers' Perceptions of Same Sex Domestic Violence: Reasons for Cautious Optimism*, 17 J. INTERPERSONAL VIOLENCE 760, 769 (2002).

32. Knauer, *supra* note 28, at 342.

33. *Id.* at 348; see also Kevin D. Cannon & P. Ann Dirks-Linhorst, *How Will They Understand If We Don't Teach Them?: The Status of Criminal Justice Education on Gay and Lesbian Issues*, 17 J. CRIM. JUST. EDUC. 262, 265 (2006).

34. Claire M. Renzetti, *Building a Second Closet: Third-Party Responses to Victims of Lesbian Partner Abuse*, 38 FAM. REL. 157, 160 (1989).

35. Lundy, *supra* note 20, at 301; see also MICHAEL SCARCE, MALE ON MALE RAPE: THE HIDDEN TOLL OF STIGMA AND SHAME 216–18 (1997) (discussing police insensitivity in same-sex rape cases).

36. See Clifton P. Flynn, *Relationship Violence by Women: Issues and Implications*, 39 FAM. REL. 194, 194–97 (1990).

37. ROGER LANGLEY & RICHARD C. LEVY, WIFE-BEATING: THE SILENT CRISIS 188 (1977).

38. Grant A. Brown, *Gender as a Factor in the Response of the Law-Enforcement System to Violence Against Partners*, 8 SEXUALITY & CULTURE 3, 7 (2004).

Social Survey, Brown<sup>39</sup> concludes that the law enforcement system tends to disadvantage male victims “at almost every step.”<sup>40</sup>

## II. METHODOLOGY

Examining patterns in underreporting domestic violence presents difficulties precisely because of the social stereotypes and misconceptions that yield underreporting in the first place. Since we aimed to examine the impact of non-stereotypical characteristics on reporting, surmounting social stereotypes was particularly problematic for our purposes. To avoid a situation in which respondents made decisions and judgments from abstract and limited information, we chose a quasi-experimental vignette survey design, which afforded us a more systematic understanding of reporting patterns.<sup>41</sup> This design utilizes a series of binary variables, fully controlled and randomly assigned to respondents, to test their impact on the decision to report an incident to the police.

While we considered controlling for a variety of factors (including the severity of the incident, race and class of the protagonists, and protagonists’ relative sizes), concerns regarding sample size<sup>42</sup> led us to limit ourselves to the four main variables suggested by the literature to impact the decision to report abuse: gender of the abuser, gender of the victim, the existence of an “outing” threat (only for scenarios featuring same-sex couples), and an act of significantly lesser violence on the part of the victim (for all couples). The gender of the victim and the gender of the abuser, the first two variables, taken together, defined the type of relationship involved. The vignettes read as follows (variables are parenthetically indicated):

Your best friend, [Jenny/Jimmy], has been in a two-year relationship with [Kathy/Ken].

One night [Jenny/Jimmy] asks you to come pick [her/him] up because [she/he] and [Kathy/Ken] had a fight. When you arrive [Jenny/Jimmy] is scraped up, has a black eye and a sprained shoulder. [[Kathy’s/Ken’s] cheek is slightly bruised.] After you leave the couple’s home, concerned, you ask what happened.

[Jenny/Jimmy] tells you that [she/he] and [Kathy/Ken] attended a party where they had too much to drink. [Jenny/Jimmy] explains that after the party [Kathy/Ken] accused [her/him] of flirting with another [man/woman] and yelled at [her/him], calling [her/him] a

---

39. Brown, *supra* note 38, at 9.

40. *Id.* at 106.

41. Cheryl S. Alexander & Henry J. Baker, *The Use of Vignettes in Survey Research*, 42 PUB. OPINION Q. 93, 93–94 (1978).

42. Paul M. Sniderman & Douglas B. Grob, *Innovations in Experimental Design in Attitude Surveys*, 22 ANN. R. SOC. 377, 378–79 (1996).

liar and a cheater. [In response to these accusations, [Jenny/Jimmy] says [she/he] slapped [Kathy/Ken] on the cheek.] [Jenny/Jimmy] admits that [Kathy/Ken] was so angry that [she/he] lost control and shoved [her/him] down the stairs, which resulted in the bruises and injured shoulder. [Jenny/Jimmy] says, afterward, [Kathy/Ken] was very sorry for pushing [her/him] [and asked her/him not to tell anyone/but told her/him that if she/he told anyone what happened, [Kathy/Ken] would tell everyone that [Jenny/Jimmy] was [a lesbian/gay]].

You have noticed unexplained bruising on [Jenny's/Jimmy's] forearms in the past. [Jenny/Jimmy] says that sometimes [she/he] is afraid of [Kathy/Ken], but [she/he] says it's [her/his] own fault for provoking [Kathy/Ken].

What do you do?

Figure 1 provides the overall vignette scheme.

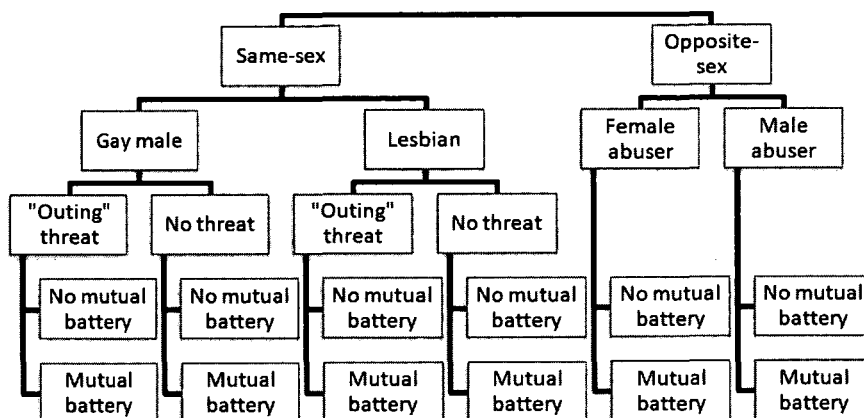


Figure 1.

Respondents were asked whether they would report the incident to the police and whether they would recommend that their friend (Jenny/Jimmy) report the incident. They were also asked to explain why they would, or would not, take those actions. The mechanisms for providing an explanation for a particular answer included: multiple-choice options, multiple-answer boxes, and an additional text box where "other" reasons could be included. We recoded the answers provided by respondents because many respondents opted to include explanations either by selecting a provided explanation or by detailing their own reasons, which, in many cases, overlapped with the options provided in the multiple-choice options. New reasons suggested by the respondents were analyzed separately and qualitatively since they were not available in the original questionnaire to

all respondents. In addition, respondents were asked to indicate the extent to which they supported other possible responses to the hypothetical incidents, such as the victim leaving the abuser, either one of the two parties or both seeking counseling or therapy, and couple reconciliation. Finally, demographic questions asked respondents to provide their gender, age, race/ethnicity, sexual orientation, geographical location (U.S. state), and level of education. We also asked whether participants had ever reported a crime to the police, interacted with the police in relation to an investigation, and/or attained any police training or legal education.

The survey functioned on the Web and was advertised on a variety of social Web sites and general lists (Facebook, Craigslist, Yahoo! Groups, and Google Groups). Although our Web lists were not limited to gay and lesbian organizations, in selecting Web lists, we oversampled LGBT organizations and lists. This special concern about accessing the gay and lesbian population stemmed from the fact that sexual orientation constituted a characteristic expected to impact reporting decisions and from the fact that homosexuality is a minority characteristic less prevalent than heterosexuality in general populations. We refrained from posting the link to the survey on any lists or Web sites dealing directly with legal or domestic violence issues. We also encouraged colleagues to forward the survey link to their students. Of the total 2263 respondents, a recruiting service conscripted 1000. The eventual demographics of the survey show a diverse sample, though somewhat skewed toward the white and educated.

**Table 1: Sample Demographics**

	Respondents	
	(%)	No.
Gender		
Male	38%	780
Female	62%	1273
Age		
25 and under	11.7%	245
26 to 30	11.9%	249
31 to 35	10.1%	212
36 to 40	7.4%	154
41 to 45	7.8%	164
46 to 50	8.4%	176
51 to 55	12.5%	261
56 to 60	15.7%	329
61 to 65	11.8%	246
66 to 70	1.6%	33
71 and over	1.0%	21

**Table 1** (*continued*)

	Respondents	
	(%)	No.
<b>Race/Ethnicity</b>		
African American	3.9%	82
Asian American	5%	104
Latino/Hispanic	4.7%	97
Native American	2.2%	46
White/Caucasian	87.2%	1816
<b>Sexual Orientation</b>		
Heterosexual/straight	85%	1769
Gay, bisexual, queer, or otherwise non-heterosexual	15%	312
<b>Geographic Location</b>		
Resides in a state that recognizes same-sex couples' rights in some form	44.1%	997
<b>Education</b>		
Academic Degree	59.2%	1245
<b>Prior Pertinent Experiences</b>		
Reported a crime to the police	57%	1289
Interacted with the police during an investigation	46.3%	1047
Has had police experience or training	4.7%	107
Has had legal education	22.5%	510

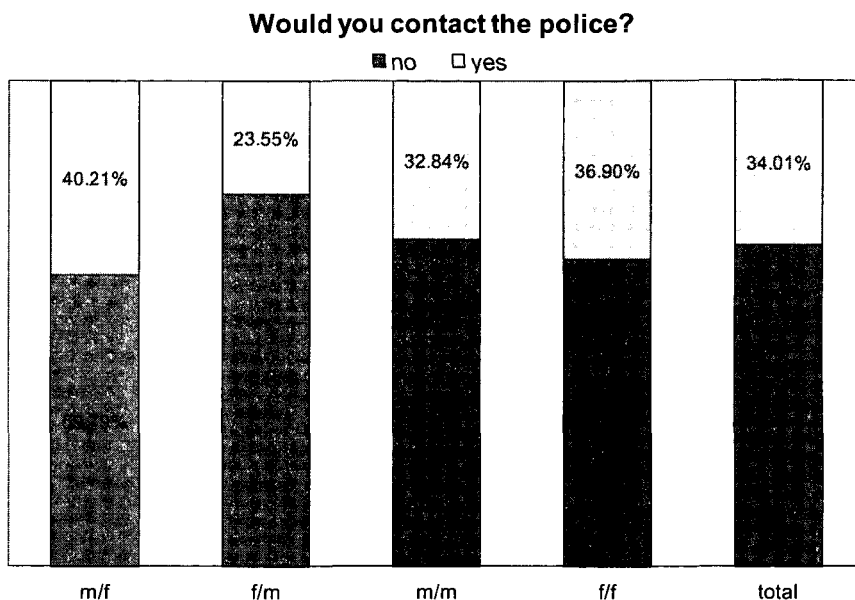
The analysis included chi-square tests and multivariate logit analysis, running two separate models with each of the two reporting decisions (contact the police myself/recommend that the victim contact the police) as the dependent variable.

### III. FINDINGS

#### A. CONTACTING THE POLICE

The first question we asked pertained to the respondents' willingness to contact the police themselves, on their friend's behalf. The majority of respondents (65.99%) were unwilling to do so ( $n = 2205$ ,  $\chi^2 = 26.504$ ,  $p = 0.000$ ). As depicted in Figure 2, the inclination to report was highest in the classic m/f scenario (40.2%), less so but close to the general percentage in the gay and lesbian scenarios (32.8% and 35.9% respectively) and much lower in the f/m scenario (23.5%). Notably, there were no significant

differences between the gay male and the lesbian scenarios. When excluding the traditional scenario from the analysis, respondents were less likely to contact the police in the f/m scenario than in the same-sex scenarios, albeit not significantly so ( $p = 0.1$ ).

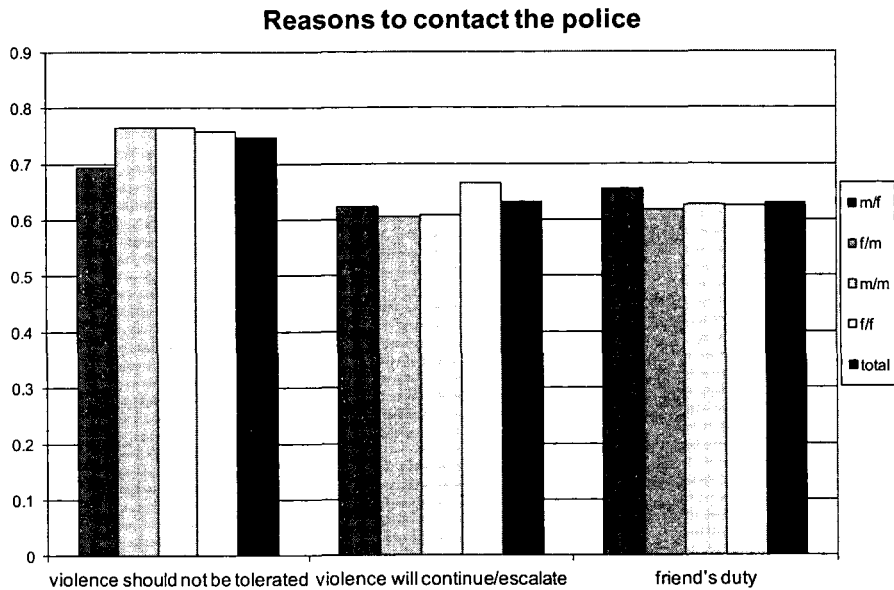


**Figure 2.**

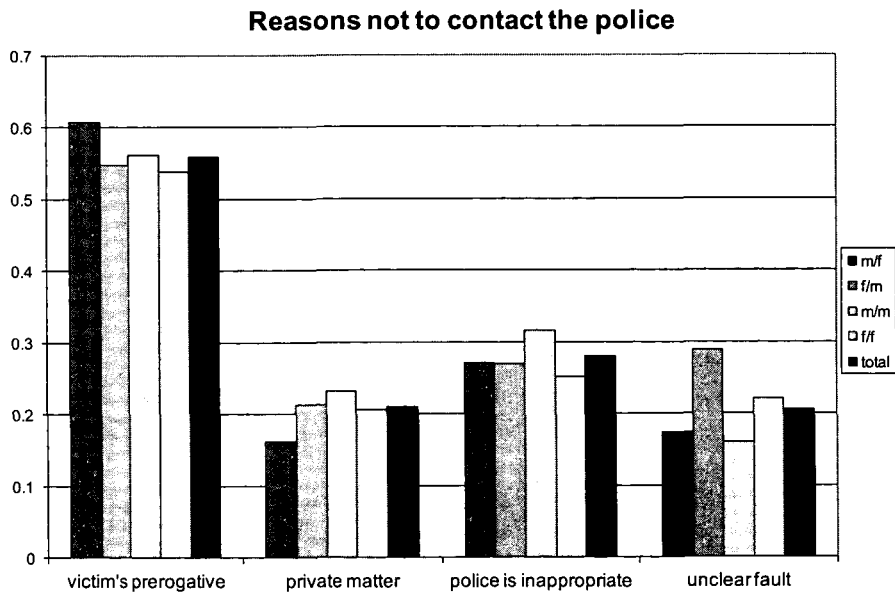
The 750 respondents who were willing to contact the police explained their choice as a belief that violence should not be tolerated (74.8%), a concern that the violence might continue or escalate without intervention (63.2%), and what they considered their duty to a friend (63.1%). As depicted in Figure 3.1, there were no big differences between the different relationship types, except for a somewhat higher concern for the victim’s safety in the f/f scenario. Other reasons offered by the respondents were the need to place the incident on record (4), the availability of other resources through the police (10), and reporting as a symbolic step to convey the seriousness of the situation to the friend (1). Eleven respondents also mentioned that they would report the incident only with their friend’s consent or unless the friend expressed objection.

As to the reasons not to contact the police, the majority of respondents (55.9%,  $n = 1455$ ) explained that reporting the incident to the police was the victim’s prerogative. Respect for the victim’s autonomy was therefore a more common reason not to report the incident than reasons pertaining to the incident itself, such as seeing the incident as a private matter (20.9%), perceiving the police as an inappropriate resource to deal with the situation (28%), or being unsure which partner was at fault (20.5%). Figure 3.2, which offers the breakdown of reasons by type of relationship, suggests

that victim autonomy was more common regarding the m/f scenario. Also, respondents were more likely to perceive the incident as a private matter in the three non-stereotypical scenarios than in the m/f scenario. They were also more likely to perceive the police as an inappropriate resource (mostly in the m/m scenario) and to be unsure about the fault distribution among partners in the f/m scenario than in all other scenarios.



**Figure 3.1.**



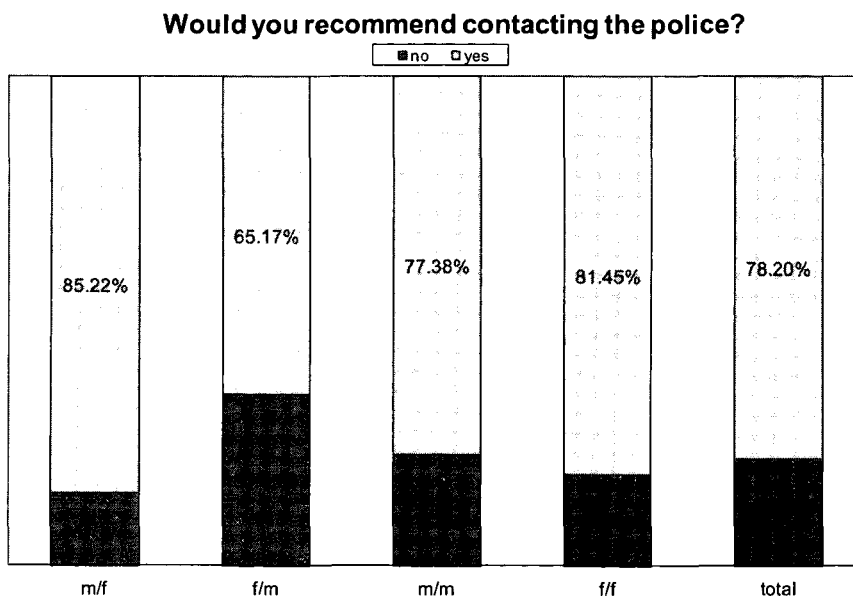
**Figure 3.2.**



Respondents also mentioned the availability of other resources, better than the police, such as counseling (130), the uselessness or reporting in the face of an uncooperative victim (40), the lack of severity of the incident (16), the concern about alienating the friend (15) and the fear that involving the police will exacerbate matters between the friend and the abusive partner (15). Thirty respondents commented that the victim should “just leave” the abuser.

**B. RECOMMENDING CONTACTING THE POLICE**

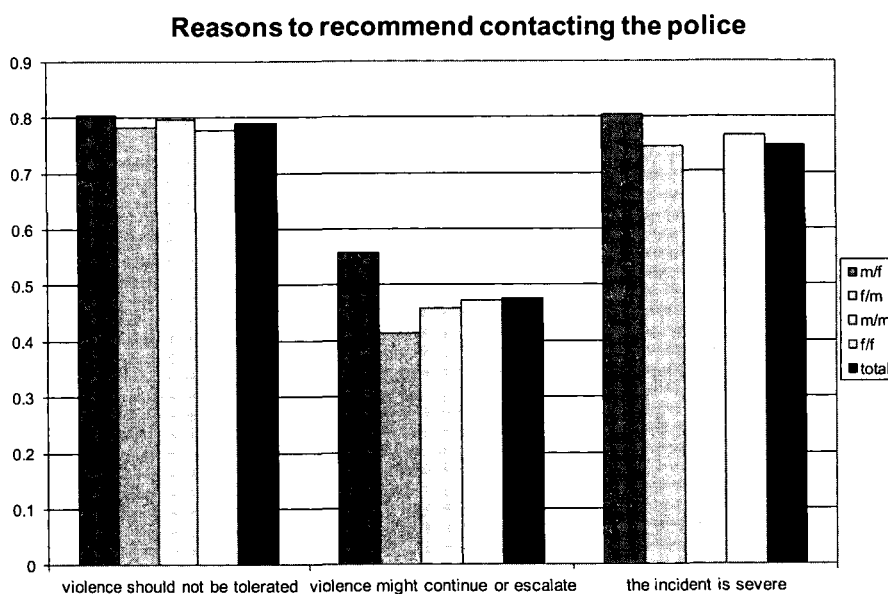
In light of the prevalence of respect for the victim’s autonomy, we estimated that the question whether to recommend contacting the police to the victim—and therefore leaving the final decision to the victim—would be a better gauge of respondents’ assessment of the incident and trust in the police. And, indeed, a much higher percentage (78.2%) were willing to recommend the police as a resource ( $\chi^2 = 48.661, p = 0.000$ ). As in the previous question, and as illustrated in Figure 4, there were significant differences between the different scenarios. The highest likelihood of such a recommendation was found in the m/f scenario (85.2%) and the lowest in the f/m scenario (65.2%). While the tendencies to recommend reporting the same-sex incidents were significantly higher than in the f/m scenario, when excluding the m/f incident from the analysis ( $p = 0.05$ ), there was an almost significant preference for recommending reporting the f/f scenario (81.5%) over the m/m scenario (77.4%,  $p = 0.056$ ).



**Figure 4.**

The respondents who would recommend contacting the police ( $n = 1679$ ) explained this choice as a belief that violence should not be tolerated

(79%), a concern that the violence might continue or escalate (47.6%), and an assessment of the incident as severe enough (75%). As depicted in Figure 5.1, respondents were more concerned about the continuation or escalation of violence in the m/f scenario than in the other three scenarios, and were also more likely to see the classic incident as severe enough to report it. The f/f scenario followed in terms of perceptions of danger and severity. Other reasons for recommending contacting the police were the availability of resources through the police (31), the need to place the incident on record (22), and the need to convey the seriousness of the situation to the victim through a conversation in which the police was mentioned as an option (33).

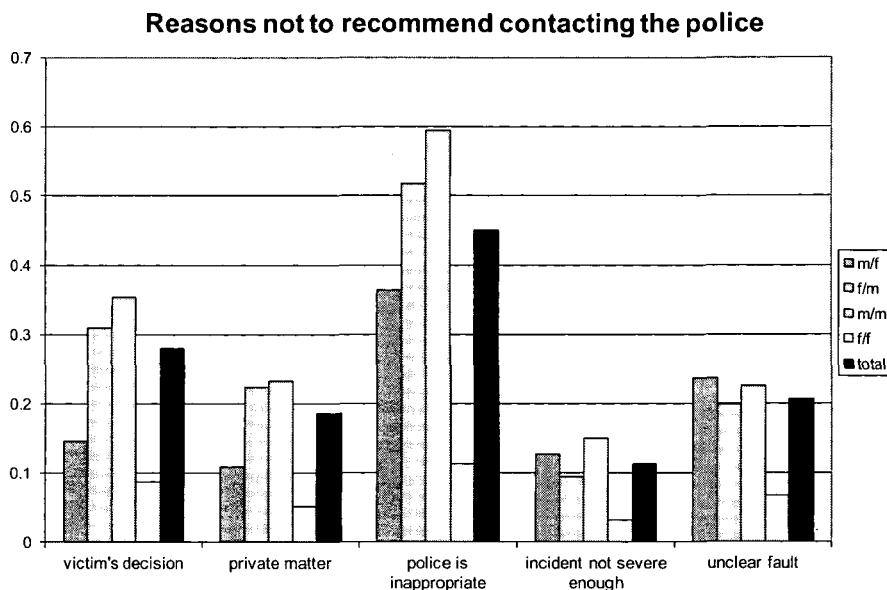


**Figure 5.1.**

The most commonly mentioned reason for not recommending contacting the police (the choice of 468 respondents) was a perceived inappropriateness of the police as a resource (45.1%). Twenty-eight percent of respondents mentioned their reluctance to intervene in the victim's decision, 20.7% were unclear which partner was at fault, 18.6% saw the incident as a private matter, and 11.3% thought the incident was not severe enough to merit contacting the police. Figure 5.2 breaks down these reasons by scenario. Notably, respondents to the f/f scenario were much less likely to provide any of the reasons. The m/m scenario yielded most responses regarding victim autonomy, inappropriateness of police, and the incident not being severe enough.

The respondents provided additional reasons not to recommend contacting the police: the availability of other, better resources (61); the

concern about an uncooperative victim (7); and the sentiment that the victim should “just leave” the abuser (34). Three respondents, referring exclusively to the *f/m* scenario, expressed concern that the wrong party may be arrested. It is important to mention that fourteen respondents would not recommend contacting the police—because they would contact the police themselves.



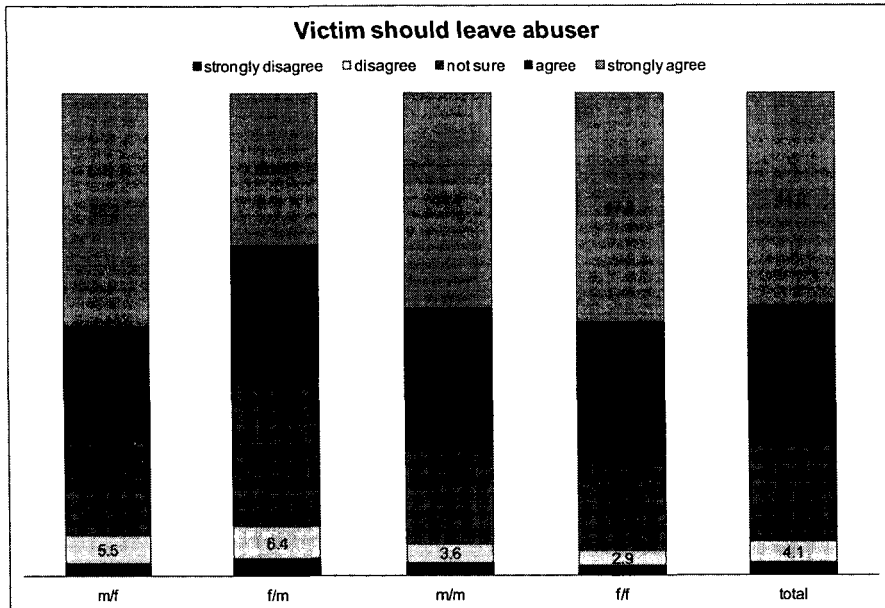
**Figure 5.2.**

Despite the sample’s diversity, we were concerned about its biases, and therefore ran all nonparametric tests excluding the overrepresented categories. We found that the differences in tendency to report remain significant when excluding respondents with academic degrees ( $n = 845$ ,  $\chi^2 = 13.133$ ,  $p = 0.004$ ). The differences remained significant when excluding respondents with legal education ( $n = 1704$ ,  $\chi^2 = 20.774$ ,  $p = 0.000$ ) and when excluding white respondents ( $n = 261$ ,  $\chi^2 = 7.505$ ,  $p = 0.05$ ). It is important to note, however, that in this last subcategory of respondents the most reported scenario was the *f/f* scenario. Our concerns about an overrepresentation of Californians in the study were alleviated when the findings remained constant when excluding all Californian respondents from the study ( $n = 1494$ ,  $\chi^2 = 13.727$ ,  $p = 0.003$ ).

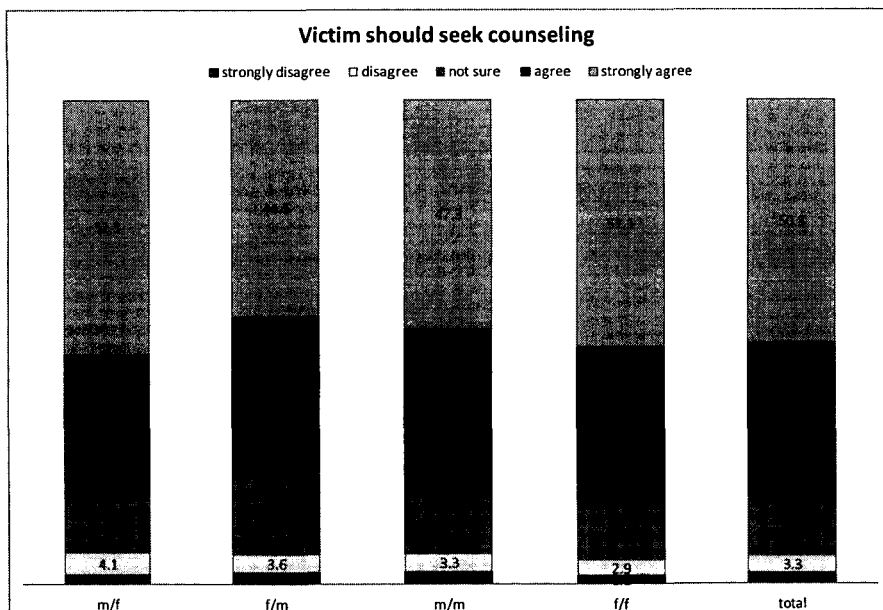
### C. OTHER PROPOSED REACTIONS TO THE INCIDENT

In addition to police reporting, respondents were offered alternative approaches to the incident. They were asked to report the extent to which they supported each of these approaches. With respect to four out of the five alternatives, we found notable differences between the *f/m* scenario and all other scenarios. These are depicted in Figures 6.1 to 6.5. As the

figures illustrate, respondents to the f/m scenario were least supportive of the proposition that the victim leave the abuser; least supportive of counseling for the victim, while most supportive of couple counseling for the victim and the abuser together; and most supportive of the proposition that the couple work on reconciling.



**Figure 6.1.**



**Figure 6.2.**

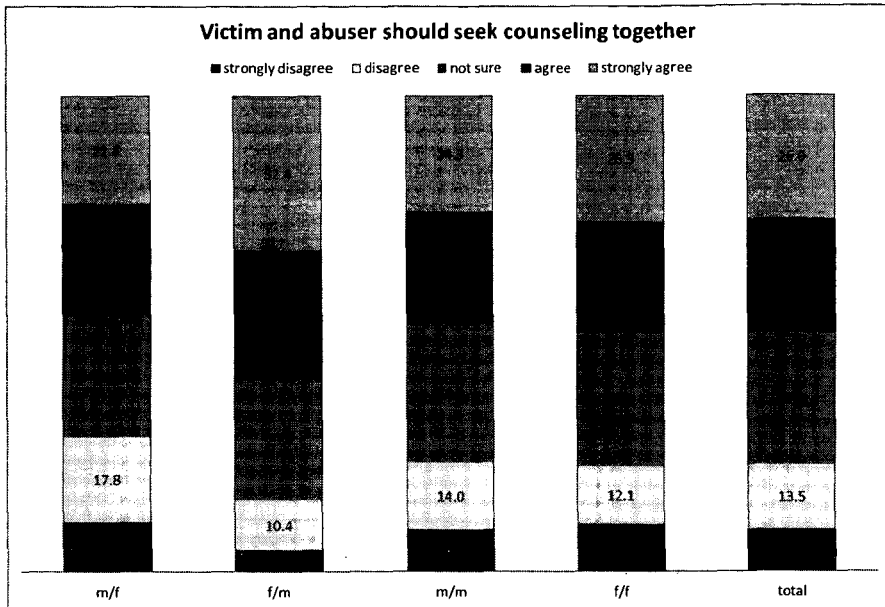


Figure 6.3.

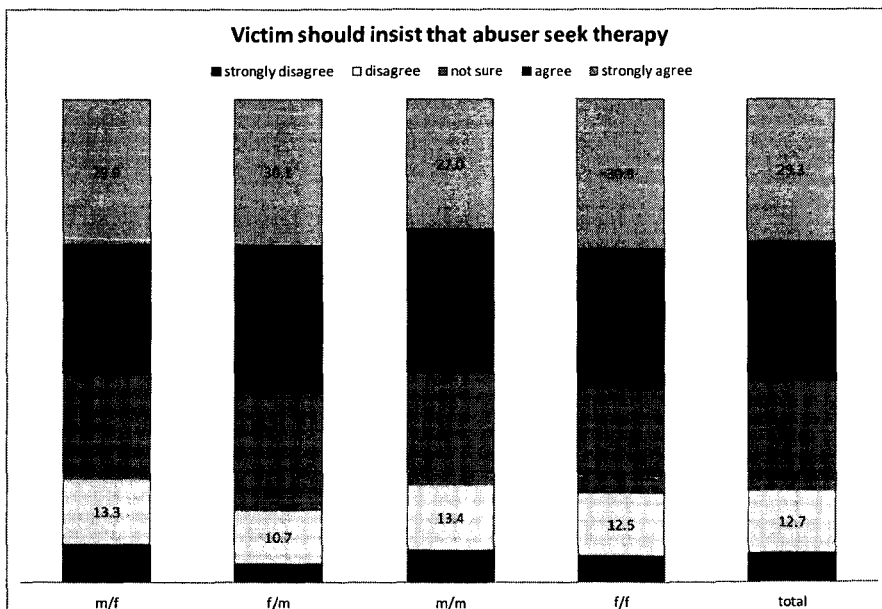
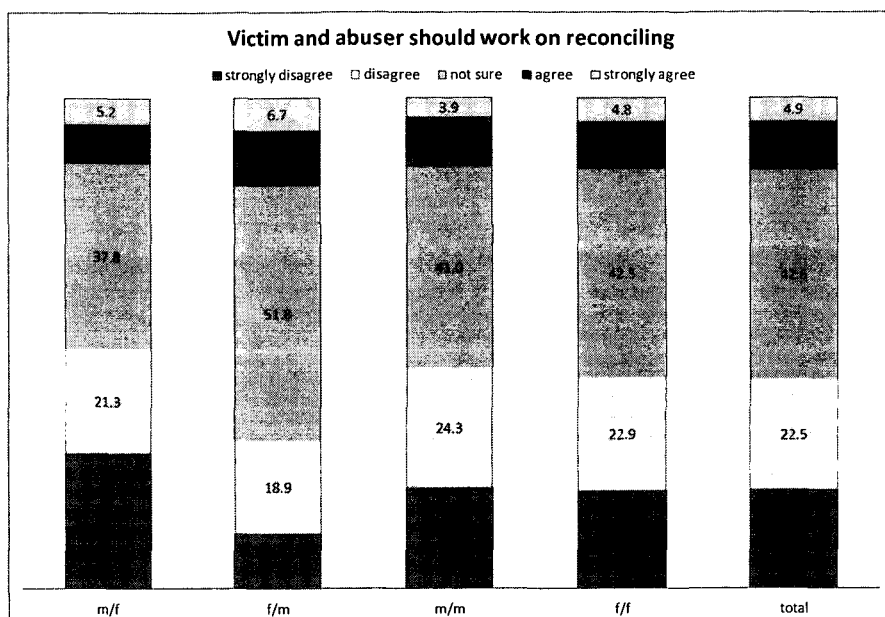


Figure 6.4.



**Figure 6.5.**

#### D. BIVARIATE REGRESSIONS

We ran a series of bivariate logit regressions examining the impact of the incident variables and the demographic variables on the decisions to contact the police and to recommend contacting the police. Table 2 lists these regressions. The gender of the abuser and the gender of the victim were found to be significant for both contacting and recommending contacting the police. A male abuser increased the likelihood of contacting and a male victim decreased the likelihood. "Outing" threats were not found to be significant determinants of either choice. Within male gay scenarios that included the "outing" threat, however, the likelihood of recommending contact with the police decreased ( $\chi^2 = 2.822$ ,  $p = 0.093$ ). The presence of mutual violence had a significant adverse impact only on contacting the police in the classic m/f scenario ( $\chi^2 = 17.761$ ,  $p = 0.000$ ). No such significance was found for recommending contacting the police in any of the scenarios.

As to the respondents' demographic features, male respondents were significantly more likely than female respondents to contact the police themselves, but significantly less likely to recommend contacting the police. Respondents with an academic degree, and in particular legal education, were less likely to contact and recommend the police. Respondents with experience reporting crime to the police were more likely to contact and recommend the police. Sexual orientation was not a significant predictor of contacting the police, but non-straight respondents

were less likely to recommend contacting the police, and significantly less likely to recommend contacting the police in the m/m and f/f scenarios. Respondents residing in states that offered some form of legal recognition to same-sex relationships were significantly less likely to contact and/or recommend the police. Surprisingly, this variable had no significant impact on contacting or recommending contact with the police in same sex scenarios. It did, however, adversely impact—quite dramatically—the tendency to report the f/m incident to the police, which makes for the statistical significance in the general case.

**Table 2:** Bivariate Regressions

	Coefficients	
	Recommend contacting the police	Contact the police
Gender of abuser (male)	0.121*	0.220*
Gender of victim (male)	-0.363*	-0.545*
“Outing” threat	0.067	0.140
Mutual violence	-0.07	-0.125
State recognizes same-sex couple rights	-0.482*	-0.321*
Age 51 and over	-0.304*	0.033
Male	0.172	-0.331*
African American	0.290	0.090
Asian American	-0.348	0.117
Latino/Hispanic	-0.161	0.337
Native American	-0.121	-0.047
Non-straight	-0.285*	-0.395*
Academic degree	-0.900*	-0.406*
Experience reporting crime	0.281*	0.236*
Experience interacting with the police	-0.081	-0.058
Police training/experience	0.229	-0.253
Legal education	-0.581*	-0.367*

#### E. LOGIT MODELS

When running the multivariate logit models for contacting and recommending the police, we found similar findings, as detailed in Table 3.1. When controlling for all variables, the abuser and victim’s respective genders were found to impact the decision to contact the police in the predicted directions (more reporting of incidents with male abusers and/or female victims). “Outing” threats and mutual violence were not found to be significant. Respondents with academic degrees and legal education

were less likely to lead to a report, but experience reporting crime to the police increased the likelihood of reporting. Male respondents were more likely to contact the police but less likely to recommend contact. Residing in a state recognizing same-sex rights had an adverse effect on reporting incidents to the police. Variables controlling for ethnicity were not found to have a significant impact on the outcome, with the exception of Asian American respondents being slightly more likely to recommend the police ( $p = 0.1$ ).

**Table 3.1:** Logit Model: Contacting the Police, Recommending Contacting the Police

	Coefficients	
	Recommend contacting the police	Contact the police
Gender of abuser (male)	0.558*	0.319*
Gender of victim (male)	-0.770*	-0.520*
“Outing” threat	0.047	-0.080
Mutual violence	-0.161	-0.100
State recognizes same-sex couple rights	-0.332*	-0.268*
Age 51 and over	-0.164	-0.067
Male	-0.378*	0.269*
African American	0.075	0.105
Asian American	0.501	0.057
Latino/Hispanic	0.340	-0.091
Native American	0.138	-0.015
Non-straight	-0.327*	-0.230
Academic degree	-0.301*	-0.787*
Experience reporting crime	0.309*	0.349*
Experience interacting with the police	-0.083	-0.174
Police training/experience	-0.150	0.327
Legal education	-0.293*	-0.375*
(constant)	2.046	-0.109

Contact: Goodness of fit test: Pearson  $\chi^2$  1217.96,  $p = 0.4466$   
 Recommend: Goodness of fit test: Pearson  $\chi^2$  1223.20,  $p = 0.3972$

One concern we had was that the respondents' answer to the second question (“Would you recommend that the victim contact the police?”) might not be independent from the first question (“Would you contact the police?”). We have no way of knowing how respondents might have answered the second question independently from the first question, and we



know there was no multicollinearity between the answers to the two questions. We therefore ran an alternative logit model for the second question, including the answer to the first question (contact) as an independent variable. This model, which for goodness-of-fit considerations excluded some of the weaker, nonsignificant variables, is presented in Table 3.2. As the data show, despite the significance and strength of the answer to the first question, the gender of the abuser and the gender of the victim remain significant predictors of the decision to recommend contacting the police. Also, male respondents are still less likely to recommend such contact.

**Table 3.2:** Logit Model: Recommending Contacting the Police, Controlling for Contacting the Police

	Coefficient	Odds ratio with robust standard errors
Gender of abuser	0.442*	0.130
Gender of victim	-0.581*	0.131
State recognizes same-sex couple rights	-0.227	0.124
Male	-0.546*	0.123
Asian American	0.532	0.299
Non-straight	-0.236	0.162
Experience reporting crime	0.179	0.124
Legal education	-0.158	0.133
Would you contact the police?	3.359*	0.328
(constant)	1.165	0.146

N = 1958

Estat gof:  $\chi^2 = 275.05$ ,  $p = 0.4201$

Estat clas: 79.57% correctly classified

Wald  $\chi^2 = 146.90$

Pseudo  $R^2 = 0.1823$

#### IV. DISCUSSION

Perhaps the most salient finding of the study is the respondents' reluctance to approach the police in the f/m scenario as compared with the traditional m/f scenario. To a lesser extent, the findings show a similar reluctance to report to the police in response to the two same-sex scenarios. These differences could not be explained away by sample demographics. While it would be tempting to ascribe these differences to perceived ineptness on the part of the police, additional findings suggest that the reason for these gaps lies either in a misperception of the incident or a failure to classify it as a domestic violence incident meriting the attention of law enforcement. In that respect, the respondents' views regarding the alternative explanations are particularly telling. In the f/m scenario, as

compared to the other scenarios, there was more support for options like reconciliation and couple counseling, and less support for leaving the abuser. There may be two interrelated issues at play here. First, there may be a perception that the male victim is less at risk from the female abuser, and therefore less extreme reactions are viewed as more appropriate. Second, it seems that the f/m scenario is perceived more as a mutual problem, which the couple must sort out together, than as an abusive conflict requiring unilateral steps on the part of the victim (such as leaving the relationship). The latter assumption is supported by some of the written comments regarding this scenario, suggesting that the male victim must “man up” and face the situation, and that it was necessary to speak to both parties (as opposed to just the victim in the other scenarios) to ascertain the best solution for the situation.

These dynamics appear to be absent from the m/m and f/f scenarios, which (while not as likely to be reported as the m/f scenario) were still more likely to be reported than the f/m scenario. In light of the literature's concerns about the invisibility of same-sex domestic abuse, these findings are somewhat counterintuitive. The optimistic explanation may be that the increased coverage of these issues and increased public discourse around the legal status of these relationships may have made the public more aware of the realities of same-sex households, including the less harmonious aspects. As we saw, however, states in which same-sex relationships were recognized in some form were actually less likely to yield police reporting. The answer may lie in the limitations of the current study, which crudely controls for gender-related power differentials exclusively through the gender, rather than the gender expression, of the protagonists. That both participants of the incident share the same gender does not mean that gender does not play a role in the scenario. In fact, gender perceptions and stereotypes play important roles in perceiving and addressing same-sex violence scenarios.<sup>43</sup> For example, the structure of the study did not control for the possible perception on the part of respondents that, in the same-sex scenarios, the abuser was physically larger and more masculine. Such features would liken this scenario to the conventional m/f violence scenario.<sup>44</sup> Moreover, other power differentials, such as race and class, may have been projected onto these scenarios, in ways that made them more akin to the stereotypical scenario, by distributing the perceived power differential in favor of the batterer.<sup>45</sup> In the f/m scenario, the inverse

---

43. Marc Spindelman, *Surviving Lawrence v. Texas*, 102 MICH. L. REV. 1615 (2004).

44. Kendall Thomas, Co-Dir., Ctr. for the Study of Law & Culture, Columbia Univ. Sch. of Law, Keynote Address at the Sixth Israeli Annual Conference for Lesbian & Gay Studies and Queer Theory, “If There Is Such a Thing”: Race, Sex and the Politics of Enjoyment in the Killing State (June 4, 2006) (discussing the usage of such stereotypes in prosecuting same-sex domestic violence case).

45. Spindelman, *supra* note 43, at 1634, 1642.

gender anomaly might have overshadowed such projections by respondents.

Another possibility that should be kept in mind relates to the limitation of hypothetical vignettes as predictors of real-life incidents. Some respondents may have wished to appear more sympathetic and supportive of same-sex relationships, and may have therefore opted for the option to report the hypothetical scenario to the police. By contrast, since the f/m scenario seems to be perceived more as a mutual problem and less as a dangerous conflict, this mechanism may not have affected the responses to this particular scenario.

Another counterintuitive finding was the impact of mutual violence on the reporting tendencies. Mutual violence was found to significantly decrease reporting only in the m/f scenario. One possible explanation might be that mutual violence acts as a measure of the relative power of the parties to the situation. In scenarios in which the power balance is unclear to begin with, mutual violence does not tip the scales significantly in the favor of one of the parties. By contrast, in the classic m/f scenario, violence on the part of the female victim challenges the established understandings of the power differentials in the situation and has a significant blurring effect on the ability to identify one party—the woman—as the undisputed victim in the scenario. A related nuance may be that violence on the part of the woman makes this scenario seem less severe or dangerous, thus decreasing the need for law enforcement intervention. Differently, the severity or danger in the same-sex scenarios is already in question due to the ambiguous distribution of power between partners of the same sex.

Explicit “outing” threats on the part of the batterer had no significant impact on the likelihood of reporting to the police. It is possible that people expect that reporting the incident to the police will, in any case, result in exposing the relationship, thus “outing” the victim. Therefore privacy concerns exist whether or not the abuser makes explicit “outing” threats. This is somewhat supported by the large percentage of respondents who explained their unwillingness to report the incident to the police out of respect for victim autonomy. In the same-sex scenarios, such unwillingness might imply deference to the victim’s preferences regarding public exposure of homosexuality inherent in reporting the incident.

The findings regarding male respondents are intriguing, because gender differences between respondents significantly impacted the decisions to contact the police and recommend contacting the police in different ways. These findings may be a function of men’s and women’s different conversational styles.<sup>46</sup> Male respondents feel more comfortable acting to

---

46. DEBORAH TANNEN, *YOU JUST DON’T UNDERSTAND: MEN AND WOMEN IN CONVERSATION* 42 (2001); DEBORAH TANNEN, *GENDER AND DISCOURSE* (1994).

provide an immediate solution on behalf of the victim (among minority male respondents there is even more prevalence of contacting the police on behalf of female victims). Conversely, female respondents are more comfortable engaging in a supportive discussion of the situation, and less willing to invade a victim's autonomy by acting on the victim's behalf.

We expected certain ethnic and racial minorities, as well as non-straight respondents, to be more reluctant to consider the police as an appropriate resource, due to their history of poor relations with the police. This did not happen, possibly because of a distinction drawn by respondents between the contexts of domestic violence and street crime. Non-straight respondents demonstrated an adverse reaction to interaction with the police in the same-sex scenarios. The non-straight respondents' adverse reaction to the police was strictly limited to the same-sex scenarios, however, and did not "bleed over" to the m/f and f/m scenarios. This suggests that these respondents were particularly sensitive to the possible issues of police homophobia. Also, non-straight respondents may decide that same-sex abuse should not be reported because of concerns about the potential political damage to the positive image of same-sex relationships that the LGBT community has striven to create.<sup>47</sup>

Finally, we were surprised by the fact that residing in a state that recognizes same-sex couples' rights had an adverse effect on reporting incidents to the police, and particularly so since this adverse effect seems not to have been impacted by the same-sex scenarios themselves, but rather due to the f/m scenario. One way to explain this puzzling finding is to see same-sex legal recognition as proxy for the progressiveness of the state in question, leading to the conclusion that residing in a progressive state reduces the willingness to contact the police. This interpretation of the findings is, perhaps, better understood in conjunction with the findings regarding academic education, and particularly legal education, which also had an adverse reaction on the willingness to contact the police. It is possible that academic education, legal education, and residing in a progressive state offers at least the perception of availability of other resources to solve domestic violence incidents, which may convince them to pursue such options in lieu of law enforcement. Also, respondents with an academic degree or legal education may perceive themselves and their equally educated peers as more competent to manage the situation than a less-educated "blue collar" police officer. Furthermore, if education loosely serves as a proxy for class, educated respondents may assume that a victim will have the financial resources to pursue alternate options. Finally, as respondents with less education are more likely to occupy a lower socioeconomic class and thus may have more frequent interaction with the police, turning to the police to report violence may seem less

---

47. Knauer, *supra* note 28, at 326.

unusual to these respondents, while respondents with more education may perceive speaking the police as a more extreme option.

## V. CONCLUSIONS: POLICY IMPLICATIONS AND AGENDA FOR FUTURE RESEARCH

The study shows that the tendency to report domestic violence to the police declines as the incident diverges from the stereotypical male abuser/female victim scenario. If this trend can be applied to real-life situations, and if the increase in tendency to report same-sex domestic violence to the police is due to a rise in profile of the problem, perhaps a similar rise in the profile of female-on-male domestic abuse may lead to higher rates of reporting.

The findings invoke some reflections on patriarchy and gender oppression as useful paradigms for generating law enforcement policies in domestic violence incidents. It seems that these paradigms should be approached in a much more nuanced way. Depicting domestic violence as merely an instrument of domination of men over women overlooks the nuanced patterns in which power—including, but not limited to, gender-related power—may operate in other scenarios. While the patriarchy paradigm certainly cannot be said to have outlived its usefulness, the underreporting problem for non-stereotypical scenarios calls for its application in more sophisticated ways. In designing future research on these issues, it is advisable to control for race and class, as well as for the relative size of the protagonists and other gender-related identifiers. Controlling for these variables would generate subtler measures of the impact of cultural understandings of gender and power on the decision whether to report such incidents to the police.

Finally, since our findings suggest public openness to alternative ways of resolving domestic violence situations (such as counseling and therapy), it is advised that professionals in the therapeutic community and police officers dealing with such incidents be open to identifying conflict and crisis across a variety of domestic violence scenarios. What may be categorized as a volatile conflict in a male abuser/female victim scenario may appear to be a “mutual problem” in the context of a female abuser/male victim scenario. It is vital to generate ways of assessing danger that take victims’ concerns seriously, independent of gender stereotypes and cultural assumptions.

\*\*\*