

Looking for a way to arrest spouse abuse

By C.L. Rugenstein
staff writer

Should spouse abuse be made more public?
Area judges interviewed and the director of a shelter for domestic violence victims question the tactic.
But some Oakland County law enforcement officials suggest that listing the names of those arrested and charged with abuse in the newspaper — like drunk drivers or speeders in some states — might help stop some abuse.
It might serve as a deterrent by putting abusers on notice that their violence would be viewed as a crime, and themselves as criminals.

It could make early intervention possible, to break the cycle of family violence.
Such is the view of Troy police spokesman L.L. William Tullock, who produced a public access channel video on domestic violence for Troy residents.
"Until now society has viewed spouse abuse as a relatively private matter between husband and wife," Tullock said. "Outside, non-family people are not aware of what's going on in those houses."
Even if they did suspect or were aware, people would tend to not get involved.
If, however, they read the name of the abuser printed in the paper,

"people may take a little more notice the next time they hear the sound of breaking glass or screams in the night."
"IF YOU KNOW a person in the neighborhood steals wheel covers, you're probably going to take a little extra precaution to make sure your's aren't stolen," Tullock said.
He also said the media has the legal right to print the names of people who are arrested, arraigned, and post bond.
"If a neighbor gets involved and notifies police of what's going on, the police are able to intervene and possibly prevent the act from escalating."

Judge Susan Moiseev of Southfield's 4th District Court said she'd never thought about listing names of arrested and charged abusers.
"We did talk about starting a program (for abusers) at Circuit Court but we looked at it and found there weren't enough cases to justify it. Most of them don't get convicted."
The program was modeled after a federally funded pilot program in Ypsilanti, which included arrest, followed by education programs for the abuser.
Under the program the people of the state are considered as bringing the charges, which took the burden of prosecution off the wife.

"The problem I see with it is people are arrested and charged, but later dismissed," said Circuit Court Judge Edward Sosnick. "My basic question is (whether listing is) a deterrent."
But he agreed with Tullock that "batterers have got to know it's a crime — and be treated no differently than any other criminal... it's a crime against all of us."
Judge Margaret Schaeffer of Farmington's 47th District Court thinks the disadvantages of listing spouse abusers names might outweigh the benefits.
"There'd probably be cause for embarrassment to the victim, and might cause the possible victim to not prosecute," she said.
Joyce Wright, director of communications for the Haven in Pontiac, a shelter for victims of domestic violence, disagreed with listing the names of abusers.

reasonable cause to believe the crime has been committed, even though they didn't see it happen, Tullock said.
"It is a crime when people are being maltreated and killed," said Wright. "It should be followed through with arrest, prosecution and penalties. If it was a stranger that killed another stranger, there would be no question that there would be a conviction."

Facts about spouse abuse

- More women in the United States are likely to be assaulted, injured, raped or killed by a male partner than by any other assailant.
 - An estimated three to four million women are battered each year by a husband or partner.
 - Each year more than one million women seek medical assistance for injuries caused by batterers.
 - The FBI reported that 30 percent of all female homicides are killed by husbands or boyfriends, and 6 percent of male homicides are killed by their wives or girlfriends.
- Information from Facts on Domestic Violence, published by the National Women's Abuse Prevention Project in Washington, D.C.)

... Ypsilanti project targets problem

By C.L. Rugenstein
staff writer

In Ypsilanti Township, justice for spouse abusers is swift.
Charles Pope, court administrator and magistrate for the 14-B District Court in Ypsilanti Township attributed the 65-percent conviction rate from its Family Violence Intervention Project, to arrest and quick prosecution of suspects.
"We don't have a mandatory arrest," Pope said, but uses the probable cause exception carved out of the state statute by the Legislature in 1990.
"If the officer responding to the

report of domestic violence has probable or reasonable cause to believe an assault has taken place, he may make an arrest," Pope said.
Secondly, two significant things happen when the suspect is arraigned, generally the next day.
The charges are filed by the court officer on information taken from reports from the incident — on behalf of the people of the state "as opposed to having the victim bring charges," Pope said.
"That's where we found we lost a lot of cases. This takes the burden (of prosecuting) off the victim," who then becomes a witness.

THE SECOND element is the no-drop policy.
"Even in cases where at the arraignment or trial the victim comes in and says she wants to drop charges, we don't allow it. We explain that the charges are brought by the people of the state. The victim is the witness, not the person who makes it happen," Pope said.
Pope said that fact made a dramatic difference at the project's first pretrial hearing.
There were seven cases of spouse abuse, and the first was a repeat offender, whom police had visited 17 times for reports of family violence. The man pointed to his wife and told Pope she wanted to drop charges.

When Pope told the man she couldn't drop charges, and explained the policy, "you could see a visible sense of relief on her face," he said.
Not only did that man plead guilty, but so did the six waiting behind him.
"We find it to be a successful tactic," Pope said.
The project also provides support for victims via a 24-hour assault crisis volunteer to assist the victim. The volunteer is contacted by the police dispatcher after the suspect is brought in and booked.
In the two years since it began in late May, 1988, the cases of abuse have steadily declined. The program dealt with 159 cases in the last seven months of 1988.

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