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**Title:**

**Policy Implementation of Street Level Bureaucrats: How effectively was the  
Violence Against Women Act implemented in Minnesota, USA**

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## **Dedication**

I would like to dedicate this thesis to my family and in honor of my Grandma Cora and Grandpa Howard Haney. While you are no longer with us in person, I know you will forever be watching over us. Grandpa, I wish I could have said one last goodbye to you, but I know you were happy for me to be going to Norway.

In Remembrance of

Cora Haney, January 2, 1922 – December 3, 2005

Howard Haney, July 24, 1921 – November 8, 2009

## Abbreviations

<b>BWLAP</b>	Battered Women’s Legal Advocacy Project
<b>OFP</b>	Order for Protection
<b>US</b>	United States
<b>USDOJ</b>	United States Department of Justice
<b>VAWA</b>	Violence Against Women Act

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# Chapter 1

## Introduction

### 1.0 Introduction

This thesis is a study on the implementation of the Violence Against Women Act (VAWA) that was put into law in the United States in 1994 in order to protect women and provide them with resources to escape abuse by their partners (USDOJ). This first chapter will provide an overview of the role of street level bureaucrats in the implementation of VAWA and discuss the statement of the problem, background of the problem, objectives and purpose of the study, research questions and hypotheses.

“Policy Implementation is what develops between the establishment of an apparent intention on the part of the government to do something, or to stop doing something, and the ultimate impact in the world of action.” (O’Toole Jr., 2000: 266). In this thesis, I will be focusing on the policy implementation of VAWA in Minnesota. More specifically, the role of the street level bureaucrats in regards to the implementation of the Act.

VAWA was the first step made by Congress to combat violence against women. In 2000, the Act was changed to include all victims, including both citizens and illegal aliens (USDOJ). The Act is designed to protect and provide resources for victims of domestic abuse, whether they are citizens or non citizens (*ibid.*). Many things have happened since this Act was put into law, including the availability of resources and help. In Minnesota alone, there has been an increase in the number of shelters since VAWA was put into effect, and there are several resources available in both urban and rural areas throughout the state. Street level bureaucrats, such as police officers and shelter workers, are vital components to the success of this Act, because they are the ones who interact with the victims and help the victims by giving them resources and guidance.

## 1.1 Background of the Problem

According to Crowell and Burgess, the term ‘violence against women’ includes “murder, rape and sexual assault, physical assault, emotional abuse, battering, stalking, prostitution, genital mutilation, sexual harassment, and pornography” (Crowell and Burgess, 1996: 9).

In the 19th Century, women were like property. It was not uncommon for men to beat their wives. Not only was it accepted in society, it was also upheld in court. The right for a husband to physically chastise his wife was upheld in 1824 by the Supreme Court of Mississippi (*Bradley v. State*, 1 Miss. 157, as cited in Crowell and Burgess, 1996: 65). It was upheld again in 1886 by a North Carolina court in *State v. Rhodes*, 61 N.C. 453 (*ibid.*). It wasn’t until 1871 when an Alabama court first rescinded the husband’s right to beat his wife (*ibid.*). Even though wife beating, as it was referred to, was illegal, there were few men who were ever charged with the crime. (*ibid.*). The movement for battered women did not begin until the 1970s, with Minnesota being one of the first states to open up a shelter for women (Coleman, 2001).

Today, roughly 1.5 million women suffer from domestic violence every year, according to the National Violence Against Women Survey (NVAWS) (Violence Against Women Online Resources, August 2009: 2). In fact, in 1993, almost one-third of all female homicides were committed by an intimate partner; whether it was a husband, ex-husband, or boyfriend (Crowell and Burgess, 1996: 7). However, since VAWA was put into law, there has been a significant reduction in domestic violence. From 1993 to 2008, domestic violence against women declined 53 percent (Luo, 2009). Female homicides dropped 43 percent between 1993 and 2007 (*ibid.*). The homicide rate went from 4.18 homicides per 100,000 females to 2.38 homicides per 100,000 females residing in the United States (US) between 1993 and 2007 (*ibid.*). While this is a significant decline in violence against women, there are still four women on average who die each day because of domestic abuse (*ibid.*).

Recently, domestic violence in the US has been on the rise due to the recent economic recession (*ibid.*). The National Domestic Violence Hotline, created by VAWA, reported a significant increase in the number of calls in 2008, with 54 percent of victims citing changes in their household financial situation in the recent year, and 64 percent of victims cited an increase in



abuse behavior of their partners (*ibid.*). Tough financial times have also increased the demand of shelter services, with some shelters saying they are “overwhelmed with the number of women seeking help” (Luo, 2009). The lack of resources meant almost 9,000 requests for assistance were unable to be met in just one day alone in 2008 (*ibid.*).

Violence against women in Minnesota has seen an increase in felony charges of domestic assault from 56 to 113 between the years 1999 and 2004 (OJP). The number of gross misdemeanor charges has also increased during these years, from 2,170 to 2,681 (*ibid.*).

Another disturbing trend is the recent family murder-suicides that have occurred in California, Maryland, Minnesota and Ohio (Luo, 2009). Each case was the result of a father killing all of the members of his family and then committing suicide (*ibid.*). All of these family murder-suicides reportedly had financial problems (*ibid.*).

Minnesota currently has around 100 shelters for women who experience domestic abuse (aardvarc.org). A shelter, according to Macmillan Dictionary, is “a place for women to go with their children in order to escape from a violent husband or partner” (macmillandictionary.com). There are several different types of women’s shelters, all of which provide resources for victims of domestic violence. State government began to support shelters financially in 1977 (Coleman, 2001). The funding was unlimited until 1999, when the government put a cap on the amount of money given to shelters (*ibid.*). Since then, budget cuts and lack of funding have made it more difficult for shelters to provide services to women, especially with the weakened economy (Luo, 2009).

## **1.2 Statement of the Problem**

Street level bureaucrats play an important role in the implementation of VAWA because they are the ones most involved in the initial stages. When domestic abuse is reported, the police are the ones to respond to the call. When a woman who is being abused wants to get help, a shelter is one of the first places she can go. Even after VAWA was enacted, violence against women has remained a problem in society. In order to determine the reasons for this, an in depth look into the role of the street level bureaucrats is essential.

One of the things I want to focus on in this thesis is the level of communication between the shelter workers and police officers. The more the two groups communicate the more help that can be provided. However, if police officers are not in contact with the shelter in their area, it is difficult for shelter workers to reach out to the victims and offer services and resources. Therefore, it is a problem when there is a lack of communication between the two groups.

Another problem is the recent increase in the number of domestic violence reports. The increased rate of violence along with the shortage of shelter resources is a problem VAWA is currently facing.

### **1.3 Objectives of the Study**

The objective of this study includes determining how effective the implementation of VAWA has been with regards to street level bureaucrats. By studying the role of police officers and shelter workers in the implementation of the Act, I can compare that to the statistics on domestic violence to see how effective the implementation of the Act has been. Also, I can determine what types of limitations they face in implementing the Act.

### **1.4 Purpose of the Study**

The purpose of this study is to find out how much (if any) of an improvement has taken place in combating domestic violence, and if there has not been an improvement, what can be done to make the Act more successful by decreasing the rate of domestic violence. As mentioned above in the background of VAWA, budget cuts and a recent poor economy have made it difficult for shelters to help women get out of the abusive environment they are in and back on their feet. Communication is also essential to successful implementation. Without communication, there is no way the two groups can work together to give victims help. In my opinion, successful implementation would be the result of decreased number of domestic violence cases and every shelter having the ability to help the victims to support themselves. This can be done with the

help of the government by providing the needed funding, and communication between police and shelter workers.

## 1.5 Research Questions

The research questions include:

- A) How involved are police officers and shelter workers when it comes to implementing VAWA?
- B) What types of limitations do street level bureaucrats face when implementing VAWA?
- C) How well do shelter workers and police officers work together and communicate to carry out VAWA in the most efficient and effective way?

## 1.6 Hypotheses

The following hypotheses are my predictions of answers to the aforementioned research questions.

**Hypothesis A)** The more involved police officers and shelter workers are in providing services and resources to women, the more likely women will collaborate with the street level bureaucrats to get the help they need and in turn get out of the abusive relationship, therefore lowering the number of domestic violence cases, the more successful the Act.

**Hypothesis B)** The lower number of limitations the street level bureaucrats face, such as lack of financing, and uncooperative victims, the higher the number of victims who can receive resources and get out of the abusive relationships, the more successful the Act.

**Hypothesis C)** The more shelter workers and police officers work together and communicate, the more efficient and effective they will be in carrying out VAWA by collaborating to help women get the resources needed, the more successful the Act.

## 1.7 Introduction of Shelters

According to the National Coalition Against Domestic Violence, in 1999, there were over 2,000 agencies that provided services to women who suffered from domestic violence (Newton, 2001). Shelters provide a variety of sources for women who are seeking help from a violent relationship. Newton, when discussing what shelters do, says that “shelters often offer temporary as well as transitional living programs, where women and their children can live in an agency-owned apartment for an extended period of time, during which they receive counseling and assistance (*ibid.*). To be accepted into a program, women are interviewed and must demonstrate need (*ibid.*). The cost is usually on a sliding scale, dependent on a woman’s ability to pay (*ibid.*). There is usually a waiting list for transitional living apartments because it is a much-needed service” (*ibid.*). Some shelters also provide counseling, therapy, and education to the children (*ibid.*). Also, there are shelters that offer programs for men, in which they can attend group therapy and workshops for the abusers (*ibid.*). These are just some of the resources that are provided at some shelters.

There are also outpatient services and resources, which include job training, support groups, vocational counseling, court advocacy, mental health services, referrals, or outreach to schools and to the community (*ibid.*). Many of the agencies are given funding to help out with practical matters (*ibid.*). These practical matters include “locating temporary shelters and, if none are available, putting women and their children up at a hotel for a few days” (*ibid.*).

The following is an example of resources that can be provided to women who come to a domestic violence shelter. This example is based off of answers to my interview questions at the Owatonna shelter that will be provided in more detail in Chapter 5. Example: if a woman comes to a shelter wanting help with getting away from her abuser, the shelter can offer her different options. One option, depending on funding, is to help the woman out by giving her resources to move out of the residence with the abuser and move into housing provided by the shelter<sup>1</sup>. The housing will be provided to her at a prorated rental, depending on her financing<sup>2</sup>.

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<sup>1</sup> This option was based on the interview with the Owatonna shelter.

<sup>2</sup> The government provides housing at a lower cost for people who cannot afford housing. This helps persons with lower income find housing. The prorated housing was talked about in several of the interviews with the domestic violence shelters and will be discussed further in Chapter 5.

Not every shelter is able to provide help with funding for house<sup>3</sup>; instead, the woman is offered a place to stay at a local shelter that includes short term housing at the shelter itself. Similar to a homeless shelter, a shelter for abused women and children is a place where women and children can go to escape their abusers<sup>4</sup>. Most of these shelters are not marked as domestic violence shelters, but instead labeled as any normal house with only an address number<sup>5</sup>. The reason for this is that abusers will often try to track down their victims and persuade them to return to their residence and then beat her.

Another option is counseling. Many shelters provide women with counseling to help them understand that the abuse is not their fault<sup>6</sup>. Whether it is emotional abuse or physical abuse, or even sexual abuse, most women blame themselves for the abuse. The counseling helps women learn to stop blaming themselves, in hopes of empowering these women to gain the strength to get out of the relationship. This information is based on the interview from the Owatonna shelter.

Another option that is for the abusers is classes<sup>7</sup>. Some shelters either offer classes or refer abusers to classes where they can learn how to control their anger and learn to stop abusing their partners. Some men are required to take classes if their case goes to court and they are convicted of domestic violence. The classes help give an insight into what some of the possible causes could be as to the reason they become violent (Rosenblum, 2011). Education can be a very powerful tool to help get to the root cause of the abuse and help correct this behavior in hopes of having a healthy relationship in the future. Again, this information is based on the interview from the Owatonna shelter and the reference cited above.

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<sup>3</sup> The Owatonna shelter stated there were only a select few who were given housing assistance. When that limit is reached, women are referred to other housing or other shelters.

<sup>4</sup> This is based on the interviews with the different shelters in Minnesota.

<sup>5</sup> When doing my research, it was difficult to find the contact information for the shelters. Sometimes, I had to call a few different places to get in contact with the shelter. When I went to do the interviews, some of the buildings were not marked as a shelter; instead, they were just marked with an address number.

<sup>6</sup> Counseling is provided by most shelters free of charge. This information is based off of the shelters interviewed.

<sup>7</sup> Some of the shelters interviewed provide classes to help victims and/or abusers.

Not only do shelters provide resources for women and men, they also provide resources for children<sup>8</sup>. The children of these abusive relationships often witness the abuse taking place and it greatly affects the children (Newton, 2001). As mentioned above, the women oftentimes take the children with when they seek help to escape their abusive relationships (Newton, 2001). The fear that the women have about their abuser is also translated onto the child. The child sees the mother fearful and in turn becomes fearful. Not only does the child fear for his or her life, the child also fears that their world, their family, is going to destruct (*ibid.*). Once again, this information is based on the interview from the Owatonna shelter as well as the resources cited above. The interviews that were conducted with the shelters will be discussed in more detail in Chapter 5.

This introduction to shelters is meant to help give an insight into exactly what shelters are along with what types of resources shelters can provide, and help understand what roles shelter workers are able to play when it comes to implementing VAWA. The roles of shelter workers will be discussed in more detail later in this thesis. In Chapter 4, I will share the types of resources that are provided by different shelters in Minnesota in more detail, as well as the difficulties shelters face in providing all victims with help.

## **1.8 Conclusion**

In conclusion, this study will be focusing on street level bureaucrats and their involvement in implementing VAWA. The street level bureaucrats include both the police officers and the shelter workers. Their role in the implementation of VAWA is important to determine whether or not the Act was implemented successfully, and if not, what the limiting factors are in making VAWA successful.

The following chapters will discuss the theoretical framework in Chapter 2, and research methodology in Chapter 3, with regards to the implementation of VAWA, with specific focus on the role of the street level bureaucrats in Minnesota as well as a snapshot of the role of street

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<sup>8</sup> The Owatonna shelter provides resources for women and their families, as do some of the other shelters interviewed.

level bureaucrats throughout the United States. Then, Chapter 4 will discuss resources in Minnesota and in comparison to other states in the United States. Furthermore, I will discuss the Violence Against Women Act in more detail and how far the US has come since the Act was put into law. Finally, Chapter 5 will reveal the findings from the interviews conducted and the secondary resources research and then analyze the findings from the research. The next chapter will discuss the theoretical framework of this study.

# **Chapter 2**

## **Theoretical Framework**

### **2.0 Introduction to Theoretical Framework**

The theoretical framework for this study was based on the idea that the more the street level bureaucrats work together and involve themselves in the implementation of VAWA, the more successful the implementation. In this chapter, I will discuss the role of street level bureaucrats with regards to the policy implementation of VAWA in the state of Minnesota, United States (US). I will go into detail about the theoretical approaches, case study, variables, and street level bureaucrats.

### **2.1 Policy Implementation**

Policy implementation of VAWA was put into law in response to a movement that began in the 1970s that advocated for battered women (Coleman, 2001). It is important to implement policies that will help the well being of the citizens of the country. Women's rights have come a long way since women were given the right to vote in 1920, and women continue to fight for equal rights in the US.

### **2.2 Operationalization of Theoretical Framework Using Top-Down, Bottom-Up, and Mixed Approaches**

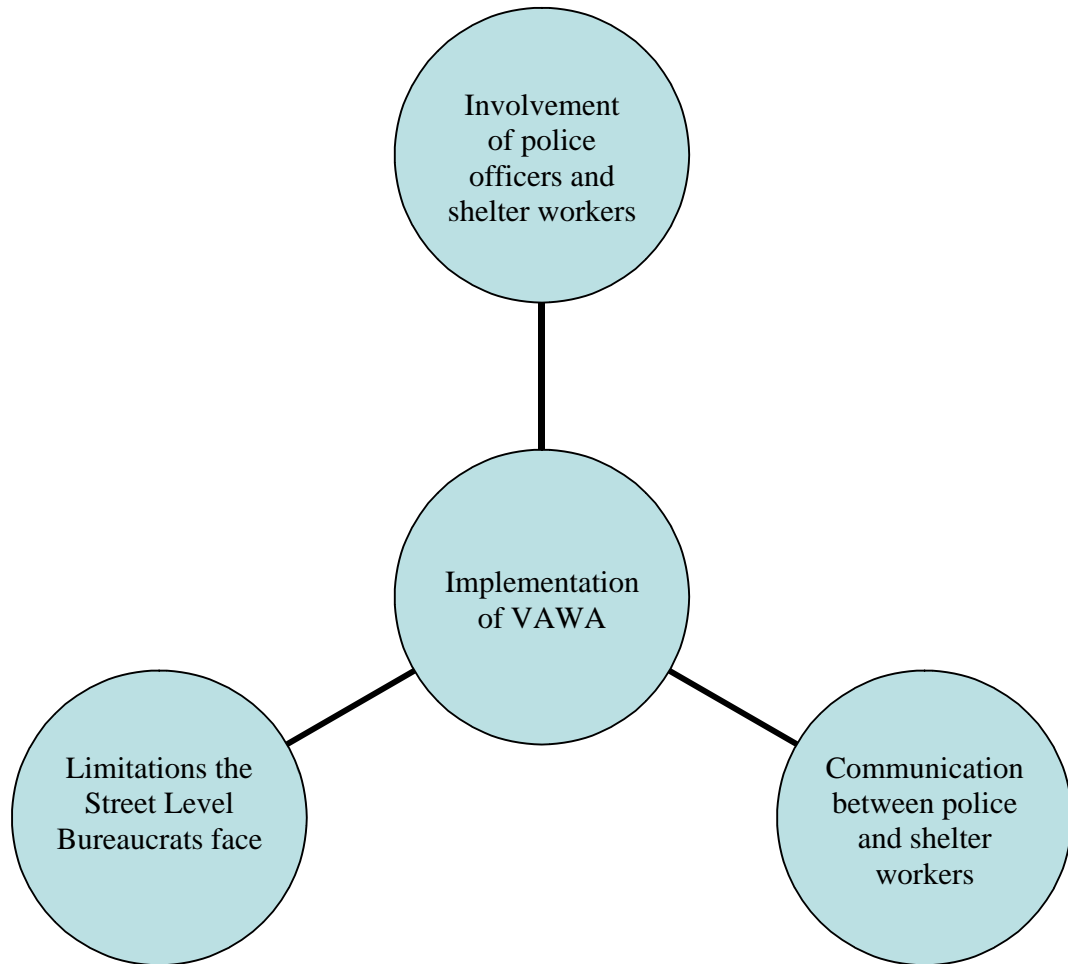
The theory that street level bureaucrats play an important role in the implementation of VAWA is necessary to prove that implementation of the Act has been successful. Therefore, certain factors are needed to prove successful implementation. These factors are my independent variables, which are as follows: the level of involvement of street level bureaucrats, the number of limitations the street level bureaucrats face, and the level of communication between the police officers and the shelter workers.



First, when shelter workers and police officers are involved in each domestic violence case they are called to, the likelier it will be that the Act was successfully implemented. Second, the fewer number of limitations the street level bureaucrats are faced with, such as a lack of budget and resources, the likelier there will be successful implementation. And finally, when the police communicate with shelter workers and vice versa, both groups are informed about the domestic violence in the community, and both can work together to inform victims about available resources, which leads to successful implementation. These three factors can lead to successful implementation alone, or in combination with one or both of the other factors.

The following figure describes how each factor can influence implementation, separately or collectively with one or both of the other variables affecting the implementation of VAWA include the role of the government officials, such as the legislature (Senators and House of Representatives), judges, and attorneys. These government officials are top officials, and their role in VAWA is not as involved as police officers and shelter workers. The reason these top governmental officials were not included as independent variables is that I wanted to focus on those at the street level. The street level bureaucrats, such as police officers and shelter workers, are the first responders in domestic violence cases. The way in which these street level bureaucrats respond to domestic violence cases helps determine the outcomes of each case. This sets the tone for a successful or unsuccessful implementation of the Act.

**Figure 1. Variables that can lead to successful implementation of VAWA**



The legislature, on the other hand, is involved in the making of the Act. While the legislature votes on whether or not to pass the Act and whether or not to keep the Act into law, this is the extent of their involvement. Judges are only involved in cases that go to the courtroom. Since not every case will be seen in front of a judge, it would not be beneficial for me to include judges as independent variables. Finally, attorneys are involved in cases where charges are pressed

against the abuser. While Minnesota police officers are required make an arrest<sup>9</sup> each time they respond to a domestic violence call, not every single case is brought to a prosecuting attorney. Therefore, attorneys are not informed about every domestic violence case. For these reasons, I chose not to include the top governmental officials.

## **2.3 Theoretical Approaches**

The theoretical approaches I chose were the Top-Down Approach, Bottom-Up Approach and Mixed Approach. The Top-Down Approach gives the top governmental officials the most power to implement the policy. The Bottom-Up Approach gives the street level bureaucrats the ability to take action and use their discretion to implement the policy. The Mixed Approach is a combination of the Top-Down and Bottom-Up Approaches. The combination of the two approaches incorporates some features of both Top-Down and Bottom-Up approaches. The two groups are then able to work together to implement the policy. I plan on using the Mixed Approach to policy implementation with an emphasis on the role of the street level bureaucrats. However, in order to understand the Mixed Approach, I will first discuss the Top-Down Approach and the Bottom-Up Approach. Then, I will explain the Mixed Approach and why I believe it is the theory that best applies to my research.

### **2.3.1 Top-Down Approach**

To begin, the top down approach to policy implementation involves both top government officials and street level bureaucrats. However, the top down approach starts with the top level government officials and then works its way down to the street level where it is carried out. It is the top government officials who have the most control during the implementation process, because they are the ones who decided the language of the law to be passed and they are also the ones who determine how the law will be implemented. This approach allows for the governmental officials who ratified the policy to make sure that the “original intent” of the statute is carried out (Howlett and Ramesh, 2009: 164). By using the “original intent” of the

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<sup>9</sup> One of the police officers interviewed stated that an arrest must be made each time they respond to a domestic violence call. This will be discussed in more detail in Chapter 4.

statute, it is difficult for street level bureaucrats to have much flexibility when it comes to the implementation of the policy. Instead, the “original intent” will give the top level government officials, such as policy makers and top level government officials, make the decisions as to how the policy is to be implemented.

The top down approach may not be the best approach to use for the policy implementation of VAWA. Since the police exercise considerable discretion when implementing the policy, using the top down approach to implement VAWA does not allow street level bureaucrats enough discretion to implement VAWA. Instead, the top down approach starts with the statute, is administrative, and emphasizes the framers of the statute as the key actors of the statute (*ibid.*). Therefore, the top down approach would not be the most effective or efficient approach to the policy implementation of VAWA.

### **2.3.2 Bottom-Up Approach**

The bottom up approach starts with the street level bureaucrats. Sometimes, it is the street level bureaucrats who notice the need for policy change and find the solution necessary to carry out that change. The street level bureaucrats can adjust the policy and make it more successful by using their discretion, knowledge and training during the implementation to ensure a successful result. The bureaucrats have the ability to implement the policy the way they see fit due to their wide range of discretion. Those who support the bottom up approach argue that it is better because, “... a more realistic understanding of implementation can be gained by looking at a policy from the view of the target population and the service deliverers.” (Matland, 1995: 149).

The bottom up approach may not be the best way to implement VAWA effectively and efficiently. In order to implement a policy effectively and efficiently, it might be better to have those who respond to the policy the most work together with those who write the policy and vote on the policy work together in order to take knowledge from both sides to find the best way to have successful implementation of the policy.

Using both top and bottom levels of government will bring the two together to ensure implementation is happening at all levels. For these reasons, the bottom up approach is most likely not going to be the best way to implement the Act. First, the United States allows the citizens to vote on elected officials to make policy change. If we allow street level bureaucrats to exercise full discretion when implementing policies, we may forfeit the rights of the citizens who are unable to elect the street level bureaucrats. This is not democracy. The citizens may have the right to vote for the persons they feel are best fit to create and implement policies. Unless the citizens are able to elect street level bureaucrats, the bottom up approach does not follow democracy.

Secondly, the bottom up approach tends to give street level bureaucrats too much power. By allowing street level bureaucrats, such as police, the power to implement a policy as they see fit, there is a possibility that they might exercise too much control, and there will be no higher power to come in and fix it if something goes wrong. If the police have no one above them to answer to, then the implementation process could fail. Therefore, the bottom up approach may not be suitable for the implementation of VAWA.

### **2.3.3 Mixed Approach**

The combination of the top down and bottom up approaches may give both government elected top officials and street level bureaucrats the ability to create policy changes when necessary to ensure successful policy implementation. Instead of putting the power in the hands of one of these groups, the power is divided amongst both groups. This way, both the street level bureaucrats and the top government officials may have a say in policy reform.

Using the knowledge of both groups, a more effective policy is more likely to be implemented with the interests of both groups in mind. The street level bureaucrats may still exercise power and may still have a say in the implementation of the policy, but they may work together with top officials to ensure the success of the policy reform. Top officials can bounce ideas off of street level bureaucrats and may work together with them to develop and create successful policy reform.

Without one group having authority over the others, there is a better possibility of all levels coming together and agreeing on the best possible way to implement the policy. Moreover, all levels will be motivated to implement a successful policy because all levels will be equally involved in the process. This might be the right combination for successful implementation. By allowing all levels of government participate in the implementation process and working together to achieve success, the possibility of creating a successful possibility could be much more likely than using the other approaches mentioned earlier in this essay, the top down and bottom up approaches.

## **2.4 Dependent Variable**

The role of street level bureaucrats, more specifically police officers and shelter workers in the Twin Cities and surrounding area in the implementation of VAWA was my dependent variable. Hill and Hupe mention that a study can focus on a certain type of street level bureaucrat, such as police (2002: 26). The main focus in this study was the implementation of VAWA. More specifically, I focused on the role of police officers and shelter workers in the implementation of VAWA. By using the role of the street level bureaucrats as my dependent variable, I can look at the satisfaction of the victim when it comes to the services rendered upon request. The role that the street level bureaucrats play in implementing the Act is important to use in this study to determine what types of resources are available, and whether or not these resources are known amongst the victims.

### **2.4.1 Street Level Bureaucrats**

Street level bureaucrats "... make policy in two related aspects" (Lipsky, 1980: 13). The street level bureaucrats are at the "front-line" of the issue. (Peters and Pierre 2007: 154). They serve as a stepping stone between the citizens and the government. Lipsky discusses two aspects of the street level bureaucrats while making policy, which include the way they "... exercise wide discretion in decisions about citizens whom they interact" and also "... when taken in concert, their individual actions add up to agency behavior" (*ibid.*).

Street level bureaucrats can be police officers, teachers, health officials, and other public officials who "... control access to public programs or enforce public laws and regulations." (Peters and Pierre 2007: 153). Using their power to make much needed policy changes can be vital to the community. A bureaucrat filled with benevolence is a popular bureaucrat. The role of the bureaucrat is arguably the most knowledgeable role of all policy implementers, because the bureaucrat is likely the one who knows the problems or issues in the community and has the potential to become one of the enforcers of a policy.

Depending on the category of the street level bureaucrat, there are studies that have been done that have a tendency to focus on specific areas or professions. (Hill and Hupe, 2002: 26). One category of focus may be on the police profession. (*ibid.*). Police or law enforcement officials are one of the first groups confronted with the problem of violence against women. These are some of the most knowledgeable individuals about the problem, because they are the people who are contacted when an emergency situation occurs, such as a woman who has been a victim of violence.

Another important group that is knowledgeable about violence against women is shelter workers. Sometimes, women escape their abusers and seek help from shelters instead of calling the police. Lipsky brings up the point that some street level bureaucrats have "considerable discretion" when it comes to deciding the "nature, amount, and quality of benefits and sanctions provided by their agencies" (Lipsky, 1980: 13). It is the police who get to decide whether or not to arrest someone or whether or not to let the behavior go without punishment (*ibid.*). Also, the shelter workers have some discretion when deciding what ways will best help their victims. However, even though street level bureaucrats are able to use discretion when implementing policy, they are given this discretion by higher levels of government, and the way they carry out the discretion is overseen by the higher governmental officials (*ibid.*, 14).

In the implementation of VAWA, the focus on law enforcement and shelter workers, are both important areas of focus for street level bureaucrats. In the United States, the police officers are considered a profession that exercises a high level of authority to enforce the law. Police are

respected individuals who are (for the most part) treated with respect by the community and the citizens rely on the police for safety.

Since much of the Act is focused on emergency situations, such as when domestic abuse is happening and an emergency phone call is made, the police are usually the first responders when violence against women occurs. The police, along with shelter workers, are the two groups who are protecting human rights and are most often implementing the policy. Since street level bureaucrats are almost always the first groups to be informed of domestic violence, they are most often the ones using the resources available through the Act.

The police are there first hand to witness the effects of the policy because they are involved in multiple levels of the process. Shelter workers are often times the first group of people to talk to the victim and offer support to the victim. The police are the ones who make the arrest, write up a report about the incident, talk to prosecutors if the woman decides to bring charges, and might even make an appearance in court to testify as to what he or she witnessed when responding to the call. They give out cards with contact information to the nearest shelter, and sometimes even contact the shelter to inform them about the incident. The police and shelter workers are also the ones who are most knowledgeable about the effectiveness of the deterrence of the law. For these reasons, I plan to focus on the role street level bureaucrats; more specifically, the police and shelter workers in VAWA policy implementation.

## **2.5 Independent Variable**

Several different aspects of how the police carry out the implementation of VAWA will be included as independent variables. The independent variables included 1) the level of involvement of street level bureaucrats, 2) the limitations the police and shelter workers faced, and 3) the level of communication between the police and shelter workers. Each independent variable, whether acting alone or with one or both of the other variables may have an affect on the successfulness of the Act.



## **2.6 Conclusion**

In conclusion, this chapter discusses the theoretical framework involved for this study. The theory used in this study was the mixed approach to policy implementation with the focus on street level bureaucrats, including police officers and shelter workers. The next chapter will discuss the research methodology used in this study.

# Chapter 3

## Methodology

### 3.0 Introduction to Methodology

The implementation of VAWA in Minnesota involved the use of qualitative data. Qualitative data was chosen instead of quantitative data because of the lack of quantitative data available and the lack of reporting that is done. While there has been research done on domestic violence, the records are incomplete (Newton, 2001). The databases available depend on the reporting of victims and the correct reporting by police (*ibid.*). Since the reporting of domestic violence is inconsistent, reporting is therefore incomplete (*ibid.*). The problem of the missing data will be discussed further in the next chapter. Due to the missing quantitative data, I will be using mostly qualitative data.

Interviews and direct observations were used for qualitative analysis. I also used secondary sources to help supplement my research. The interviews, direct observations and secondary sources helped me link the data I gathered to my hypotheses by 1) doing a comparison of the data collected from police officers and shelter workers, and 2) a comparison of the data collected and the information obtained from secondary sources. The reasoning behind using qualitative data is that it helps understand how the Street Level Bureaucrats work, their level of commitment, their motivation, what problems they encounter, and their interaction with the victims. The following will discuss the methods that I used for my research.

### 3.1 Research Approach

The research approach can be qualitative, quantitative, or a mixture of both. Qualitative research uses methods that do not include numerical measurements (King, et. al., 1994: 4). Instead, the focus is on the use of cases where in depth interviews and an in depth analysis is made (*Ibid.*). Quantitative research is used by applying methods that involve numbers and statistics (*Ibid.*: 3). Some research cannot be categorized in either qualitative or quantitative approaches. In this type of research, the use of both approaches can be used. By mixing qualitative and quantitative, the

research can involve both statistical methods as well as in depth information from non numerical ways, such as interviews. This may provide the researcher with a clearer overview of the study.

For my research, I used the qualitative approach. The qualitative approach was the best approach to collect the data necessary to answer my research questions. My qualitative data collection included interviews of police officers and shelter workers, as well as direct observations of police officers that were conducted by riding along with officers while they responded to calls. I interviewed five police officers from different parts of the Twin Cities, ten shelter workers from the Twin Cities and surrounding area, and conducted six hours of direct observation by riding along with police officers while they were on duty. These six cities were chosen for my interviews and direct observations: 1) St. Paul, 2) Minneapolis, 3) Minnetonka, 4) Apple Valley, 5) Eagan, and 6) Owatonna. I also analyzed secondary sources that helped fill in any missing data that may have been missing in my interviews and direct observations. Some historical documents included others studies conducted in Minnesota about domestic violence, as well as crime databases in Minnesota.

### **3.2 Unit of Analysis**

The unit of analysis for this case study was the Twin Cities and surrounding suburbs in Minnesota. The Twin Cities and surrounding area were chosen for several reasons. First of all, this region was chosen because it represents a large percentage of the population in Minnesota. Secondly, Minnesota is one of the leading states in resources available for victims of domestic violence, and is home to the first shelter in the United States. Finally, it is the state in which I live and I am very familiar with this particular region as I have lived there for the past seven years.

### **3.3 Case Study**

According to Yin, a case study should be all of the following: 1) significant, 2) complete, 3) take into consideration other perspectives, 4) have sufficient evidence, and 5) be engaging. (2009: 185-189). The focus of my research is the implementation of VAWA in Minnesota. The case I

plan to study is the Twin Cities (Minneapolis and St. Paul) and surrounding suburbs in Minnesota. More specifically, I have done research throughout the Twin Cities Minnesota; from Minneapolis and St. Paul to Minnetonka and Apple Valley. The significance of choosing the Twin Cities and surrounding area as my case study is that Minnesota has been a leading power in ensuring enough resources are available for women who are victims of domestic abuse. I plan on collecting data throughout the Twin Cities, to make sure to include different areas and populations.

### **3.4 Target Participants, Selection of Units**

My research was conducted in Minnesota, which was the first state to have a woman's shelter. More specifically, I conducted research in the urban areas of Minneapolis, St. Paul, and the surrounding suburbs. I compared the interviews given by police officers to the interviews given by shelter workers in order to see how well the two groups worked together, communicated, and limitations involved in providing resources to victims of domestic violence. The selection of units was made both randomly and specifically. Almost all of the interviews were selected at random. However, the direct observations and one of the interviews were done specifically. In order to conduct a ride along, I had to contact a police officer I knew to be able to conduct the direct observation. An interview was also conducted for the same officer.

### **3.5 Number of Participants**

The study includes 15 participants. There were five police officers interviewed, 10 shelter workers interviewed, and one police officer directly observed for a total of six hours. After interviewing these 15 individuals, I was able to see trends and a consistency of answers that led me to a completion of observations. My choice not to include more participants is supported by the results that I received because the participants were able to give me the answers needed in my research and the repeated answers help me come to the realization that any further inclusion of participants would render the same results.

This study does not include the participation of any victims. The reason I chose not to include victims is because there would be difficulty finding women who would be willing to admit they have been in an abusive relationship. Domestic violence often goes unreported, even on surveys (Newton, 2001). Even when taking an anonymous survey, women will not always admit to being a victim of domestic violence (*ibid.*). “Many times, women’s self-esteem is so low as a result of spouse abuse that they are unable to see themselves as worthy of seeking help, or they rationalize the abuse, believing they caused or deserve it” (*ibid.*). For these reasons, I chose not to include victims in my research.

### **3.6 Sources of Evidence and Data Collection Procedures**

My research included multiple sources of evidence such as interviews, direct observations, and secondary sources. By using several sources of evidence, as Yin suggests, is “... a major strength in case study data collection” (2009: 114). Yin provides the rationale for the use of multiple sources as triangulation, where data is converged to support a particular fact (2009: 116-117). The sources used for my data collection are discussed below as the following:

#### **3.6.1 Interviews**

Interviews were conducted of street-level bureaucrats, including police officers and shelter workers. These interviews included questions about the implementation of VAWA, the level of involvement taken by their police force or shelter, the level of communication with police officers or shelters in their area, the limitations they are faced with in implementation of the Act, questions about their training and preparation required to comply with VAWA, and how successful they feel the implementation has been

#### **3.6.2 Direct Observation**

Direct Observations of police officers were conducted by riding along with the officer while he or she was on duty. While only certain jurisdictions allowed me to conduct a ride-along, I contacted a colleague who is a police officer and who was allowed to have someone ride along

with her. Therefore, my direct observations were limited due to the ability to ride along with police officers in only a few jurisdictions in Minnesota. This limitation is partially due to an accident that resulted in the death of a police officer and his wife who was riding along with him while he was on duty, along with other accidents that have occurred while a ride-along was taking place. Because of this, most of the metropolitan areas no longer allow citizens to ride along with police officers. Some smaller cities will allow a ride-along for educational purposes. Fortunately, I was able to conduct a ride-along for the purpose of conducting research for my thesis. I conducted a total of six hours of direct observations of police officers.

The observation of police officers included riding in a patrol car with a police officer while the officer responds to emergency phone calls. My ultimate goal was to experience an officer receiving a call to respond to a domestic violence case, where I would observe how the officer handled the call. I also wanted to observe how the officer talks to the victim and the abuser, and also what happened to the abuser, as well as the resources given the victim at the scene. However, due to the short duration of the direct observations, I was unable to observe an officer respond to a domestic abuse call.

### **3.6.3 Secondary Sources**

Using secondary sources allowed me to make comparisons of studies about domestic violence that were conducted in prior years. Some of the secondary sources I used were information from shelters throughout Minnesota, studies conducted by different women's rights groups, government agencies, and third party research groups about domestic violence in Minnesota, and other documents, such as surveys, about domestic violence and the resources available in Minnesota. I researched the resources available at different shelters throughout Minnesota and other organizations that provided help to victims of domestic violence.

## **3.7 Qualitative Data Analysis and Presentation**

After completion of my qualitative data collection, I organized and grouped the data together. Yin has four strategies for data analysis, including: "Relying on theoretical propositions,"

“developing a case description,” “using both qualitative and quantitative data,” and “examining rival explanations” (2009: 130-133).

Theoretical propositions help determine what data to focus on (Yin, 2009: 130). Moreover, propositions can aid in the organization of the case study (*Ibid.*). A case description also helps develop organization of the case study (*Ibid.*: 131). The collection of data using the qualitative approach helps form a more in depth analysis of the case study. Finally, it is important to look at rival explanations to give you more confidence in your findings (*Ibid.*: 134).

Using the above strategies suggested by Yin, I will be able to use the data collected and organize it in a logical way. These strategies will also help me to look into all possible explanations, including rival explanations, which will in turn give me more confidence in my findings. I am currently working on analyzing my data.

Qualitative data in this thesis is more in depth and more accurate than the quantitative data on the Violence Against Women Act. “... we don’t know how frequently domestic violence occurs (and some estimates suggest that it is as much as 10 times more prevalent than reported ... “ (Newton, 2001). However, the quantitative data that is available does help with identifying trends that occur in domestic violence (*ibid.*). This thesis is centered around the use of qualitative data that is in depth and consistent, with some quantitative data from other research that has been conducted to help show the dramatic number of people who are victims of domestic violence. By using qualitative data that can be backed up by quantitative data, my research is more complete. These trends will be discussed further in the following chapter.

### **3.8 Validity and Reliability**

Reliability, according to King, et. al., is when “... applying the same procedure in the same way will always produce the same measure” (1994: 25). In order to ensure the reliability of my study, I measured the same quantity twice to see whether or not I come up with the same result. More specifically, I conducted interviews of two or more people from each police force or shelter to make sure I was getting the same or similar answers. Also, I conducted interviews of

police officers and shelter workers from different suburbs and cities to see if I got similar results in each city and by both groups of street level bureaucrats to see how reliable my research was.

Validity is maximized by "... adhering to the data and not allowing unobserved or unmeasurable concepts get in the way" (King, et. al. 1994: 25). My focus will be on internal validity, where I seek to establish a causal relationship between the levels of involvement, communication, and limitations between police officers and shelter workers. As I hypothesized in Chapter 1, my research should yield that the higher the involvement or communication, the more likely it resulted in successful implementation. The same goes for the lower the limitations: the more likely it resulted in successful implementation.

I also used construct validity, where I used many different sources of evidence during data collection and established a chain of evidence to help create a "set of measures" used for data collection (Yin, 2009: 41). In this thesis, I used surveys, interviews, observations, and research conducted by other groups to help create a "set of measures" for my data collection. All of the research conducted along with the secondary sources, helped me establish a chain of evidence around domestic violence and VAWA. This was important to be able to prove whether or not my hypotheses were correct or incorrect.

### **3.9 Limitations to the Study**

I experienced some limitations during this study. To begin, I was not able to interview as many police officers as I had originally planned. There were several times when I would contact an officer who would then transfer me to another officer's voicemail. It would sometimes take me several follow up phone calls before I would get a response, and sometimes I received no response at all. Some police officers acted as though they were too busy to give me an interview, even though I told them the interviews would not take more than one hour. After several failed responses, I decided to include shelter workers to my research. However, because of the amount of time I spent trying to get police officers to do interviews, I was left with only one week to conduct interviews with shelter workers. Their response rate was much higher than the police



officers I contacted. Shelter workers were also much more willing to do interviews, with some interviews lasting over an hour.

The shelter workers that I interviewed were very knowledgeable in statistics and trends throughout the entire United States. Most shelters have their volunteers and workers go through extensive training before they begin working at a shelter as well as being required to take continuing education throughout their time working and volunteering at shelters. This extensive training ensures that those who work or volunteer in shelters are going to be prepared for almost any or all situations that may arise while they are on duty at a shelter. Therefore, by interviewing shelter workers knowledgeable in the statistics and trends not only in Minnesota, but also in other states throughout the country, I was able to obtain information that pertains to domestic violence throughout the country. The limitation of collecting data in a small area was backed up by the knowledge and training of the shelter workers.

Another limitation I faced was that some of the shelters were unable to meet face to face and asked if I could email my interview questions. By emailing the questions, I was unable to ask follow up questions until I emailed them back. After emailing my interview questions to two shelters, I decided to follow up with both shelters by phone to conduct more in depth interviews and took my direct quotations from these over the phone interviews.

These limitations took place at different phases of my data collection and research. While I attempted to follow up with these limitations as they came up during my research and data collection, some of these limitations are still factors in whether or not my hypotheses can be proven correct.

### **3.10 Ethical Considerations**

While conducting my research, I made sure to inform each subject that I would keep important information confidential. Each person interviewed or observed did so voluntarily. Before I interviewed each individual, I informed them that I would keep their names confidential, and any additional information that they wanted to be kept informational, I would respect their wishes.

Information such as names have been kept confidential, as well as all information requested to be kept confidential.

### **3.11 Conclusion**

In conclusion, this chapter gives a detailed description of the research methodology used to conduct the research of this case study. The case studied was the Twin Cities and surrounding suburbs of Minnesota. Qualitative data is being presented along with some quantitative data from other research that helps solidify the qualitative data collected and validates the data collected for this thesis. The next chapter will discuss domestic violence in Minnesota. More particularly, it will discuss the background of domestic violence in Minnesota and a comparison of statistics in the United States. This chapter will also include examples of news articles from Minnesota as well as other states.

## Chapter 4

### Domestic Violence in Minnesota

#### 4.0 Background of Domestic Violence Laws in Minnesota

As in every state in the USA, domestic violence is an ever apparent issue. In this chapter, I will discuss both the federal statute as well as the state statute in Minnesota. Also, I will include actual cases that have occurred in Minnesota as well as the rest of the US. Then, I will discuss the resources available for victims; both changes in resources and a comparison of resources for victims in Minnesota compared to resources available to victims in other states.

##### *Federal Law*

Under the federal act, VAWA includes “maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families;” (Office of Violence against Women). Also, the Act includes, “developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies,” as well as “referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services);” and promoting “the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies,” (*ibid.*).

##### *Minnesota Law*

The statute in Minnesota closely mirrors the federal law. Minnesota Statute § 609.2242 states, “It is a misdemeanor to intentionally inflict or attempt to inflict bodily harm against a family or household member, or to commit an act with intent to cause fear of immediate bodily harm or death against a family or household member” Minn. Stat. §609.2242. (Minnesota Statute).

A separate statute which specifically includes domestic assault by strangulation, defines strangulation as, “intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person” Minn. Stat. § 609.2247. (Minnesota Statute).

The statute also includes a section about the notice that is to be given about assistance to victims. It states, “At the time of arrest, a peace officer is required to tell a victim of domestic abuse whether a shelter or other services are available in the community and to provide the victim with notice of the legal rights and remedies available to the victim. The officer must give the victim a notice that includes the resource listing, including telephone number, for the area battered women’s shelter. The notice also must include a statement that: a) advises the victim that the victim can ask the city or county attorney to file a criminal complaint; b) and advises the victim of the right to go to court and file a petition requesting an OFP [Order for Protection<sup>10</sup>] from domestic abuse” Minn. Stat. § 629.341. (Minnesota Statute).

On the other hand, the statute goes on to state how to proceed in the event an arrest is not made: “In situations where an officer does not make an arrest when the officer has probable cause to believe that a person is committing or has committed domestic abuse or violated an OFP, the officer shall provide immediate assistance to the victim, including: a) assisting the victim in obtaining necessary medical treatment; and b) advising the victim of the victim’s rights to request prosecution and to pursue an OFP” Minn. Stat. § 629.341. (Minnesota Statute).

The funding for shelters and services for victims of domestic violence is included in the statute. It states, “Battered women’s shelters and services receive funding through the collection of fines. Courts are required to collect fines under the criminal code and to forward 70 percent of each mandatory minimum fine collected to a local victim assistance program that provides services locally in the county in which the crime was committed. A ‘victim assistance program; means victim witness programs within county attorney offices or crime victim crisis centers, victim-

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<sup>10</sup> An Order for Protection (OFP) is a civil order, “that can order a respondent: 1) not to physically harm; 2) not to have contact; 3) not to enter petitioner’s residence/workplace. And OFP can also decide issues of custody, parenting time and support” (Minnesota Judicial Branch).

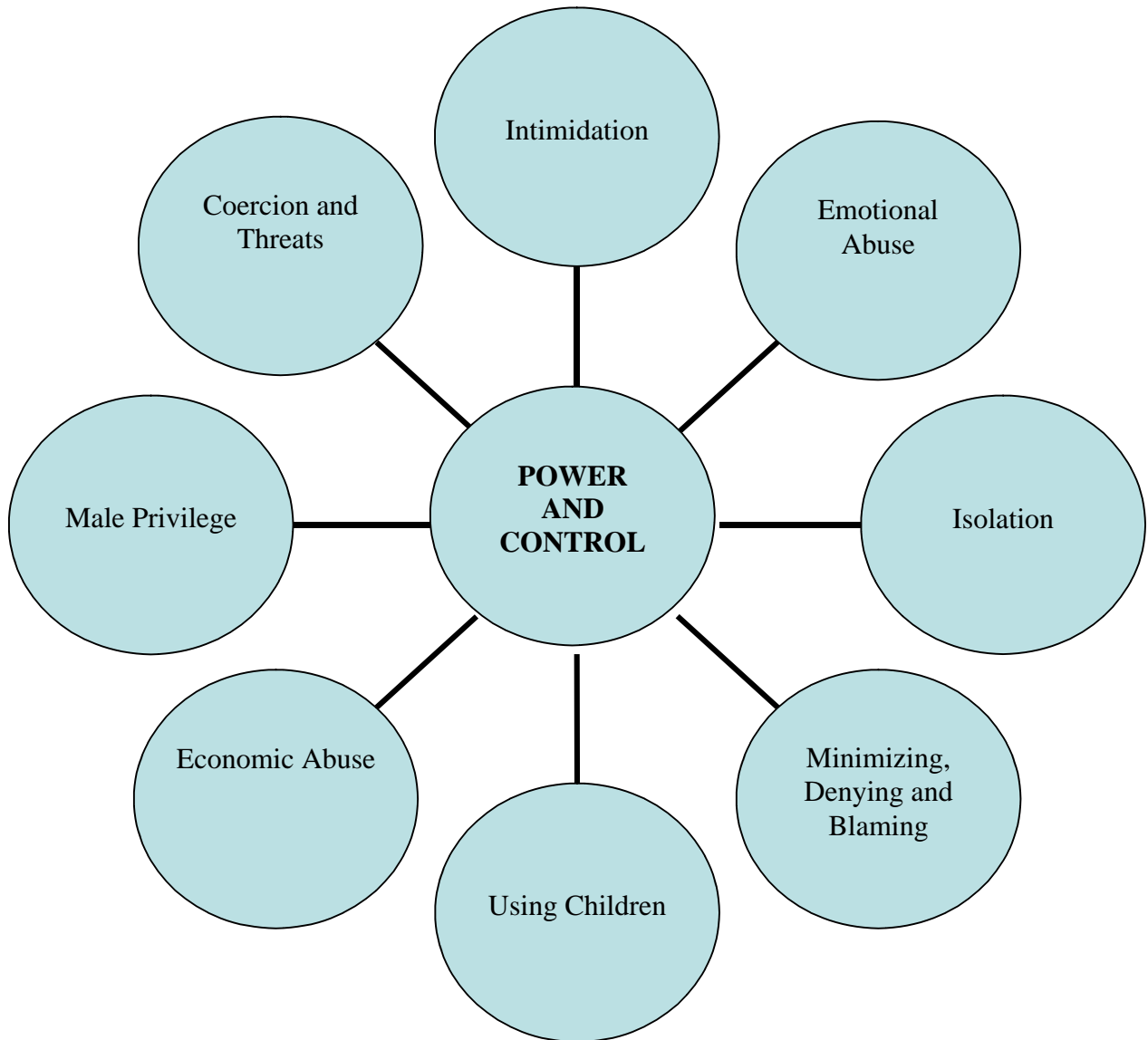
witness programs, battered women’s shelters and nonshelter programs, and sexual assault programs” Minn. Stat. § 609.101. (Minnesota Statute).

“Battered women’s shelters and services also receive funding through the Department of Corrections. The Commissioner of Corrections is required to award grants to programs that provide emergency shelter services to battered women and support services to battered women, domestic abuse victims, and their children. The commissioner also is to award grants for training, technical assistance, and for the development and implementation of educational programs to increase public awareness of the causes of battering, the solutions to preventing and ending domestic violence, and the problems faced by battered women and domestic abuse victims. The grants are to be awarded in a manner that ensures they are equitably distributed to programs serving metropolitan and nonmetropolitan populations. Any public or private nonprofit agency may apply for a grant” Minn. Stat. § 611A.32. (Minnesota Statute).

#### **4.1 Domestic Violence Cases in Minnesota**

Minnesota has been a leader in the push for victims’ rights in the field of domestic violence. The National Coalition Against Domestic Violence has put together a diagram that shows how power and control in relationships can lead to domestic violence. In this diagram below, power and control is the center of the problem in the relationship that leads to physical and sexual violence. Each of the following can lead to domestic violence:

**Figure 2. Factors that contribute to domestic violence**



“Intimidation: Making her afraid by using looks, actions and gestures. Smashing things. Destroying her property. Abusing pets. Displaying weapons.  
Emotional abuse: Putting her down. Making her feel bad about herself. Calling her names. Making her think she’s crazy. Playing mind games. Humiliating her. Making her feel guilty.

Isolation: Controlling what she does, who she sees and talks to, what she reads, and where she goes. Limiting her outside involvement. Using jealousy to justify actions.

Minimizing, Denying and Blaming: Making light of the abuse and not taking her concerns about it seriously. Saying the abuse didn't happen. Shifting responsibility for abusive behavior. Saying she caused it.

Using Children: Making her feel guilty about the children. Using the children to relay messages. Using visitation to harass her. Threatening to take the children away.

Economic Abuse: Preventing her from getting or keeping a job. Making her ask for money. Giving her an allowance. Taking her money. Not letting her know about or have access to family income.

Male Privilege: Treating her like a servant: making all the big decisions, acting like the "master of the castle," being the one to define men's and women's roles.

Coercion and Threats: Making and/or carrying out threats to do something to hurt her. Threatening to leave her, commit suicide, or report her to welfare. Making her drop charges. Making her do illegal things." (National Coalition Against Domestic Violence).

Below are some facts that surround domestic violence:

"Around the world at least one woman in every three has been beaten, coerced into sex, or otherwise abused in her lifetime" (Newton, 2001).

"Physical violence is estimated to occur in 4 to 5 million intimate relationships each year in the United States" (*ibid.*).

"Nearly one in every three adult women experiences at least one physical assault by a partner during adulthood. Approximately four million American women experience a serious assault by an intimate partner during a 12-month period" (*ibid.*).

"It is estimated that 2 million to 4 million US women are assaulted by a domestic partner every year. Twelve million women (25 percent of the female population) will be abused in their lifetime. Up to 35 percent of women and 22 percent of men presenting to the emergency department have experienced domestic violence" (*ibid.*).

While these statistics prove domestic violence is prevalent in the United States, there are reports that back up these statistics.

In May, 2000, The U.S. Department of Justice Bureau of Justice Statistics published a report on domestic violence (*ibid.*). This report helps understand domestic violence on a deeper level (*ibid.*). The report was based on FBI data and surveys conducted by the National Crime Victimization Survey (*ibid.*). From this report, it concludes that in 1998, “women experienced at least 900,000 violent offences at the hands of an intimate, and men were victims of at least 160,000 violent crimes by an intimate partner” The report, however, did not include harassment, stalking, or emotional abuse (*ibid.*). “So, more than 1 million violent crimes were committed against persons by their current or former spouses, boyfriends, or girlfriends” (*ibid.*).

This report, however, is not accurate. Fred C. Pampel and Kirk R. Williams claim, “researchers using this database must address the problem of missing data, which typically is the result of the failure to file, inconsistent filing of reports to the FBI by local police agencies, or incomplete records ...” (*ibid.*).

While domestic violence research may be incomplete, the reporting that has occurred has given light to some trends that include: “race, gender, economic and educational status, and geographical location” (*ibid.*).

1) *Race*: The highest domestic violence rates are suffered by black women and men (*ibid.*). The domestic violence rate for black females is 35 percent higher than the domestic violence rate suffered by white females. Black females are also victims of domestic violence at a rate of 22 times more than women of other races (*ibid.*). Black males have a 62 percent higher rate of domestic violence than white males and also were 22 times more likely to suffer from domestic violence than men of different races (*ibid.*).

2) *Gender*: 3 out of 4 victims of homicide by an intimate partner are women (*ibid.*). 33 percent of all women murdered and whose cases are solved, have been murdered by



someone who was in intimate partner (*ibid.*). Out of all of the non-lethal domestic violence, women make up 85 percent of the victims (*ibid.*). Overall, women are 5 times more likely to be victims of domestic violence than men (*ibid.*).

3) *Economic background:* There is a significantly higher rate of domestic violence against poorer women than higher income women (*ibid.*).

4) *Educational background:* Women with less education are more likely to experience domestic violence than women who have a college education or higher (*ibid.*).

5) *Geography:* Women and men living in poorer neighborhoods were more likely to experience domestic violence than women and men living in wealthier neighborhoods (*ibid.*).

Other trends include age marital status (*ibid.*). Women ages 16 to 24 experience the most prominent rate of domestic violence, along with those who were divorced or separated (*ibid.*). “The rates at which individuals report domestic violence to police vary along racial and gender lines. Hispanic and black women report domestic violence at the highest rate (approximately 65% to 67% of abuse is reported). For white females, only about 50% of the abuse is reported” (*ibid.*).

Domestic violence is an every day occurrence in Minnesota as well as every other state in the USA. Even in the small community of Waltham, MN, a town of about 150 people, there are cases of domestic abuse. In the fall of 2010, a man broke into a woman’s house and assaulted her, her boyfriend, and a teenage girl (Lillie, 2010). He was convicted of felony domestic assault and fifth-degree misdemeanor assault (*ibid.*).

He was sentenced to 60 days in jail and five years probation (*ibid.*). He has also been convicted of domestic assault in January 2004 and third degree assault in July 2006 (*ibid.*). While 60 days in jail is a short period of time for a felony conviction, the sentence is even more surprising considering this man has a record of domestic violence.

A felony<sup>11</sup> charge should have given him at least one year in jail and classes on anger management or classes on domestic violence. Especially for a repeat offender, two months in jail is a fairly small sentence for someone who committed a felony. On the other side, it is a big win for the community that charges were filed and a conviction was made in a domestic abuse case.

Just a few weeks ago, actor Nicolas Cage was charged with domestic abuse battery (Star Tribune, 2011). A short time after the charges were made, the district attorneys refused all of the charges against the actor (*ibid.*). This incident occurred in New Orleans, Louisiana, and received much publicity throughout the USA. However, the fact that the charges against the actor were dropped is not a surprise in the United States. There have been many situations in which someone famous is given leniency in the court system. This type of message is the wrong message being sent to the USA. Instead, if Nicolas Cage would have been charged with battery in the domestic abuse case, it would have sent a more positive message that domestic abuse is not to be tolerated. It might be that the case was not strong enough to go to trial and get a conviction, but a case that gets news attention like this should end with some consequences.

On January 1, 2010, police say that Brian Andvik of Albany, Minnesota, “put a pistol in his wife’s mouth, told her she’d never see her children again and pulled the trigger” (Simons, 2010). Although the gun was empty, Andvik was arrested and put in jail for domestic strangulation and felony assault (*ibid.*). His wife said these crimes “were just the latest in a series of chokings [*sic*], gun threats and other violence he’d inflicted upon her” (*ibid.*).

“By Jan. 18, police say, after Andvik had posted \$125,000 bail, he violated no-contact orders and snuck into his now-estranged wife’s house while she and their two children slept. But he set off a newly installed alarm and was arrested again” (*ibid.*). Judge Skipper Pearson of Stearns County decided to increase his bail to avoid this happening

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<sup>11</sup> A felony is :an offense, as murder or burglary, of graver character than those called misdemeanors, especially those commonly punished in the U.S. by imprisonment for more than a year” (dictionary.com).

again and avoided a possibly deadly ending (*ibid.*). Andvik's bail was set at \$1 million or \$500,000 with conditions (*ibid.*). This amount for bail is usually reserved for accused killers (*ibid.*). Assistant County Attorney Joshua Kannegieter had argued during the court hearing that it was necessary to set this high bail to prevent Andvik from becoming a killer (*ibid.*). The conditions of the \$500,000 bail are that he must wear an electronic monitoring bracelet, have no contact with his wife, not use any drugs or alcohol or weapons, and stay within the state of Minnesota (*ibid.*).

“Advocates for domestic abuse victims are lauding the decision as an unprecedented step to prevent domestic violence from turning deadly, something which occurred in several high-profile cases in Minnesota last year, and which has been a perennial problem” (*ibid.*). In 2008, at least 21 women, seven children and two men were killed by either a domestic partner or someone from their own family, according to the Minnesota Coalition for Battered Women's statistics as of recent (*ibid.*).

Carol Arthur, the executive director of the Domestic Abuse Project based out of Minneapolis, Minnesota says, “This is huge,” of the high bail in the Andvik case (*ibid.*). She went on further to say, “In my 21 years it's the first time I've seen a bail this high in a case of this nature. We're seeing more signs like this over time, and it's very encouraging” (*ibid.*).

A criminal defense attorney, Bruce Rivers, who was not involved with this case, disagrees with the bail that was set in the Andvik case (*ibid.*). He claims, “Bail has two purposes: To assure reappearances, which this was not designed to do, and to protect the public,” (*ibid.*). Rivers went on to further state, “Setting bail just for the purpose that the person can't get out is a violation of rights” (*ibid.*). Rivers brought up the fact that no weapon was used and no violence was involved in the second arrest of Andvik. Instead, Rivers argues that there could be a lower bail set with the requirement that Andvik wears a GPS bracelet (*ibid.*).

Chief Deputy County Attorney, Matthew Quinn, agrees with the bail set by Judge Pearson, “It’s really our concern about this individual and his actions that we know so far, which may indicate what he may do in the future,” (*ibid.*). He goes on further to say, “It’s not to punish him. It’s to protect his safety and the public’s safety” (*ibid.*).

Executive Director Maxine Barnett from Anna Marie’s Alliance, which is a shelter for battered women, stated that she had never seen bail set that high for someone who was a suspected abuser in her 30 years of experience (*ibid.*). She claimed that she was not surprised that the bail was so high, because Andvik posed a danger based on his past (*ibid.*). Andvik’s wife had sought assistance from the Anna Marie’s Alliance (*ibid.*).

“This is very, very significant,” Barnett stated. “It’s a statement on the part of the courts here that this is not OK, and you are not to be trusted. He went to her house. ... The only thing that saved her life is that she put in an alarm system that scared him.” (*ibid.*).

Barnett says most felony abusers are not able to post a bond for \$125,000 like Andvik posted for his first bail (*ibid.*). While she does not disagree with the original bail amount from the first arrest, she brings to light the fact that the amount of bail that is set in domestic violence cases might be too low (*ibid.*).

“When a situation is as dangerous as the first incident could have been, there was a significant amount of bail, but it wasn’t significant enough,” she said. “Those are things that we’re now coming together now to really talk about” (*ibid.*).

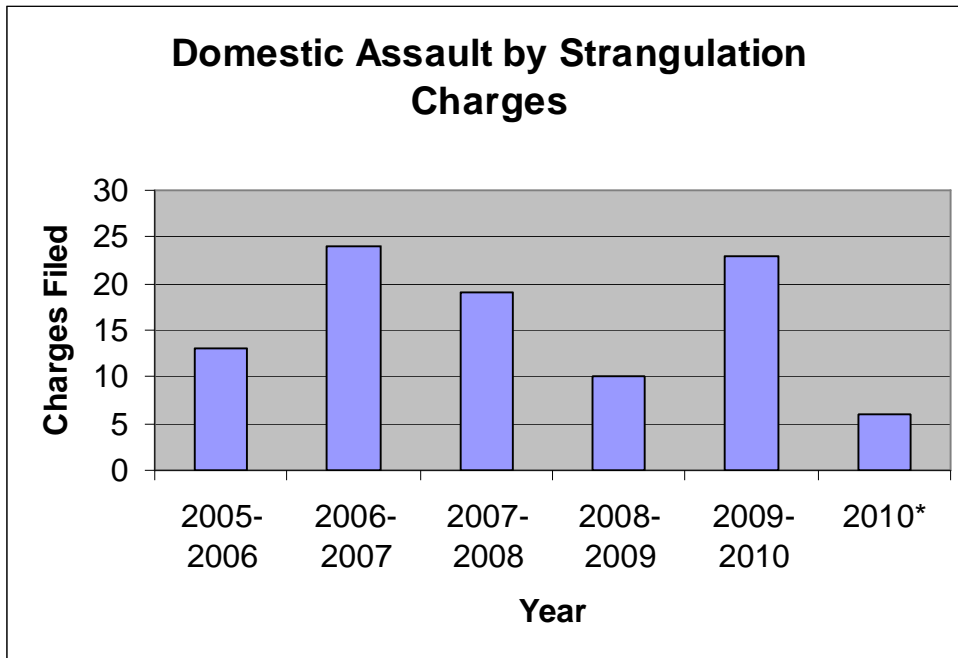
In August, 2010, Eagan Police Officers had to evacuate an entire apartment building after they were called to a domestic assault involving a man who was claiming to have a handgun (Simeone, 2010). The man was apparently refusing to leave the apartment building and had four young children inside the apartment (*ibid.*). The man, Annis Lorenzo Coleman, 34 years old, living in Eagan, Minnesota, had a three hour standoff with the police before he was arrested. He went to the Dakota County Jail with charges of Felony Domestic Abuse Strangulation and Obstruction without Force (*ibid.*).

In October, 2010, a Rose Creek, Minnesota man was charged with five felony charges for domestic assault (Lillie, 2010). Gregorio Pabon-Garcia, 24 years old, was charged with multiple counts of criminal sexual conduct, kidnapping, making terroristic threats and domestic assault by strangulation, all of which are felony charges (*ibid.*).

“The number of individuals charged with domestic assault by strangulation have more than doubled in the last year, and local law enforcement officials are unsure why” (Lillie, November, 2010). The number of charges for domestic assault by strangulation in one county in Minnesota more than doubled over the span of one year (*ibid.*). Local law enforcement officials are unsure why such a dramatic increase has occurred (*ibid.*). Between November 1, 2008 and November 1, 2009, there were ten charges for domestic assault by strangulation (*ibid.*).

During that same time period the following year, there were 23 charges filed for domestic assault by strangulation (*ibid.*). From September 1, 2010 to November 1, 2010, there were already six strangulation cases for domestic violence filed (*ibid.*). The following chart shows domestic assault by strangulation charges for the past five years in one county in Minnesota:

**Chart 1: Domestic Assault by Strangulation Charges in Mower County, Minnesota**



*\*All of the dates are November 1 to November 1, except 2010, which is September 1 to November 1.*

The Police Chief Brian Krueger, said, “it is alarming to see (the number of strangulations reported) go up that much in one year,” (*ibid.*). He continued on, “our officers take it very seriously and have had training ... so the appropriate charges are filed” (*ibid.*).

One of the changes that have been made since VAWA was last changed in 2005 has made it a separate charge (*ibid.*). The Minnesota State Legislature passed this statute in 2005, which declared domestic assault by strangulation “a separate charge from the overarching domestic abuse charge” and put this charge in the felony category (*ibid.*). In this statute, strangulation is defined as “intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person” (*ibid.*). Any person who is convicted of domestic abuse by strangulation “may be sentenced to no more than three years in prison or to payment of a fine of not more than \$5,000, or both” (*ibid.*).

Mower County Sheriff Terese Amazi said incidents of domestic abuse by strangulation have likely been occurring steadily prior to the passing of this statute in 2005; however, it is possible that victims of strangulation are being reported more often (*ibid.*). One of the possible reasons for the increase in cases is the increase in reporting (*ibid.*). Sheriff Amazi said the increase in reporting is possibly because victims are believed more now than they were in the past (*ibid.*).

Police Chief Krueger said the reason for the increase in strangulation cases may be due to the fact that women who are suffering from abuse may be reporting it more (*ibid.*). He said, “A victim should be reporting it, but obviously there’s the fear factor in those situations,” (*ibid.*). He goes on to further state, “If these things are happening there’s some sort of physical abuse ... that leads up to this. It’s usually something that accelerates” (*ibid.*).

Sheriff Amazi says abuse victims should never be afraid to report incidents of abuse (*ibid.*). “We would never discount (an abuse incident) if, in fact, it did occur,” (*ibid.*). Another possible reason for the increase in cases and reporting is that strangulations are easy to prove since the victims will usually have visible clues on their necks, such as red marks or bruising, which officers take photographs of for evidence (*ibid.*).

Sheriff Amazi and Chief Krueger say their deputies and officers have been trained to look for certain clues that could mean strangulation occurred when they are reporting to a domestic assault call (*ibid.*). Even though preventing domestic abuse is difficult, the deputies and officers say they will continue to combat domestic abuse as much as possible (*ibid.*).

Sheriff Amazi said, “You’re always going to have relationships that go bad,” and she said, “Violence doesn’t have to be a part of that” (*ibid.*).

One of the most violent cases to happen in Minnesota occurred September 7, 2009. Officer Richard Crittenden, a Maplewood police officer, responded to a domestic disturbance call to an apartment complex around 8:30 in the morning (KARE 11). The call was about a violation of a protection order (*ibid.*). Officer Crittenden was familiar with the address he was responding to, and knew he would be met with resistance, so he called for backup (*ibid.*). When the officers arrived at the apartment, Devon Dockery, the man violating the protection order, began to scuffle with Officer Crittenden (*ibid.*).

During the scuffle, Dockery was able to take Officer Crittenden's gun and shot the officer in the head, killing him instantly (*ibid.*). The other officer then shot Dockery (*ibid.*). Both Officer Crittenden and Dockery died at the scene (*ibid.*). Officer Crittenden is the first officer to be shot to death in the line of duty in the state of Minnesota since May of 2005 (*ibid.*).

This case was very eye opening throughout the state of Minnesota. Whenever a police officer is shot to death in the line of duty, the entire state mourns. This case was especially hard to digest given the fact that the officer knew to call for backup and knew the suspect would likely be violent. Based on the media coverage done on this case, the officer was familiar with the suspect because of past domestic abuse calls to that same apartment, and that is why Officer Crittenden called for backup to the call<sup>12</sup>.

All of these cases and statistics show us that domestic violence is still very prevalent in our society, but that media coverage, changes in statutes, and awareness can help victims report abuse with the hope of combating domestic violence.

## **4.2 Changes in Resources for Victims and Their Families**

From the time domestic violence laws were first implemented until now, the number of resources available for both victims as well as abusers has grown immensely. In 1994, several women's movements joined together to secure the passage of the VAWA and were provided \$1.62 billion

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<sup>12</sup> This is based on the media coverage done on the news, KSTP. This is the new station for the Twin Cities and surrounding area in Minnesota.



over six years (Reuss, 2004). This record breaking amount was to help address issues that were currently happening with women suffering from domestic violence (*ibid.*). However, the first year after the Act passed, Congress had several members withhold the funding for another year (*ibid.*). The latest reauthorization of the Act in 2005 provided almost \$4 billion dollars over 5 years (*ibid.*).

While the Violence Against Women Act is given what seems like a significant amount of funding, budget crunches are becoming large barriers to the success of the Act. “Chemical dependence and domestic abuse has certain families cycling through correctional and human service programs, but the state has decreasing means to combat the problem due to ongoing budget concerns” (Schoonover, 2011). One of the affected areas is resources for the children living in abusive or chemically dependent homes (*ibid.*). Instead of placing children in long term foster care in order to get the help and services they need, children are only being placed in short term foster care (*ibid.*).

The ongoing crisis with the budget has caused services to be slashed completely, and long term foster care is one of the services that have been affected (*ibid.*). These children are the ones who need the long term foster care to help the children stay out of trouble themselves. The children are placed in foster homes where they live a more structured life: rules, expectations, and normalcy. When they go back to the abusive or chemically dependent home, they are no longer living that structured life (*ibid.*).

“Many juveniles leaving a group home or foster home expressed a positive attitude toward the rules and structure they were subject to. That sentiment doesn’t transfer back to the home” (*ibid.*). The children commented that they liked having those set rules and liked knowing the expectations (*ibid.*). Instead, they go back to the home where there are no rules because parents do not want to have to be responsible and hold their children accountable” (*ibid.*).

The importance of providing children with resources to get out of the abusive or chemically dependent home is that the children can grow up in a more normal life, have a chance to be a child, and will be less likely to commit crimes, including domestic abuse (*ibid.*). Providing long

term foster care for children will help teach these children what is right, what is wrong, and how to overcome what they have already been through. If we give children these resources, we will very likely see a decline in domestic violence in the future.

A few months ago, social services leaders and mental health workers joined law makers as well as public safety experts for an all day conference on April 8, 2011 (Rosenblum, 2011). Earlier that morning, Yolanda L. Smith was shot by her boyfriend and was taken to Hennepin County Medical Center in critical condition (*ibid.*). That same day, a jury in Dakota County convicted Brent P. Selge of assault on his estranged wife from July 2010 in which she suffered a traumatic brain injury (*ibid.*).

Later that day, Aaron L. Parson fatally shot his former girlfriend, Abigail M. Fedeli and her current boyfriend, Michael Habte at a grocery store in Brooklyn Park, MN and then killed himself (*ibid.*). Abigail was only 20 years old (*ibid.*). These are just some of the things that happened in the Twin Cities and surrounding suburbs in Minnesota in one day. “Despite decades of work devoted to ending domestic violence, the deaths and injuries keep mounting” (*ibid.*).

This conference brought together people from different domestic violence resources that do not generally see eye to eye (*ibid.*). 30 years ago, the “Duluth Model” was developed to focus on intervention in order to end the abusive relationship (*ibid.*). This model sought the end of relationships that were built on “dominance and oppression” by making harsher penalties for repeat offenders (*ibid.*).

The other group, lead by Linda Mills, is the Center on violence and Recovery, has a different view. Mills and the Center on Violence and Recovery propose that “domestic violence is more complex than men’s attitudes, that perpetrators often act out of a feeling of powerlessness, but they can change” (*ibid.*). Mills was once a victim of domestic abuse and states that there are actually many couples who are in abuse relationships who want to stay together (*ibid.*). She takes a “transformative approach” which is focused on growth and healing (*ibid.*). Another person from the “Transformation Model” states that this approach is about “taking the next step” in which people can face their flaws and allows people to change (*ibid.*). While these two

models are significantly different in their approaches and what they want as final outcomes, both groups are fighting for the safety of the victims (*ibid.*).

### **4.3 Comparison of Resources in Minnesota versus Other States in the United States**

Minnesota has been a leader in the push for ending domestic violence. Domestic violence laws throughout the United States differ when it comes to the types of relationships that are protected under the law (National Coalition Against Domestic Violence). In most state laws, the requirement is for the perpetrator to be a spouse, former spouse, cohabitant, or common child (*ibid.*). There are a significant number of states in which two persons who are dating or have dated are also protected (*ibid.*). Of all the laws in the United States, Delaware, Montana and South Carolina are three states in which same sex relationship are specifically excluded from protection under the state's domestic violence law (*ibid.*).

Crime Victim Services surveyed 2895 women "to explore the quality of services funded by the Minnesota Office of Justice Programs" (Crime Victim Services). The survey was conducted between January 2006 and December 2006 statewide. The research was conducted by Wilder Research in Minnesota (*ibid.*).

In order to accommodate those who do not speak English or if English is not their first language, the surveys were conducted in both English and Spanish (*ibid.*). Of the 2895 surveys, 2840 were completed in English and 55 were completed in Spanish (*ibid.*). While these findings do not include all opinions because not every person who was provided services was surveyed, this research does include a large number of women (*ibid.*). The result of the survey "includes overall frequencies and averages for all participating agencies state-wide. Higher averages indicate stronger agreement with the statements" (*ibid.*). The following table shows the results from the survey:

**Table 1. State-wide survey results of services received from shelters throughout Minnesota**

How much do you agree with the following statements?	4 Strongly Agree	3 Agree	2 Disagree	1 Strongly Disagree	State-wide Average
1. The services I/my children received were helpful.	69.4%	27.9%	1.7%	0.9%	3.7
2. I learned about available resources related to my situation.	58.6%	35.6%	4.3%	1.4%	3.5
3. I learned new information about how to keep myself (or my children) safe.	57.3%	36.4%	4.9%	1.5%	3.5
4. Staff understood my problems or concerns.	68.7%	26.8%	2.8%	1.7%	3.6

5. Staff communicated with me in a way that I understood.	71.0%	25.7%	2.1%	1.2%	3.7
6. I received the services I needed and wanted.	67.5%	27.1%	3.4%	1.9%	3.6

**4.4 Conclusion**

In closing, Minnesota has been one of the leaders in providing resources for victims of domestic violence. While each shelter provides different types of resources for women, the main reason for the types of services a shelter is able to provide is based largely on the funding that the shelter receives. When comparing resources in Minnesota versus other states throughout the US, there is nothing that is completely different. For the most part, each shelter provides the resources that their shelter believes is the most effective when responding to domestic violence, and also the most economical, considering the universal cry for more funding. Many shelters want to provide more resources than they are currently providing, which will be discussed in more detail in the following chapter.

# **Chapter 5**

## **Findings and Analysis**

### **5.0 Introduction**

This chapter will discuss the findings made during data collection and analyze those findings. I will discuss the information I obtained during my interviews and direct observations and apply that information to my research questions and hypotheses to determine the effectiveness of the implementation of VAWA in Minnesota. To begin this chapter, I will repeat the research objectives, research questions, and hypotheses to use in a later discussion in this chapter. I will apply the research questions to my hypotheses and compare that to the actual findings made during data collection. Then, I will analyze those findings to determine how effective the implementation of VAWA has been since enactment in 1994.

### **5.1 Research Objectives**

As previously mentioned, the following are my research objectives:

1. Determine the effectiveness of the implementation of VAWA.
2. Analyze how much of a factor the police and shelter workers have had in lowering the rate of domestic violence.
3. Determine the limitations street level bureaucrats face in implementing VAWA and how to get past these limitations.

### **5.2 Research Questions**

As mentioned in Chapter 1, my research questions include:

- A) How involved are police officers and shelter workers when it comes to implementing VAWA?
- B) What types of limitations do street level bureaucrats face when implementing VAWA?

C) How well do shelter workers and police officers work together and communicate to carry out VAWA in the most efficient and effective way?

### **5.3 Hypotheses**

My hypotheses for each of the above research questions once again are:

**Hypothesis A)** The more involved police officers and shelter workers are in providing services and resources to women, the more likely women will collaborate with the street level bureaucrats to get the help they need and in turn get out of the abusive relationship, therefore lowering the number of domestic violence cases, the more successful the Act.

**Hypothesis B)** The lower number of limitations the street level bureaucrats face, such as lack of financing, and uncooperative victims, the higher the number of victims who can receive resources and get out of the abusive relationships, the more successful the Act.

**Hypothesis C)** The more shelter workers and police officers work together and communicate, the more efficient and effective they will be in carrying out VAWA by collaborating to help women get the resources needed, the more successful the Act.

### **5.4 Policy Objectives under the Violence Against Women Act**

The objectives of VAWA include providing resources for victims of domestic abuse, arresting suspects with probable cause that physical or threats of physical abuse occurred, and protecting all victims of domestic violence, even if they are not citizens of the US.

### **5.5 Education of Street Level Bureaucrats**

Different education levels are required in order to become either a police officer or a shelter worker. According to the police officers interviewed, in order to become a police officer, a 2 year associate's degree followed by a few months at a police academy and passage of the exams is all that is necessary. However, some police officers obtain a 4 year bachelor's degree followed by the police academy and required exams.

In order to work at a women’s shelter, there are several different requirements depending on what you do. For the most part, a 4 year bachelor’s degree or the equivalent in experience is required to work in a shelter. However, some crisis phone line employees can be college students who undergo training to respond to calls. Different shelters require a different amount of training, but several shelters receive funding from the government that requires a fixed type and amount of training that each shelter worker must undergo in order for the shelter to receive government funding.

### 5.5.1 Education of Police Officers

The following table shows the level of education of each police officer interviewed:

**Table 2: Education of Police Officers**

	2 year Associate’s Degree	4 year Bachelor’s Degree	Master’s Degree or Higher
Apple Valley Police Officer A	X		
Apple Valley Police Officer B		X	
Minnetonka Police Officer A		X	
Minnetonka Police Officer B		X	
Minneapolis Police Officer A		X	
<b>TOTAL:</b>	<b>1</b>	<b>4</b>	<b>0</b>



Apple Valley Police Officer A two associate’s degrees; the first is a Law Enforcement degree and the second is a general associate’s degree, both from a community college. She also has taken a few classes towards a 4 year bachelor’s degree. Apple Valley Police Officer B has an associate’s degree in Law Enforcement from a community college. Minnetonka Police Officers A and B both have a 4 year bachelor’s degree in Criminal Justice. Minneapolis Police Officer A has a 2 year associate’s degree in Law Enforcement from a community college.

### 5.5.2 Education of Shelter Workers

The following table shows the level of education of each shelter worker interviewed:

**Table 3: Education of Shelter Workers**

	High School Diploma <sup>13</sup>	2 year Associate’s Degree	4 year Bachelor’s Degree	Master’s Degree or Higher
St. Paul Shelter Worker A			X	
St. Paul Shelter Worker B			X	
St. Paul Shelter Worker C	X			
Owatonna Shelter Worker A				X
Owatonna			X	

<sup>13</sup> This is the highest level completed at the time of the interview. Persons with a High School Diploma were currently studying for a 4 year college degree.

Shelter Worker B				
Owatonna Shelter Worker C			X	
Minnetonka Shelter Worker A			X	
Minnetonka Shelter Worker B			X	
Minnetonka Shelter Worker C	X			
Minnetonka Shelter Worker D	X			
<b>TOTAL:</b>	<b>3</b>	<b>0</b>	<b>6</b>	<b>1</b>

## 5.6 Required Training of Street Level Bureaucrats

The training street level bureaucrats go through differs greatly between police officers and shelter workers. While both groups have mandatory training, the training for each group can be very different.

### 5.6.1 Minnetonka Police Training Requirements

The police offers from Minnetonka reported a fall in-service by attorneys that happens at the most one time per year that is required by the state when any changes occur in the law. An in-service is training where attorneys inform the police of the changes in law and how it will effect how the police respond to any cases of domestic violence. They also have several other trainings

throughout the year that help them in any and all types of emergency situations. While the training may not be specifically for domestic abuse, the training can be applied to several different situations, including how to respond to a domestic abuse situation. For example, the police department has training on how to respond to a call when a suspect is armed with a weapon. This situation is relevant to domestic abuse training because there are often instances when they respond to a domestic abuse call where the abuser has a gun or a knife. Even though the training is not specific to VAWA, it still applies to domestic abuse in certain situations. However, police training on VAWA specifically occurs only when there has been a change in the law.

### **5.6.2 Apple Valley Police Training Requirements**

The Apple Valley officers have mandatory training of 48 credits every three years. This training encompasses firearms, driving defensive tactics, and other mandatory training. Neither Apple Valley Police Officers reported attending any domestic abuse or VAWA training for the past four years. However, as mentioned before, some of the training they go through can be applied to domestic abuse training, such as firearms training. It is important for a police officer to keep up to date on firearm training because they can encounter a situation where suspects have weapons, and sometimes the officer needs to use a firearm in defense or for safety reasons. Officers have reported domestic abuse calls where the abuser is armed with a weapon and the officers have to use their firearms training in that particular situation to ensure their own safety and to get control of the suspect without the suspect injuring anyone in the process.

Women's shelters report a much more intense training schedule that is substantially more specific to VAWA. Since shelters are more specifically tied to domestic violence than police officers, it is not surprising that shelter workers and volunteers undergo a far more intensive training on VAWA and domestic violence in general.

### **5.6.3 St. Paul Shelter Training Requirements**

The workers at the St. Paul Shelter report between three to five mandatory trainings per year. These trainings include how to evaluate all different types of cases that might come into the shelter, including how to help women suffering from different types of abuse, women with children, and other types of cases.

### **5.6.4 Owatonna Shelter Training Requirements**

The training requirements of the shelter workers in Owatonna include 40 hours of training for volunteers, and three mandatory trainings per year for staff. The trainings are mandated through a government grant. The grant specifies what information is to be covered in the training. Because of this, the shelter workers are unable to choose what training the staff needs to go through, and instead it is chosen by the government. Some of the training shelter workers are required to do include responding to different situations where a victim comes to the shelter for help.

Sometimes the training involves role-playing, where someone pretends to be a victim requesting services. The workers are trained in several situations, including a situation where a victim has children or needs a place to stay, just as some examples. The workers need to be ready to provide resources to victims in several different situations. Each worker might be trained in different roles depending on his or her position at the shelter. For example, a psychologist is going to be trained in helping a woman through her mental and emotional problems, whereas a crisis line advocate is going to be trained in how to deal with an emergency situation where the victim needs help right now and needs to know where to go and what to do.

### **5.6.5 Minnetonka Shelter Training Requirements**

Shelter workers at the Minnetonka shelter report three mandatory trainings per year. They also have government grants that specify what will be included in each of the three trainings. As mentioned above, some of the required trainings include role-playing, where a pretend victim will come into the shelter or call the shelter with a plea for help. Whether the victim needs

shelter for herself and her children or possibly help with protection from her abuser, the shelter workers are given several scenarios to educate them in what to do. Sometimes, shelter workers help a victim through the court process of charging the abuser, so the victim knows she can get help throughout the process from the shelter. The shelter workers also attend any in-service conducted by the city attorney when there are changes in the law. These in-services are important because they get all of the groups on the same page and help them work together effectively.

While police officers do not receive training on domestic violence and VAWA very often, each officer interviewed stated that he or she communicates with the shelter in the area whenever a domestic abuse case is reported. One of the possible reasons for the lack of training specifically related to domestic violence could be because police officers encounter a number of different cases everyday, and their training in weapons and emergency situations could easily be used to respond to domestic violence cases. Shelter workers, on the other hand, have a lot more training on domestic violence and VAWA because their shelter only deals with women and children who are victims of domestic violence.

## **5.7 Findings**

This section includes a discussion on the findings of my research in detail. The findings are based on the information I obtained in my interviews and my direct observation. In my interviews, I asked each person about their background, education, experience, and training. Then, I asked a series of questions about VAWA. These questions included what they thought about the effectiveness of the implementation of VAWA, the strengths and weakness of the Act, and how the Act could be improved. After that, I focused on domestic violence in general, and asked how often they deal with domestic violence calls and what types of resources they are able to give to the victims. I also asked about their involvement with other street level bureaucrats and how well they work together with different groups to help victims. In total, each interview included around 30 questions.

### **5.7.1 Apple Valley Police Department**

One of the officers from Apple Valley has 24 years experience as a police officer. She has been in charge of the Domestic Abuse Response Team for her department for several years. She has also been in the committee for domestic violence for Dakota County for several years. Being a police officer while the implementation of VAWA took place, she says that she has seen some positive results from the Act and specifically says, "... it helps the victim with the deportation process and maintains her safety away from the abuser." Officers from Apple Valley report at least one domestic abuse call per shift. When asked what some of the weaknesses of VAWA are, a police officer from Apple Valley replied, "Women are afraid to come forward to report because of fear of being deported. There is not enough education about the law." Both officers from Apple Valley agree that education and publicity about domestic violence laws would help improve the effectiveness of the Act.

One officer reports that most of her domestic abuse calls involve "... verbal arguments the victim wants the police to resolve." While the other officer reports experiencing more calls to physical domestic abuse calls. In order for the abuser to be arrested, the officer needs to have probable cause to believe physical violence or a threat of physical violence has occurred. If the officer has probable cause of this, the suspect is arrested and jailed immediately. When asked how long the suspects are incarcerated or put in jail, the officers respond, "Depending if the abuse was a misdemeanor offense, the suspect can be released the next day, waiting for a court appearance. If it is a felony level assault the suspect could be held until they can make bail, or the court appearance. This would be before a trial. If the suspect is convicted...again [it] depends on the level of crime charged."

When asked how often the victims press charges, one of the officers replied, "In the state of Minnesota, the victim does not press the charges. The charges are out of the victim's hands at the time of the call. If the officer has probable cause to believe the assault occurred the officer makes the charges and jails the suspect. The victim at this point becomes a witness and hopefully cooperates with the court process." The officer then responded to how often the victim complies with proceeding with the charges against the abuser and said, "The victim becomes uncooperative and refuses to show up in court or changes her story of what happened. This

usually occurs in about six out of 10 cases I would guess.” When asked why, the officer replied that the victims change their story, “... because the abuser is not a bad person, they are really in love, it was the alcohol, or drugs, the victim is afraid to end the relationship because of threats, the children, and on and on...”

Oftentimes police respond to calls of domestic violence repeatedly. One officer said that repeats calls happen in cycles. “After so many calls they usually move from the area and start over with a different agency. It happens frequently.” When I asked the officers if they respond to repeat calls the same way as a first time call, one officer simply replied, “Yes.” The other officer said, “We have to remain objective, so I would have to say yes.” The officer went on to further state, “domestic calls are one of the hardest calls to respond to. An arrest must be made each time we respond to a call.”

Responding to domestic calls in Apple Valley, police always give the victim information about Lewis House, the battered women’s shelter, and the number to a crisis line when appropriate. However, one officer said that while they give information at the times of the call, it is not automatic that information is given. When asked how often the victims use the information officers provide, the officer said, “Not often enough. We usually follow up with a call to the Lewis House so they can initiate contact with a female victim if the male is arrested. Lewis House only has resources for females.”

### **5.7.2 Minnetonka Police Department**

Officers for Minnetonka report that they respond to an average of at least one call for domestic violence per shift. Minnetonka Police Officers cite a very good working relationship with their local women’s shelter. All officers carry cards with some information about the local shelter and how women can contact the shelter for help. They said that they are required by law to give the victim this card every time they respond to a domestic abuse call. Sometimes, the officers said that, “we tell the victim that we will call the shelter for them, and then we dial the number and help the victim make that initial contact.” The two groups work together to try and educate victims about their rights. The officers said that the shelter can help victims throughout the court

process and sometimes the shelters are able to help the victim proceed with the charges without having to go to court to face the abuser. The police officers said that both the shelter and the officers are supported by the community.

One Minnetonka police officer blames chemical dependency as an enabler to domestic abuse. The officer says that when responding to a domestic violence call, “Almost always we have a positive result of drugs or alcohol involved.” Also, “Minnetonka has a high number of prescription drug abuses, which often is the reason for a domestic assault.”

When asked about the types of calls they respond to the most, one officer said that only about “... 25 percent or less is serious.” Another officer said, “Most of the calls we respond to are mental or fear of physical harm.” The officers also stated that they receive calls from repeat offenders very often. All of the officers said they respond to each call the same way, whether or not it is the first time responding to a domestic call or the tenth time responding to a call. An officer cited her main goal as wanting “... to solve the issue and solve the immediate problem.” Another officer says he oftentimes will “... tell the suspect he will be arrested next time. Then, we separate the victim and the suspect for the night.” Sometimes the victim is taken to the hospital to check for injuries, and sometimes one party is told to stay with family or friends for the night to let the two calm down and spend some time apart.

### **5.7.3 Owatonna Shelter**

The psychologist from Owatonna said that the shelter workers “want to get called every time there is an assault or a report of domestic violence so that we can make contact with the victim the next day.” The Domestic Abuse Coordinator followed up with that and said, “When the police are called to a residence for domestic violence, the shelter workers are called by one of the responding officers to report the incident.” However, the Coordinator questions the actual number of times the shelter is informed of a domestic abuse report and whether or not the police give victims information about the shelter.

“We are on call 24/7. Someone from our shelter is on call so that we can either come to the



place where the altercation occurred or follow up with the victim the next day.” The psychologist says that the police department in Owatonna has cards with the information about the shelter, and they are supposed to hand out those cards and also follow up with a phone call to the shelter to inform them about the altercation.

The shelter receives between 700 and 1,000 calls each year about domestic violence. However, the workers state that there is only enough money to have a shelter, and not any money to help out the victims. Of the 700 plus calls they receive, they only have enough funding to help around seven women each year. That means that at the most, they are able to help out one out of every 100 women who come in for help. The shelter workers believe their budget, or lack thereof, is a huge problem when it comes to providing resources to help victims escape their abusers.

Although budget is a huge problem, the Coordinator does believe the shelter can still provide women with several resources. “Whenever a woman comes in with children, we make a safety plan to help the woman make a plan for the next time she is abused. We also make up code words with the kids to help them be proactive if they see their mother being abused.” The shelter workers report that about half of their calls are verbal, and half are physical. Also, about half of the calls they receive are calls from repeat victims; meaning that about half the calls are from victims who have been abused before. One of the most difficult statistics the shelter workers cite is that it takes a victim an average of 11 tries before she leaves her abuser for good.

#### **5.7.4 St. Paul Shelter**

A Crisis Phone Advocate from a St. Paul shelter said that their shelter receives about 16,000 crisis calls per year, and about 1,300 calls per month. One of the crisis line workers reports that “... many calls we receive are related to physical or threats of physical harm.”

When asked what resources they provide to victims, a Resource Specialist from St. Paul said, “After talking to the victim, we give them resources based on their specific needs, at their

request.” “We give them information regarding Orders For Protection (OFP)<sup>14</sup>, Legal Aid services, support groups, counseling, therapy, and anything related to basic needs and medical services that they can call for help.”

The Resource Specialist at the shelter who works with victims on a daily basis said that, “When people initially come into the shelter, they have generally decided to leave their abusive situation ...” However, it is unknown to the shelter the statistics of how many people return to their abusers after leaving the shelter. The shelter workers are able to help the victims leave their abusers for good with all of the resources they are able to provide.

When asked how they approach the victims, whether it is the first time this victim has come for help or whether the victim has been to the shelter several times, the Development and Community Relations Associate responded, “We approach each situation differently.” She then followed up with some examples of what the shelter is able to do for the victim, “Some people only want Order for Protections, others want to complete a safety plan and stay in their home. Some want to relocate from the area and others may want their locks changed and stay in their home. Each victim can gauge their own level of safety and we will assist them to find options and resources based on their unique situation.”

### **5.7.5 Minnetonka Shelter**

The workers at the Minnetonka Shelter have a good working relationship with the Minnetonka Police Department. The workers stated that they supply the police officers with cards that have all of the information for their shelter and services. Minnetonka women’s shelter helps with the court process when the state presses charges against the abuser. The shelter always makes contact with the victim after they are informed of a domestic abuse call. They either call the victim or go to the victim’s residence and offer resources. The workers at the Minnetonka shelter also claim that many domestic disturbances involve some sort of drug or alcoholic substance.

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<sup>14</sup> An OFP is a court ordered document that prohibits the abuser from physically harming or causing fear of immediate physical harm to the victim or her children. An OFP can also prohibit the abuser from entering the residence of the victim.

## 5.8 Analysis

The above findings will be analyzed along with some of the statistics of domestic violence that have been reported since the enactment of VAWA in 1994. These statistics have been mentioned in both Chapter 1 and Chapter 4. I will discuss each research question and hypothesis and the findings I found to support or deny each hypothesis.

**First research question:** How involved are police officers and shelter workers when it comes to implementing VAWA?

**Hypothesis:** The more involved police officers and shelter workers are in providing services and resources to women, the more likely women will collaborate with the street level bureaucrats to get the help they need and in turn get out of the abusive relationship, therefore lowering the number of domestic violence cases, the more successful the Act.

**Findings:** Police officers and shelter workers both play a role in implementing VAWA. Each of these street level bureaucrats plays a significantly different role, both of which are very important in whether or not the implementation of the Act will be successful. After interviewing both police officers and shelter workers, there is an inconsistency in how much of a role each bureaucrat in responding to domestic violence cases. Every shelter worker I interviewed played a proactive role in providing resources that were available for women. The police, on the other hand, are not as proactive. While some police officers give victims information for resources on each domestic violence call, some police officers admitted that it is not always done.

Police officers from Apple Valley stated that they try to give information about resources to the victims each time they respond to a domestic violence call. This inconsistency in giving out resources for victims means not all women are receiving information about the resources available. Police officers from Minnetonka stated that they are required to give each victim a card with phone number and information on shelters in the area. This card gives women the resources to help them find help. This is the information that will help make VAWA successful

because the more involved shelters and police officers are, the more women will use the resources provided. If all police forces were required to give out a card with information about resources available for victims, more women would be informed.

VAWA, under the federal statute, states, “maintaining core victim services and criminal justice initiatives, while supporting complementary new initiatives and emergency services for victims and their families;” (Office of Violence against Women). Also, the Act includes, “developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies,” as well as “referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services);” and promoting “the implementation of protocols within law enforcement agencies to ensure consistent and effective responses to the commission of domestic violence by personnel within such agencies,” (*ibid.*).

Minnesota statute is similar to the federal law. It states, “At the time of arrest, a peace officer is required to tell a victim of domestic abuse whether a shelter or other services are available in the community and to provide the victim with notice of the legal rights and remedies available to the victim. The officer must give the victim a notice that includes the resource listing, including telephone number, for the area battered women’s shelter. The notice also must include a statement that: a) advises the victim that the victim can ask the city or county attorney to file a criminal complaint; b) and advises the victim of the right to go to court and file a petition requesting an OFP from domestic abuse” Minn. Stat. § 629.341. (Minnesota Statute).

**Second research question:** What types of limitations do street level bureaucrats face when implementing VAWA?

**Hypothesis:** The lower number of limitations the street level bureaucrats face, such as lack of financing, and uncooperative victims, the higher the number of victims who can receive resources and get out of the abusive relationships, the more successful the Act.

**Findings:** There are several limitations the street level bureaucrats face when implementing VAWA. One of the biggest limitations the shelter workers stated that they faced was money. As stated in Chapter 4, the legislature budgeted millions of dollars towards providing women resources. However, all of the shelter workers interviewed identified money as the biggest limitation in implementing the Act.

The Owatonna shelter said they only have enough resources to help one out of every 100 women get back on their feet and find short term housing. These limited numbers make it difficult for women to leave their abusers due to economic reasons. Most victims are unable to leave their abusers because they cannot find affordable housing. For these women, it is easier to stay with their abusers than try to afford to live on their own. If shelters were given more money to help women, more women would be given the opportunity to get the resources needed to get out of their circumstances and get help they need in order to live on their own.

As mentioned in Chapter 4, funding for VAWA is mentioned in the statutes where it states, “Battered women’s shelters and services receive funding through the collection of fines. Courts are required to collect fines under the criminal code and to forward 70 percent of each mandatory minimum fine collected to a local victim assistance program that provides services locally in the county in which the crime was committed. A ‘victim assistance program; means victim witness programs within county attorney offices or crime victim crisis centers, victim-witness programs, battered women’s shelters and nonshelter programs, and sexual assault programs” Minn. Stat. § 609.101. (Minnesota Statute).

“Battered women’s shelters and services also receive funding through the Department of Corrections. The Commissioner of Corrections is required to award grants to programs that provide emergency shelter services to battered women and support services to battered women, domestic abuse victims, and their children. The commissioner also is to award grants for training, technical assistance, and for the development and implementation of educational programs to increase public awareness of the causes of battering, the solutions to preventing and ending domestic violence, and the problems faced by battered women and domestic abuse victims. The grants are to be awarded in a manner that ensures they are equitably distributed to

programs serving metropolitan and nonmetropolitan populations. Any public or private nonprofit agency may apply for a grant” Minn. Stat. § 611A.32. (Minnesota Statute).

While the statute specifies how shelters are to be funded, the main issue is that there is simply not enough funding set aside and given to shelters and other domestic abuse programs. All of the shelter workers interviewed mentioned the lack of funding and the difficulty getting the funding needed to help victims of domestic violence. Therefore, while the statute in Minnesota specifically lays out how funding is provided to shelters and programs for domestic abuse, there is still the issue of having enough funding to be successful in combating domestic violence.

**Third research question:** How well do shelter workers and police officers work together and communicate to carry out VAWA in the most efficient and effective way?

**Hypothesis:** The more shelter workers and police officers work together and communicate, the more efficient and effective they will be in carrying out VAWA by collaborating to help women get the resources needed, the more successful the Act.

**Findings:** Shelter workers and police officers need to work together and communicate in order to implement VAWA in the most efficient and effective way.

The shelter in Owatonna expressed concern towards the police force in that town, saying they did not believe every domestic violence call was reported to their shelter. They have the expectation that each time a police officer is called to respond to a domestic violence call, the police are supposed to call the shelter and give information about the call. This allows the shelter to then follow up with the victim and offer their services.

Federal law requires “developing, in collaboration with prosecutors, courts, and victim service providers, standardized response policies for local law enforcement agencies,” as well as “referring persons seeking enforcement of protection orders to supplementary services (such as emergency shelter programs, hotlines, or legal assistance services);” and promoting “the implementation of protocols within law enforcement agencies to ensure consistent and effective

responses to the commission of domestic violence by personnel within such agencies,” (Office of Violence against Women). By requiring the collaboration of street level bureaucrats and high level governmental officials, a unified response will ensure all victims receive the information of resources available.

Minnesota Statute requires police officers to give information about domestic violence shelters or services available for victims: “At the time of arrest, a peace officer is required to tell a victim of domestic abuse whether a shelter or other services are available in the community and to provide the victim with notice of the legal rights and remedies available to the victim. The officer must give the victim a notice that includes the resource listing, including telephone number, for the area battered women’s shelter. The notice also must include a statement that: a) advises the victim that the victim can ask the city or county attorney to file a criminal complaint; b) and advises the victim of the right to go to court and file a petition requesting an OFP from domestic abuse” Minn. Stat. § 629.341. (Minnesota Statute).

This requirement under Minnesota statute was mentioned by some of the police officers I interviewed, but not all. The fact that not all officers are providing victims with the services available for domestic abuse victims shows that implementation is not successful. In order to have a successful Act, all police officers need to be aware of the requirement under law to provide victims with resources and all officers need to ensure they are giving these resources to every victim when they respond to a domestic abuse call.

## **5.9 Conclusion**

In conclusion, this chapter discussed the findings of my data collection and analyzed these findings to determine whether or not the implementation of the Act was successful. After analyzing the findings and answering the research questions, the biggest limitations to successful implementation are the lack of funding and the inconsistency of police officers providing resources available to the victims each time they respond to a call. Without proper funding, the resources available for victims are going to be limited due to the high number of victims needed help. Also, if police officers are not consistently providing resources to victims, there is a lack of awareness among the victims. This lack of awareness could mean that victims are not seeking

help from shelters because they are not aware that help is available. With these limitations, VAWA has not been successfully implemented.

This thesis was based on the implementation of the Violence Against Women Act in the capitol city in Minnesota and surrounding area. While the Act has limitations that are keeping it from being successful, violence against women has become a much larger focus in the United States and this growing awareness has helped victims.



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# Appendix A

## Interview Questions for Shelters

- I. Background
  - a. Name
  - b. Occupation
  - c. Place of work
  - d. Experience
  - e. Previous experience
  - f. Training
    - i. How much?
    - ii. How often?
  - g. Sex: Male/Female
  - h. Age
  - i. Education
- II. Violence Against Women Act
  - a. Who do you work with to implement the Act?
  - b. How do you comply with VAWA?
  - c. How has VAWA impacted domestic violence?
  - d. What are some positive results from the Act?
  - e. What are the strengths of the Act?
  - f. What are some weaknesses?
  - g. What could be done to improve the Act?
- III. Domestic Violence
  - a. How often do you receive domestic violence calls?
  - b. Who usually makes the calls? (Victim, neighbor, child, abuser)?
  - c. What types of calls are they?
    - i. Physical violence?
    - ii. Serious or minor?
  - d. What types of cases do the abusers get arrested on the spot?
    - i. Incarcerated?

1. If so, how long?
- e. How often do the victims press charges?
- f. How often do the victims drop charges?
  - i. Do the victims say why she/he drops charges?
- g. How often do the victims leave the abuser?
- h. How often do you get calls from repeat offenders?
  - i. Do you respond the same way?
    - i. Or try a different approach?
- j. When do you give resources to victims? (After a call? Or do victims have to ask?)
- k. What types of resources do you provide to victims?
- l. How often do victims use the resources provided?

## Interview Questions for Police Officers

- IV. Background
  - a. Name
  - b. Occupation
  - c. Place of work
  - d. Experience
  - e. Previous experience
  - f. Training
    - i. How much?
    - ii. How often?
  - g. Sex: Male/Female
  - h. Age
  - i. Education
- V. Violence Against Women Act
  - a. How has VAWA impacted domestic violence?
  - b. Who do you work with to implement the Act?
  - c. What are the requirements necessary to comply with VAWA?
  - d. How has VAWA impacted domestic violence?
  - e. What are some positive results from the Act?
  - f. What are the strengths of the Act?
  - g. What are some weaknesses?
  - h. What could be done to improve the Act?
- VI. Domestic Violence
  - a. How often do you receive domestic violence calls?
  - b. Who usually makes the calls? (Victim, neighbor, child, abuser)?
  - c. What types of calls are they?
    - i. Physical violence?
    - ii. Serious or minor?
  - d. What types of cases do the abusers get arrested on the spot?
    - i. Incarcerated?
      - 1. If so, how long?



- e. How often do the victims press charges?
- f. How often do the victims drop charges?
  - i. Do the victims say why she/he drops charges?
- g. How often do the victims leave the abuser?
- h. How often do you get calls from repeat offenders?
- i. Do you respond the same way?
  - i. Or try a different approach?
- j. When do you give resources to victims? (After a call? Or do victims have to ask?)
- k. What types of resources do you provide to victims?
- l. How often do victims use the resources provided?