In 1994, California amended its domestic violence legislation to include same sex couples. It is commonly believed within the gay and lesbian community that homophobia induces law enforcement officers to respond differently to incidents of domestic violence involving same sex couples than to incidents involving opposite sex couples. However, the dearth of empirical research has precluded assessing the validity of this assumption, especially since the legal mandate has changed. This study addressed whether the assumption of homophobia among police officers is supported through a survey designed to ascertain perceptions about same sex domestic violence. Results showed no differences in how police perceived a scenario of domestic violence based on the sexual orientation of the involved couple. To the extent that expressed perception reflects acknowledging a need to comply with the legal mandate, there is reason to be hopeful that homophobia need not deter appropriate law enforcement response to the problem of domestic violence among same sex couples.

Law Enforcement Officers' Perceptions of Same Sex Domestic Violence

Reason for Cautious Optimism

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Until November 30, 1994, same sex couples in California who were involved in domestic violence were not included under the state's domestic violence laws. California Penal Code, Section 273.5(a), enacted in 1977, provided that "any person who willfully inflicts on a person *of the opposite sex* [italics added] . . . resulting in a traumatic condition, is guilty of a felony."[1]

In *People v. Silva* (1994), California's Fifth District Court of Appeal ruled that the language limiting the reach of felony domestic violence law to heterosexual couples did not render section 273.5 violative of the U.S. Constitution's Fourteenth Amendment guarantee of equal protection. The court found

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that the California legislature's omission of same sex couples was purposeful, and permissively so, because there was not just a rational basis to, but an overriding interest in, preserving the institution of marriage, especially where children are involved. Besides, the court reasoned, a victim of same sex domestic violence could still file charges for assault and battery, even though the penalties were less severe than under the domestic violence statute.

In reaching its conclusion, the *Silva* court relied in part on *People v. Cameron* (1975), which denied an equal protection challenge to the predecessor of section 273.5 (Section 273d) based on language that limited coverage to husbands as perpetrators. In dicta the *Cameron* court opined that wives are much more likely to be the victims of abuse than the perpetrators, and women are physically less able to defend themselves. The *Cameron* court acknowledged, however, that times were changing and that women were becoming more independent and assertive. The court encouraged the legislature to recognize this trend by amending the law to accommodate this new reality. Perhaps in response, the legislature did so, such that California Penal Code Section 273.5 now provides that a man or a woman perpetrator is subject to the law.

Continuing the arguably progressive reasoning of *Cameron*, the *Silva* court stated that whereas it was not a constitutional requirement that the law extend to same sex couples, such relationships may be deserving of protection similar to that afforded by Section 273.5. Interestingly, just 3 months after *Silva* was decided, the California legislature amended Section 273.5 to include same sex couples by deleting the phrase "of the opposite sex" in delineating who can be deemed a victim.

Extending the reach of a law is only as effective as are efforts to implement it. In the domestic violence arena (and others), law enforcement personnel form the front line. Thus, they serve as a filter that determines inclusion or exclusion of people from the criminal justice system, with its protections and imposition of penalties. It has been widely assumed by the gay and lesbian community that same sex couples do not receive equal treatment under domestic violence laws because police officers supposedly mirror (some would argue exemplify) the homophobia and ignorance about gay men and lesbians that typifies much of society. According to Burke (1996), law enforcement has strong negative connotations for many lesbians and gay men who reference years of harassment, bar raids, and abuse from the criminal justice system. Furthermore, law enforcement has tended to view homosexuality as immoral and criminal, representing "part of the societal disorder that the police officer has dedicated his or her life to eradicating" (Burke, 1994, p. 193). Therefore, the theory goes, police officers respond differently to

same sex domestic violence incidents because most officers decline to ascribe validity to same sex couple relationships. The problem is, in the absence of antihomophobia and antiheterosexism education, negative generalizations about same sex partnerships necessarily serve as the lens through which many law enforcement officers view same sex domestic violence. Therefore, although there no longer is any legal justification in California for a law enforcement officer to view a same sex domestic violence scenario any differently than he or she would one involving an opposite sex couple, it remains to be seen if perception varies anyway. First, however, an overview of same sex domestic violence research is presented to provide a backdrop against which to illuminate the typical stereotypes.

Interest in same sex domestic violence is increasing, but the available research continues to be sparse. Moreover, what same sex literature exists primarily focuses on the experiences of lesbians in abusive relationships; only recently has research on gay male battering emerged. One explanation for the lopsided interest in terms of both the heterosexual and the female/female focus stems from the traditional feminist perspective, which found battering a strictly masculine behavior. (Lesbian relationships were squeezed into the male-as-batterer/female-as-victim paradigm by stereotyping the relationships as "butch/femme," or masculinized female/feminine female.) The inability of the feminist theoretical approach to incorporate characteristics of same sex battering beyond these hackneyed stereotypes, especially for gay men, has prompted researchers to modify existing theory in an attempt to illustrate the differences, as well as the similarities, of same sex domestic violence.

In an effort to understand the similarities and differences, Lie, Schilit, Bush, Montagne, and Reyes (1991) surveyed 174 self-identified lesbians in Arizona regarding how frequently they reported aggressive past relationships. Results indicated that roughly one fourth of the sample had been victims of aggression in their current relationships and that two thirds had been victimized by a previous male partner (Lie et al., 1991). Of the participants who reported being intimately involved with another woman, 73.4% had experienced an act defined as aggressive; thus Lie et al. concluded that their findings were in line with studies of other populations (Lie et al., 1991).

Letellier (1994) attempted to bridge the gender gap in domestic violence theory by integrating gender-based sociopolitical theory with psychological theory about domestic violence. He proposed emphasizing battered individuals and how they function psychologically in their social environment, not gender (Letellier, 1994). He also pointed out that prior to his 1994 publication, available research regarding gay male victims of domestic violence was based primarily on clinical experience and not empirical research.

Coleman (1994) examined the relationship between personality and the perpetration of violence and likened the incidence of domestic violence in same sex relationships to that of domestic violence among heterosexual couples. She stated that the personality characteristics of female abusers are similar to the personality traits of heterosexual male abusers. The challenge, according to Coleman, is to acknowledge that lesbians do abuse each other and that current gender-based theory does not explain why such violence occurs at rates similar to that for heterosexual couples.

Waldner-Haugrud, Vaden Gratch, and Magruder (1997) investigated the victimization and perpetration of domestic violence in gay and lesbian relationships. They reported that of the 283 gay and lesbian study participants, 47.5% of lesbians and 29.7% of gay males had been victimized in a same sex relationship. Thirty-eight percent of lesbians and 21.8% of gay males reported being the perpetrators of violent acts in their relationships. The researchers concluded that although there was no difference between gay males and lesbians with regard to severity of violence in the relationship, they did find that lesbians were more likely than gay males to classify themselves as both victims and aggressors.

Cruz and Firestone (1998) conducted a qualitative investigation of violence in gay male relationships. In-depth interviews of 25 participants were conducted, and the researchers found many similarities between aspects of heterosexual domestic violence and the perceptions of the gay male respondents. Some of the similarities appeared in defining domestic violence as such, in reporting actual experiences, and in identifying reasons for remaining in the relationship.

The research outlined above presented interesting and valuable information regarding personality traits, victimization and perpetration rates, and the domestic violence perceptions of victims and batterers. Unfortunately, it is difficult to integrate these findings. Most studies used differing definitions of violence. Some researchers did not differentiate between violence occurring in a same sex relationship and violence in a heterosexual relationship, and none used a random sample. Nevertheless, the evidence is overwhelming that violence occurs in all types of domestic relationships and that the dynamics of domestic violence are varied and complex but not uniquely characteristic of heterosexual relationships. Therefore, there seems to be no logical reason that law enforcement should approach responding to an incident of same sex domestic violence with a different mind-set than they would have when approaching a heterosexual couple under the same circumstances. Whether in fact they do is the subject of this study.

The major stereotypes most often mentioned in the context of same sex domestic violence include feminization of gay male partners—supposedly

precluding true victimization—or violence minimized as "cat fights"; masculinization of lesbian partners—again precluding true victimization—or alternatively, minimizing the violence as two women having a cat fight; and characterizing homosexual relationships as promiscuous and fleeting one-night stands as opposed to "real" marriages. These stereotypes supposedly operate to influence how an officer responding to a domestic violence call views the scene—as one that does not comport with society's notion of domestic violence and thus is not deserving of legal intervention.

The empirical research available on the response by law enforcement personnel to domestic violence is limited and virtually nonexistent for same sex domestic violence. Stith (1990) examined police response to domestic violence and the influence of individual and familial factors of heterosexual couples. What she found was that personal factors in the police officers' lives affected their decision making. For example, if a male officer used violence in his own relationship, he was less likely to arrest a perpetrator in a domestic violence situation.

Bachman and Coker (1995) studied the effects of victim injury, offender's history of violence, and race on police involvement in domestic violence. They accessed crime data from the National Crime Victimization Survey from 1987 to 1992 using only male-perpetrated domestic violence against a female victim. They reported that when an injury occurred in a domestic violence incident it affected the extent to which the offender was arrested. An unusual finding was that offenders without violent histories were more likely to be arrested than those perpetrators who had prior arrests for domestic violence. Related to this, response time by the police was quicker when the offender did not have a violent history.

Clearly, then, law enforcement officers bring their personal perspectives with them when knocking on the door of a suspected domestic violence situation, and their perspectives can influence their response. There is no reason to ascribe greater (or lesser) degrees of homophobia and ignorance about same sex couples and same sex domestic violence to law enforcement personnel than to the population in general. In a randomized sample of police officers, one can expect the full range of perspectives, from deep homophobia to active acceptance. Of interest to this study is the question, Can police officers leave their personal perspectives about homosexuality and same sex couples at the door and go on to carry out their responsibilities? Although commentary suggests not, it remains to be tested empirically. For this study, it was hypothesized that police officers would indicate differing perceptions of four versions of a domestic violence scenario according to sexual orientation of the involved couple.

TABLE 1: Demographic Representation of Study Participants

	Male	*Female*
Race		
African American	2	0
Asian/Pacific Islander	3	0
Caucasian	42	5
Hispanic	14	1
Native American	0	1
Age		
18 to 24	2	2
25 to 34	28	3
35 to 44	17	2
45 to 54	15	0
55 and older	2	0

NOTE: Study participants who chose not to provide demographic information are excluded from this table. As a result, the numbers provided in the table will not add up to the total number of respondents (82).

METHOD

Study Participants

This study included 82 police officers in a midsize, central California city. All three daily shifts in various substations throughout the city were involved. When officers reported for duty at their daily briefings, the research staff briefly introduced the study but did not reveal that it was designed to assess variance in perception about same sex domestic violence. Participation was voluntary (although only a few officers declined), and all participants signed consent forms that reiterated the anonymous nature of the survey and the researchers' disinterest in any identifying information. Participants were asked to report the number of years employed in law enforcement, with 71 self-reports varying from 7 months to 30 years. The average amount of experience per officer was 11 years. All indicated varying levels of experience responding to domestic violence reports.

Demographic information was supplied voluntarily and not obtained from all participants, most likely because some participants were worried about maintaining anonymity. The following demographic information (see Table 1) was reported by study participants: There were 66 males and 7 females (with 10 participants not reporting gender) between the ages of 22 and 69 (with 11 participants not reporting age). The ethnic breakdown of the participants was

reported as 47 Caucasians, 15 Hispanics, 2 African Americans, 3 Asian/Pacific Islanders and 15 who categorized themselves as "Other" or did not report their race/ethnicity.

Measures

The researchers crafted and field-tested a scenario depicting an incident of domestic violence to which two imaginary police officers were responding; the scenario contained gender-neutral names and purposefully ambiguous facts. Four versions of the scenario were created to correspond to four groups. For three of the groups, the last sentence of the scenario was varied to indicate the sexual orientation of the involved couple as lesbian, gay male, or heterosexual. For the fourth group, the last sentence did not indicate sexual orientation.

There were 10 questions designed to elicit perception about specific features of the scenario and its consequences for the parties depicted and for the imaginary responding officers. (See Table 2 for a description of each item.) The questions were designed to capture application of stereotypes about gay and lesbian relationships, particularly with respect to the legitimacy or "realness" of them. For example, one stereotype is that lesbians and gay men do not have relationships but rather fleeting, one-night stands. Thus, Item 2 asked how likely it was that the couple would seek counseling, which would be highly unlikely if the couple was perceived as just dating, not in a "real" relationship. Similarly, another stereotype is that a fight between two women is merely a cat fight, with no further significance. Thus, Item 9, "How likely are the injuries to be considered serious?" was expected to discriminate between and among the groups.

For each item, participants were to indicate a degree of likelihood, from 1 (*highly unlikely*) to 5 (*highly likely*). Based on the purposefully ambiguous facts presented in the scenario, questions addressed features such as likelihood of arrest of one or both partners, of emergency shelter referral, of aggression being directed toward the responding officers, and other features. There was no correct way to respond to any of the questions, other than as complying with the commonly held stereotypes, as discussed above. Of interest only was consistency (or lack thereof) across the four groups with respect to the officers' perceptions about what they were seeing.

As noted, the study was designed to obtain four groups of respondents, each corresponding to a version of the scenario. It was believed that if each officer were given all four versions of the scenario, the study's purpose would be discerned and undermined. Questionnaires were distributed in a manner that both ensured relatively equal distribution of the four versions and pre-

TABLE 2: Item Mean Scores by Group Type

Item	*Lesbian* (n = *21*)	*Gay* (n = *21*)	*Heterosexual* (n = *18*)	*Unknown* (n = *19*)
1. How likely is a restraining order to be obeyed if one were to be issued?	1.83	2.00	2.33	2.37
2. How likely is the couple to seek counseling?	1.80	1.67	1.89	2.00
3. How likely is one of the couple partners to want to press criminal charges against the other?	2.96	2.67	3.28	3.11
4. How likely is this scenario to be considered as one of "domestic violence" (as opposed to another type of violence, e.g., simple assault or battery)?	4.42	4.76	4.89	4.58
5. How likely is an arrest to be made by the police officers of one or both partners?	4.33	4.71	4.83	4.68
6. How likely is the couple to "make up," i.e., to resolve their differences nonviolently?	2.88	3.24	3.61	3.05
7. How likely is a referral to an emergency shelter/program to be made?	3.54	3.76	4.17	3.68
8. How likely is it that the couple will resist intervention by the police offers?	3.17	3.52	3.06	3.37
9. How likely are the injuries to be considered serious enough for medical treatment?	3.13	3.43	3.06	3.58
10. How likely is verbal or physical aggression to be shown toward the police officers?	3.71	3.71	3.56	3.84

NOTE: 5 = *highly likely*, 4 = *somewhat likely*, 3 = *neither likely nor unlikely*, 2 = *somewhat unlikely*, 1 = *highly unlikely.*

vented any officer from noting that his or her neighbor had a different version of the scenario. Finally, the questionnaire administration sessions were monitored by research staff to discourage any discussion or other confounding influences.

The completed questionnaires were grouped by relationship type (lesbian, gay, heterosexual, and unknown). Analysis of variance (ANOVA) was performed to reveal any significant differences between and among the groups with respect to each of the 10 questionnaire items.

RESULTS

Completed questionnaires comprised four groups based on characterization of the couple's relationship in the scenario. Of interest were any differ-

TABLE 3: Questionnaire Item Source Table Between Groups

Questionnaire Item	df	*Sum of Squares*	*Mean Squares*	F	p
1	3	4.08	1.36	1.08	.36
2	3	1.28	0.427	0.637	.59
3	3	4.78	1.59	0.914	.43
4	3	2.42	0.808	1.12	.34
5	3	3.48	1.16	1.82	.15
6	3	5.34	1.78	1.00	.39
7	3	4.08	1.36	0.755	.52
8	3	2.87	0.958	1.04	.37
9	3	2.85	0.950	0.740	.53
10	3	1.04	0.348	0.412	.74

ences between the groups based on how each of the 10 items was rated, not on total questionnaire score.

An "eyeball" review of the item mean score data across all four groups (see Table 2) reveals some interesting features of police perceptions of domestic violence in general, although statistical significance was not assessed. According to Item 4, the scenario was more likely than not to be deemed as one of domestic violence, as opposed to another type of violence, with all mean scores falling in the *likely* ranges. It is also interesting to note, although not surprising, that the police officers had a punitive mind-set—arresting of one or both partners was deemed more likely than not, whereas seeking counseling and obeying a restraining order were seen as less likely. Finally, the likelihood of resistance and violence directed toward the police officers was seen as only slightly more likely than not, based on Items 8 and 10. This finding resonates with the perception that the injuries were slightly more likely than not to be serious, according to Item 9.

To discern any intergroup differences, each group's mean score on each questionnaire item was compared to that for the other groups' scores using ANOVA. The mean score differences (see Table 3) between and among the four groups, and broken down by questionnaire item, were not significant ($p > .05$). Similarly, differences revealed by *t* tests for combined groups (lesbian/gay vs. heterosexual/unknown) by item failed to achieve significance ($p > .05$). (Further *t* test analysis for all of the various combinations was abandoned due to the danger of inflated alpha error.) Therefore, the study's hypothesis that police officers would report differing perceptions about a scenario of domestic violence based on stereotypes or bias related to the sexual

orientation of the involved couple was not supported. Although failure of the data to support the main hypothesis normally would disappoint a researcher, in this study, the failure suggests a reason for cautious optimism for the gay and lesbian community, as discussed below.

DISCUSSION

The results of this study seem to contradict the common belief held in the gay and lesbian community and in others that homophobia prevents law enforcement officers from responding appropriately to incidents of same sex domestic violence. Much thought went into construction of each of the 10 questions so that the major stereotypes of lesbians and gay men could be captured in a way that could explain any statistically significant differences between the groups depicted in the scenarios. The absence of significant differences renders moot further discussion of the latent content of the questions. However, there are a number of possible explanations for the absence of any differences.

Of course, the immediately apparent explanation—that as a group, the police officers who participated in this study harbor no prejudice toward, or stereotypes about, gay men and lesbians—warrants little discussion. There is no reason to think that the officers who participated in the study are any less reliant on stereotype than the rest of society. If anything, police officers (who are predominantly male in this study group) may be more reliant on stereotype in service of the "macho" image associated with being uniformed and carrying a gun.

It might be argued that the officers "figured out" the true intent of the study and made a point to impose consistency to their responses to either foil or please the researchers. This idea has surface appeal but ignores the fact that each officer had only one scenario and did not have the chance to learn that three different scenarios existed. Thus, there was no opportunity for the participants to consult with other officers and then amend responses to comport with those from other groups. More important is that this explanation fails to account for the random differences seen with respect to the heterosexual group and the group for which no sexual orientation was indicated. In other words, it was not possible to "second guess" the questionnaire to the extent that any actual significant differences went undetected.

According to Sergeant Montajano, who coordinated the police department's cooperation in the study, the domestic violence training that the police officers in the study have been receiving since the law changed in 1994 entails reference to the legal mandate regarding same sex couples. Therefore, a third

and even more plausible explanation for the study's results is that, despite any one individual police officer's stereotypes and prejudices about gay men and lesbians, as a group the officers were at least aware of the necessity to appropriately characterize an incident of in-home violence. The item mean scores for all four groups strongly suggest that such is the case (see Table 2, Item 4). It seems reasonable to propose that the officers in the study presented themselves to reflect their training and their compliance with department policy and state law; however, this cannot be construed as abandoning stereotypes and bias.

A significant implication is that efforts to combat discrimination and bias in law enforcement that focus exclusively on correctness of thinking might be missing the boat. Similarly, the gay and lesbian community need not automatically assume that law enforcement can never serve as a resource in combating domestic violence. Given all the other difficulties that same sex couples face, and given that the gay and lesbian community by itself has not been able to reduce domestic violence, it seems ill advised to continue to engage in combat with even a reluctant ally.

It must be stressed that the focus of this study was perception, not actual conduct. How the officers perceived what they saw in the scenarios and how they act when actually responding to a call of same sex domestic violence remains to be studied. However, being aware of what one is supposed to do is a necessary first step in conforming one's conduct to what one is supposed to do. In an indirectly relevant study, researchers found that receipt of special training by child welfare workers was significantly related to a positive perception of gay men and lesbians as adoptive parents and, consequently, to appropriate action in the form of affirmative placement recommendations (Ryan, 2000). The gay and lesbian community can—with cautious optimism—take heart that police can be made aware of the need to appropriately respond to calls of same sex domestic violence, which truly is a giant step forward in the fight against it.

Future research is needed to address the following limitations of this study. The sample size used should have been large enough to detect any significant differences. Nevertheless, larger samples from other locations should be tested. In this study, no effort was made to obtain information pertaining to the sexual orientation of the study participants. It was believed that because the officers were invited to participate under the aegis of their department, asking about sexual orientation would have discouraged many from actually participating for fear of disclosure, despite assurances of confidentiality. Also, such an inquiry would have alerted the participants as to the true nature of the study more than was minimally necessary. Therefore, the true

effect of the presence of lesbian and gay officers in the group remains an unknown worthy of future study. Finally, a study designed to examine how police officers actually respond to same sex domestic violence based upon, or despite, perception is certainly warranted.

NOTE

1. California Penal Code Section 243(e)(1), added to Section 243 in 1989, relates to misdemeanor domestic violence and did not contain language that limited application to opposite sex couples as did its felony counterpart. However, this language anomaly should not be construed as indicating coverage of same sex couples, as the Legislature very clearly intended not to provide such coverage.

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