POLICE ARRESTS IN DOMESTIC DISTURBANCES: A FURTHER LOOK

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This study is a reexamination of the effect of situational characteristics on police arrests in domestic disturbances. Using observational data, we replicate recent research based upon official police reports. We also consider the implications of variables not available in the earlier study, especially the role orientation of the intervening officer. The results support the previous finding that the arrest decision turns on situational cues, but it suggests that the salience of such factors differs for officers whose role orientations differ.

I. INTRODUCTION

As domestic violence has come to be defined as a serious social problem, the police have been increasingly criticized for the infrequency with which they apply legal sanctions in domestic incidents. The unwillingness of patrolmen to invoke the law is commonly attributed to belief systems that implicitly condone intrafamilial violence. While there is some evidence consistent with this proposition (Parnas, 1967; Brown, 1981), it has not yet been supported by rigorous empirical analysis.

The most recent investigation of police arrest practices in domestic disturbances is that of Sarah Fenstermaker Berk and Donileen Loseke.[1] Berk and Loseke place the policing of family disputes in a "broader perspective on police work" (320). From this perspective, the role of the police is "to impose or, as the case may be, coerce a provisional solution upon emergent problems" (Bittner, 1974: 18). The law is but one of several resources available to "handle the situation" (Wilson, 1968: 31).

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[1] We shall frequently have occasion to cite their article. Page numbers which appear in the text and which are otherwise unidentified refer to Berk and Loseke (1980).

Berk and Loseke do not deny that "personal or occupational prejudices" may influence the outcomes of encounters, but their empirical findings suggest that the police response "is not *wholly* determined by legal considerations, by an officer's personal or occupational prejudices, or by some unchecked free association with the events of the encounter" (342; emphasis in original). They find that the arrest decision turns, in domestic disturbances as in any encounter (cf. Black, 1971; Smith and Visher, 1981), on characteristics of the situation itself—cues that the conflict can be managed only by recourse to legal action.

Berk and Loseke's study is a long overdue effort to systematically test hypotheses otherwise supported only by fragmentary evidence, but one must be cautious in generalizing from their results because of the limitations of their data. Our analysis replicates and, in some important respects, extends Berk and Loseke's analysis using data that are more externally (and perhaps more internally) valid.

II. THE REPLICATION

The Data

Berk and Loseke's data are suspect on two counts. Because they were collected from official police reports, they may be *ex post facto* reconstructions of incidents intended to "justify actions already taken" (329), rather than accounts of what actually transpired during the encounters. If so, they may shed more light on police reporting practices than on police arrest practices.

Furthermore, Berk and Loseke's sample of domestic disturbances is limited to those for which sufficient documentation was contained in the police report. Their sample consists of "domestic disturbance incidents which are deemed serious enough *by the police* to warrant more thorough attention, and a nontrivial amount of police time" (326; emphasis in original). As Berk and Loseke acknowledge, their findings may hold only for rather serious incidents.

Our data do not share these sources of bias because they are based on the reports of trained observers who, as part of the Police Services Study, accompanied police officers on patrol.[2]   The details of police-citizen encounters were reconstructed from field notes that coded such information as

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[2] Observational data are not necessarily free of distortion since in the presence of an observer an officer may not behave as he otherwise would. We

the nature of the problem, the characteristics and actions of the participants, and the location of the encounter. The observers also prepared brief narrative accounts of many encounters (including almost all domestic disturbances). These narratives and the coding forms provide the information needed to operationalize all but one of the variables in Berk and Loseke's model.[3]

Our sample of incidents, like Berk and Loseke's, is restricted to domestic disturbances in which "the principals were adults involved in a heterosexual 'romantic,' or conjugal relationship prior to, or at the time of, the incident" (326). Also following Berk and Loseke, we define as disturbances those incidents involving not only "physical violence and the threat of violence, but also property damage and verbal arguments" (327). These criteria yield 167 encounters.[4] Table 1 compares the means of all of the variables in the analysis for both the PSS sample and Berk and Loseke's sample. The PSS sample contains proportionally fewer incidents in which one of the parties was injured and fewer in which the woman alleged violence. Furthermore, a much smaller proportion of the PSS encounters ended in an arrest.[5] These comparisons confirm Berk and Loseke's supposition that because of police reporting practices less serious disturbances are underrepresented in their sample.

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are inclined to believe, but are unable to demonstrate, that "reactivity" bias is neither pervasive nor systematic.

The Police Services Study (PSS) was an NSF-funded project conducted jointly by Elinor Ostrom and Roger B. Parks of Indiana University and Gordon P. Whitaker of the University of North Carolina at Chapel Hill. The study included 24 police departments in the Rochester, New York; St. Louis, Missouri; and Tampa-St. Petersburg, Florida metropolitan areas. Observers accompanied police officers during samples of 15 shifts (matched by day of week and time of day) in each of 60 neighborhoods served by the departments. Information on the details of data collection can be obtained from the Workshop in Political Theory and Policy Analysis at Indiana University.

[3] We were unable to find any indication of property damage in the PSS data. It seems quite unlikely that there was no damage in *any* encounter, but it was probably rare. In Berk and Loseke's sample, property damage was reported in only 5% of the incidents in which both principals were present. Since our sample includes a larger proportion of less serious cases, property damage probably occurred less frequently in our sample. In any case, the variable was not statistically significant in Berk and Loseke's analysis.

[4] Berk and Loseke also excluded cases which were presumably atypical in that only the woman was arrested. We deleted three cases in which the woman was arrested. Interestingly, the woman was identified as the suspect and the man as the victim in an additional 22 cases. Our findings are not altered by excluding these cases from the analysis.

[5] Arrests were made in 14% of Berk and Loseke's unrefined sample (including cases with too little information).

Table 1. Means of Variables in the Analysis

Variable*	Berk and Loseke	PSS
Arrest	.385	.102
Principals married	.477	.497
White man	.454	.317
Woman calls police	.626	.653
Incident on Saturday or Sunday	.427	.240
Both principals present	.492	.707
Only the woman alleges violence	.592	.437
Man drinking	.179	.317
Injuries	.442	.204
Woman injured	---	.144
Citizen's arrest signed or promised (ordinal)	.156	---
Complaint signed	---	.042
Both present × injuries	.252	.120
Both present × woman injured	---	.072
Both present × man drinking	.118	.281
Both present × only the woman alleges violence	.305	.251
Private setting	---	.317
Man's demeanor disrespectful	---	.042
Number of dispatches per officer (interval)	---	6.57
	(N=262)	(N=167)

* All variables are dummy variables unless otherwise noted.

The Model

Four variables in Berk and Loseke's analysis had a substantively and statistically significant effect on the probability of arrest: (1) the willingness of the woman to sign an arrest warrant, (2) the source of the request for police intervention, (3) evidence that the man had been drinking (when both principals were at the scene), and (4) an allegation of violence by the woman (again when both principals were present). Table 2 compares Berk and Loseke's OLS results with OLS estimates of their model using PSS data.[6] The

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[6] Because the dependent variable is dichotomous, OLS estimates are inefficient (but unbiased). One approach to this problem is a generalized least squares (GLS) procedure. GLS weights each observation by the reciprocal of the estimated residual variance (see Hanushek and Jackson, 1977: 181-82); i.e., the larger the residual variance, the less weight given to that observation. GLS estimation of this model corroborates the OLS results.

Berk and Loseke sought to obtain unbiased estimates of the coefficients' standard errors by estimating a logistic model with a maximum likelihood technique. The logistic model carries with it some substantive baggage, assuming that the form of the relationship is S-shaped within the [0, 1] interval (Hanushek and Jackson, 1977: 183-86). Berk and Loseke did not specify such a model *a priori*, and we know of no reason to specify a logistic form. Nevertheless, we too used a maximum likelihood technique to estimate a logistic model; these estimates corroborate the OLS results without exception. Simply put, our results hold whether one postulates that the functional form of the model is linear or nonlinear.

Table 2. OLS Estimates of the Effect of Situational
Characteristics on Arrest[a]

| Variable | Berk and Loseke's Model | | Extended Model |
	B & L's sample	PSS sample	PSS sample
Constant	.259	.025	.020
	(4.19)	(0.42)	(0.36)
Principals married	.077	−.075	−.066
	(1.59)	(−1.68)***	(−1.54)
White man	.024	−.038	−.035
	(0.51)	(−0.78)	(−0.74)
Woman calls police	−.209	.009	.043
	(−4.18)*	(0.19)	(0.91)
Incident on Saturday or Sunday	.028	.041	----
	(0.61)	(0.79)	
Injuries	.081	−.042	----
	(1.30)	(−0.50)	
Woman injured	----	----	−.049
			(−0.55)
Citizen's arrest signed or promised (ordinal)	.300	----	----
	(8.21)*		
Complaint signed	----	.246	.225
		(2.17)*	(2.05)*
Both present × injuries	−.031	−.078	----
	(−0.37)	(−0.70)	
Both present × woman injured	----	----	−.059
			(−0.46)
Both present × man drinking	.204	.168	.142
	(2.70)*	(3.31)*	(2.90)*
Both present × only the woman alleges violence	.319	.132	.091
	(5.06)*	(2.27)*	(1.61)**
Both present × property damage	.020	----	----
	(0.19)		
Private setting	----	----	−.053
			(−1.14)
Man's demeanor disrespectful	----	----	.431
			(3.91)*
R^2	.454	.172	.235
	(N=262)	(N=167)	(N=167)

[a] Entries are unstandardized regression coefficients and, in parentheses, corresponding t-values.
* p < .05, one-tailed test.
** p < .10; one-tailed test.
*** p < .10; two-tailed test.

similarities are striking: three of the four variables that emerged as significant in their analysis are significant in ours as well, and only one variable that is significant using PSS data is not significant in Berk and Loseke's study.

Berk and Loseke found that the probability of an arrest increased by .30 if the woman actually signed or promised to sign a warrant, and it decreased by .30 if she explicitly refused to sign a warrant. This finding, which is consistent with earlier

research (e.g., Black, 1971), is by and large corroborated by our results; we found that the probability of an arrest increased by .25 when the woman signed a complaint.[7] This variable had by far the most substantial effect on the outcome—at least 50 percent larger than any other.

Berk and Loseke expected that the effects of some situational characteristics would be greater when both principals were present: "If both parties to the conflict are present when police arrive, the police must weigh alternatives and seek resolutions in a context of *ongoing* confrontation and potential for escalation" (335; emphasis in original). Two such interactive variables were significant in their analysis. When both principals were at the scene, the probability of arrest increased by .20 if the man appeared to have been drinking, and rose by .32 if the woman alleged violence. Both findings are confirmed in our analysis: the likelihood of arrest increased by .17 if the man had been drinking, and an allegation of violence by the woman increased the probability by .13. As Berk and Loseke suggest, these circumstances may indicate to the police that the conflict cannot be even temporarily resolved without some form of coercive legal intervention, and they may also provide legal grounds for arrest.

Some null findings of both analyses are also noteworthy. First, the likelihood of arrest does not increase if one of the disputants has been injured. As Berk and Loseke point out, an injury might be evidence that a felony has been committed, thus allowing an officer to make an arrest regardless of the victim's preference. Alternatively, when both principals are present, an injury might suggest to the officer that the conflict is likely to continue unless legal measures are taken.

Second, race has no apparent effect on arrests.[8] Race might be expected to have a positive effect, a negative effect, or no effect on arrests. Domestic conflicts are usually intraracial, and while previous research suggests that black suspects are

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[7] As Berk and Loseke point out, their indicator of victim preference is an ordinal measure: 1 if the victim signed or promised to sign a warrant; −1 if she refused to sign; 0 if no preference was noted (see pp. 334-35). But their model implicitly assumes that this measure is interval in nature. Because a promise to sign may increase the probability of arrest more (or less) than a refusal to sign decreases it, we attempted to estimate separately the effect of the woman's refusal to sign a warrant by relying on observers' reports that she asked the officer to let the man go without arrest. But women made such a plea in only two of our cases, in both of which an arrest was made. We inferred that the request was made *subsequent* to the arrest and excluded the variable from our analysis.

[8] The PSS data included information only on those parties present during the encounter. If the man was absent, he was coded as white if the woman was white.

more vulnerable to arrest because they are not sufficiently deferential (Black, 1971; Sykes and Clark, 1975), one might suppose that black victims are less likely to enjoy the protection of the law. On the basis of Berk and Loseke's model, one can infer only that race has either countervailing effects or no effect on the arrest decision. Third, workload has a statistically insignificant effect on arrests in both samples, but Berk and Loseke's measure of workload—occurrence on a Saturday or a Sunday—is too crude to allow us to conclude that arrest practices are unaffected during periods of high demand for police services.

While our results are largely congruent with Berk and Loseke's, they differ in several important respects. In Berk and Loseke's sample, the probability of an arrest decreased by .21 if the police were summoned by the woman. Berk and Loseke inferred that if the woman initiated the encounter, the dispute was likely to be less serious since it had not escalated to a point at which (1) she was physically incapable of placing the call or (2) neighbors or friends were aware of the conflict and were sufficiently concerned (or irritated) to call the police. They also speculate that a disturbance confined to the principals obviates an arrest made solely to avoid complaints from "outsiders."

When Berk and Loseke's model is estimated with PSS data, this variable has no effect on arrests. Furthermore, there is reason to doubt that it is inversely related to the seriousness of the disturbance. Although the PSS sample contains proportionally fewer "serious" disturbances than does Berk and Loseke's,[9] the frequency of female-initiated police calls is roughly equivalent in the two samples. Also, police who intervene in domestic disturbances at the behest of the woman are, in the PSS sample, about twice as likely to find an injured victim as are those who intervene on their own or a third party's initiative.

One characteristic of the situation that is statistically significant in the PSS sample, but not in Berk and Loseke's, is marital status.[10] In the PSS sample, arrests are less likely in

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[9] See the discussion on pages 106-107, *supra*.

[10] We operationalized marital status somewhat differently than did Berk and Loseke in that we coded once married and now separated principals as married. If separated couples were grouped with the unmarrieds, we would expect being married to diminish the probability of arrest even more.

In view of Berk and Loseke's finding, a two-tailed test of significance may be appropriate. Given the weight of sociological evidence on this question, however, a one-tailed test can be justified. In either case marital status is significant at the .10 level.

incidents involving married disputants than they are in conflicts between unmarried parties. In Berk and Loseke's sample, arrests are somewhat more likely if the principals are married, but the effect does not reach conventionally acceptable levels of significance. Our result is consistent with theory (Black, 1976) and previous research (Black, 1971) that suggest that relational distance (in the eyes of the police, if not in those of the principals) is directly related to the likelihood of a legal sanction. Berk and Loseke attribute their null finding to the homogeneity of their sample: all of the disputes involved parties who were at the time or had once been romantically related. This interpretation is less plausible in light of our results. A more likely explanation is that marital status affects the outcome only when the incident is not serious. If so, the divergent findings can be understood in terms of differences in the severity of the incidents in the respective samples.

Our replication of Berk and Loseke's study allows us to place greater confidence in their findings. Taken together, these analyses provide compelling testimony that the arrest decision turns on situational cues. But much of the variance in arrests remains unaccounted for. In the following section we consider the implications of variables not available to Berk and Loseke, especially the intervening officer's role orientation.

III.   EXTENSIONS OF THE MODEL[11]

Situational Characteristics

We first extended Berk and Loseke's model by introducing more sensitive measures of workload and of injuries, and by adding two theoretically important situational characteristics: the location of the encounter and the demeanor of the man involved in the incident. Our measure of workload is the expected number of dispatches per officer during the shift on which the encounter occurred.[12] This variable failed to achieve statistical significance and was excluded from later analyses to avoid sacrificing 37 cases due to missing data.

Since the victims of domestic violence are typically women, we suspected that the predictive power of injuries may have been diluted by including those incurred by the man. The

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[11] The estimated parameters of this extended model are shown in Table 2. Again, maximum likelihood estimates of the logistic form are congruent with the OLS estimates.

[12] We estimated the number of dispatches expected in each police district during each shift (daytime, evening, graveyard) and day of the week from police records of calls for service. Our measure of workload is the expected number of dispatches per patrol unit assigned to the district for the shift.

woman alone was injured in 71 percent of the encounters in which one or both disputants were injured (or 14 percent of all encounters). Neither the main nor the interactive effect of this variable is, however, in the predicted direction or statistically significant.

Berk and Loseke suggest that if the disturbance is confined to the principals, the officer is not compelled to placate "outsiders" with an arrest. If this is true, we would expect to find that disputes in private settings are less likely to result in arrest. We defined as private the 32 percent of domestic encounters that transpired wholly in a house or apartment. While our results suggest that arrests are, *ceteris paribus*, less likely in private settings, the effect of this variable does not achieve statistical significance.

Previous research has demonstrated that disrespectful behavior increases the probability of arrest in police-citizen encounters (Black and Reiss, 1970; Black, 1971; Lundman, 1974; Sykes *et al.*, 1976). Our analysis shows that this finding holds for domestic disturbances. PSS observers coded the demeanor of all citizen participants at the outset of the encounter as "businesslike," "friendly," "apologetic," or "sarcastic, disrespectful, hostile." As Table 1 shows, the last category, which we call "disrespectful," was rare. However, its effect on the arrest decision was substantial: disrespectful behavior increased the probability of arrest by .43. The effect of race remains insignificant. Assuming that we have adequately controlled for forms of hostility that are peculiar to police encounters with black suspects, we can infer that the officers in this sample did not discriminate against black victims. The fact that the man had been drinking (which Berk and Loseke believed would be related to demeanor) retains its importance, as do all but one of the other variables that were significant in the original model.[13] Largely because of the predictive power of demeanor, the extended model explains 23 percent of the variance in arrests in the PSS sample, or about one-third more than can be explained by applying Berk and Loseke's model to these data.

Role Orientations

Berk and Loseke's model, as they advance it and we extend it, implicitly assumes that patrolmen set similar priorities and

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[13] The effect of marital status in the extended model fails to achieve statistical significance using a two-tailed test. Using a one-tailed test, however, it is significant at the .10 level. Cf. footnote 10.

that occupational prejudices do not condition the causal relationships that they (and we) find. Variation in the way police respond to the situational factors we have investigated may be obscured by these results. *Some* officers may be guided by their "interpretation of salient 'signs' in the context of the immediate situation" (342), while others are blinded to such signs by occupational prejudices.[14]   If so, Berk and Loseke's (and our) results may misstate the magnitude and even the direction of the effects of some variables.

A number of studies (Muir, 1977; Brown, 1981; White, 1972) distinguish between officers whose conception of the police role stresses the crime control function and those whose role conception acknowledges a broader responsibility for helping citizens and keeping the peace. For the former, a domestic disturbance is not a police responsibility, and an arrest "uses time that could . . . [be] more profitably spent working the street" (Brown, 1981: 265). The latter treat domestic disturbances more as a family counselor would (Muir, 1977: 92-97). They are likely to regard interpersonal problems as important police responsibilities and may accord dispute resolution a higher priority than fighting crime (Muir, 1977; White, 1972).

The salience of situational cues may vary depending on how officers see their role. Self-styled crime-fighters, whose conception of legitimate police responsibilities excludes all but the most serious domestic incidents, might be expected to make arrests only rarely. In most disputes they could be expected to ignore situational cues because they consider the incident trivial and feel no obligation to "handle the situation." Other officers might be expected to be more attentive to signs that a situation is volatile and to be more sensitive to the victim's wishes.

We explore these possibilities in a preliminary way using attitudinal information gathered from the observed officers. We classify officers on the basis of their agreement with the following statement: "Police should not have to handle calls that involve social or personal problems where no crime is involved." For expository convenience, we refer to officers who agreed as "crime-fighters" and call officers who disagreed "problem-solvers."[15]   We do not suppose that this (or any

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[14] James L. Gibson (1978), in his research on racial discrimination in criminal sentencing, shows how analyses that overlook individual differences can lead to erroneous inferences.

[15] This operationalization is not without its shortcomings. There may, for example, be a substantial number of "problem-solvers" whose first priority is

other) dimension of officer attitudes can by itself isolate psychologically homogeneous categories of patrolmen, and we recognize, for example, that officers who concur on the legitimacy of the dispute resolution function may disagree over how that function should be discharged (compare Muir's "professional" with his "reciprocator"). Nevertheless, we believe that this attitudinal dimension is theoretically important for police behavior, particularly in domestic disturbances.

Table 3 reports the means of the variables we analyze, calculated separately for incidents involving each of the two types of officers.[16] The subsamples are too small to support any but the most tentative inferences, but these data provide little support for the supposition that officers who belittle domestic disturbances in word do so in deed as well. The most striking finding in Table 3 is the infrequency with which either type of officer resorts to arrest; the difference in their respective arrest rates (8.5 percent versus 9.9 percent) is statistically insignificant.

Furthermore, officers who place a premium on "working the street" as well as more service-oriented officers are guided in the arrest decision by situational cues. The regression

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"working the street" but who nevertheless believe that they have a responsibility to handle disputes as well. But we believe that this item is on its face closely related to the divergent role orientations that Brown, Muir, and others describe, and this interpretation is supported by our analysis of other survey items. Using survey data for all interviewed patrolmen (and not only the officers observed in these encounters), we conducted an exploratory factor analysis of a number of items on the officer questionnaire. One factor that emerged (eigenvalue=2.1) appears to correspond to the role orientation dimension. The loadings of four variables exceeded .30 (no other exceeded .12). Two items asked officers for a yes or no response (1=no; 2=yes):

  Do you think police should help to quiet family disputes if they get out of hand?
  Do you think the police here should handle cases involving public nuisances, such as barking dogs or burning rubbish?

The other items asked officers to (strongly) agree or (strongly) disagree (1=strongly agree; 4=strongly disagree):

  Referring a citizen to social service, health, or welfare agencies is a waste of police officers' time in most cases.
  Police should not have to handle calls that involve social or personal problems where no crime is involved.

Confirmatory factor analysis yields one factor (eigenvalue=1.3), on which these variables load .34, .31, .28, and .99, respectively. The last variable, on the basis of which we classify officers, correlates with the factor scale at .96.

[16] Three incidents are excluded, in all of which an arrest was made by an officer other than the officer under observation, and for whom we therefore cannot associate attitudinal data. Note also that Table 3 includes one variable which we have not heretofore examined: whether the officer explicitly asked the woman to sign a complaint. There is a small (though not statistically significant) difference in the frequency with which the officer presented this option to women: crime-fighters did so *more* often. We do not include this variable in the model since we assume that it affects arrests only by influencing the preference of the victim.

analysis presented in Table 4 reveals that two variables—the willingness of the victim to sign a complaint and the man's demeanor—have positive and significant effects on arrests for both types of officers.[17] Each type is influenced in the arrest decision by other situational factors as well. Our original question, whether the arrest decisions of patrolmen with a crime control orientation are unaffected by situational cues, can be tentatively answered in the negative.

Table 3. Means of Variables in the Analysis

Variable*	Crime-fighter	Problem-solver
Arrest	.085	.099
Principals married	.407	.571
White man	.271	.341
Woman calls police	.610	.637
Both principals present	.678	.714
Only the woman alleges violence	.424	.473
Man drinking	.220	.363
Woman injured	.136	.143
Complaint signed	.017	.055
Both present × woman injured	.051	.088
Both present × man drinking	.203	.319
Both present × only the woman alleges violence	.203	.297
Private setting	.356	.264
Man's demeanor disrespectful	.017	.055
Woman asked to sign complaint	.170	.110
	(N=59)	(N=91)

* All variables are dummy variables unless otherwise noted.

The analysis also suggests that arrests are a function of a somewhat different model for each of the two types of officers. When the coefficients are allowed to vary among subsamples, these variables explain 21 percent more of the variance in arrests (an increase significant at the .10 level).[18] In other words, the effects of this *set* of variables are different for each type of officer.

The coefficients for each subsample are compared in the last column of Table 4, which reports the probability of obtaining a difference of the estimated magnitude or greater

[17] Both GLS estimates and maximum likelihood estimates of the logistic form differ from the OLS results in one respect: the source of the call does not affect the likelihood of an arrest by crime-fighters. GLS estimation also shows that an injury sustained by the woman when both principals were present made an arrest by crime-fighters significantly less likely. We hesitate to interpret these differences substantively in view of the size of the sample. The contradictory evidence underscores the tentative nature of our findings.

[18] This comparison is done by adding to the extended model in Table 2 a series of "slope dummy variables." See Hanushek and Jackson (1977: 127-28).

when, in fact, there is no difference between the coefficients. One variable appears to have substantially different effects in the two subsamples. Crime-fighters are more likely to take legal action if the woman alleges violence, while the likelihood of arrest by problem-solvers is apparently unaffected by such an allegation. Crime-fighters may see an allegation of violence as evidence that a crime warranting arrest has been committed, while problem-solvers apparently do not treat it as a cue that an arrest is a suitable solution, whether or not the law has been violated. The interactive effect of injuries is different in the two subsamples. This difference (and the respective coefficients) approach but fail to achieve a customary level of statistical significance. One would incorrectly reject the null hypothesis that the subsample coefficients are equal 15 times in 100 (see Table 4). But one should also be concerned with the likelihood of erroneously assuming that the coefficients are equal. If the

Table 4. OLS Estimates of the Effect of Situational Characteristics on Arrest by Crime-Fighters and Problem-Solvers

Variable	Crime-fighter	Problem-solver	b_{cf} and b_{ps} compared[a]
Constant	−.016 (−0.22)	.052 (0.73)	0.528
Principals married	−.067 (−1.11)	−.068 (−1.17)	0.983
White man	−.021 (−0.32)	−.023 (−0.37)	0.987
Woman calls police	.080 (1.27)	−.011 (−0.18)	0.327
Woman injured	−.035 (−0.32)	−.094 (−0.71)	0.737
Complaint signed	.684 (2.91)*	.329 (2.52)*	0.232
Both present × woman injured	−.199 (−1.04)	.190 (1.10)	0.154
Both present × man drinking	.045 (0.61)	.138 (2.16)*	0.376
Both present × only the woman alleges violence	.242 (2.71)*	−.023 (−0.33)	0.031
Private setting	−.011 (−0.18)	−.032 (−0.49)	0.824
Man's demeanor disrespectful	.729 (2.93)*	.504 (4.00)*	0.466
R^2	.514 (N=59)	.317 (N=91)	

* $p < .05$; one-tailed test.

[a] This is the probability of estimating a difference at least as large as $|b_{cf}-b_{ps}|$, given the null hypothesis that the difference is in fact zero. Each probability is based on the t-statistic for the corresponding slope dummy variable. See footnote 18 and Hanushek and Jackson (1977: 127-28).

difference reflects more than a mere sampling fluctuation, the failure to control for officer role orientation may explain why this variable had no discernible effect in Berk and Loseke's analysis and in the analysis that we present in Table 2.

The analysis presented in Table 4 suggests the possibility that situational factors are evaluated differently by officers with different role orientations and that these differences are reflected in patterns of arrest. If so, a model of arrest that fails to take role orientations into account will misstate the effects of different situational cues. Where Berk and Loseke's results differ substantially from our replication, the reason may lie not only in differences in the severity of the incidents in the respective samples but also in the different proportions of crime-fighters and problem-solvers.

IV. CONCLUSIONS

Replications are often motivated more by a desire to refute than to confirm; warmed-over discoveries are, after all, rather boring. But on the subject of domestic disturbances, where little ink has been spilt, our corroboration of Berk and Loseke's situational hypotheses is at least moderately encouraging. Berk and Loseke maintain that the routine exercise of police discretion in domestic disturbances entails choices about how interpersonal conflicts can be (temporarily) resolved. Evidence that the law has been violated does not inevitably result in an arrest. As both Berk and Loseke's analysis and our own suggest, arrests are made when the circumstances indicate to the officer that the situation requires legal rather than less formal measures. Our analysis further indicates that this inference holds for officers with very different role orientations and, presumably, different occupational priorities.

This finding does not necessarily imply that police responses to domestic disturbances are not affected by occupational or other prejudices. By itself an arrest is an ambiguous indicator of responsible policing. A concerned officer's determination to protect a victim may manifest itself in an arrest, but it can also take any one of a number of other forms. Alternatively, an arrest may be a quick and simple way for an officer to end a dispute but one that fails to benefit, and may ultimately harm, the victim.

A more fruitful line of inquiry lies in a broader conception of police options. Arrest may represent only one end of a continuum of responses, including referrals, informal

counseling, and indifference; or it could lie on one of several dimensions of behavior. A fuller understanding of the complex texture of domestic conflict and the spectrum of possible responses is a necessary prelude to enhancing the effectiveness of police intervention.

REFERENCES

BERK, Sarah Fenstermaker and Donileen R. LOSEKE (1980) " 'Handling' Family Violence: Situational Determinants of Police Arrest in Domestic Disturbances," 15 *Law & Society Review* 317.

BITTNER, Egon (1974) "Florence Nightingale in Pursuit of Willie Sutton: A Theory of the Police," in H. Jacob (ed.), *The Potential for Reform of Criminal Justice*. Beverly Hills, CA: Sage.

BLACK, Donald J. (1971) "The Social Organization of Arrest," 23 *Stanford Law Review* 1087.

——— (1976) *The Behavior of Law*. New York: Academic Press.

BLACK, Donald J. and Albert J. REISS, Jr. (1970) "Police Control of Juveniles," 35 *American Sociological Review* 63.

BROWN, Michael K. (1981) *Working the Street: Police Discretion and the Dilemmas of Reform*. New York: Russell Sage Foundation.

GIBSON, James L. (1978) "Race as a Determinant of Criminal Sentences: A Methodological Critique and a Case Study," 12 *Law & Society Review* 455.

HANUSHEK, Eric A. and John E. JACKSON (1977) *Statistical Methods for Social Scientists*. New York: Academic Press.

LUNDMAN, Richard J. (1974) "Routine Police Arrest Practices: A Commonweal Perspective," 22 *Social Problems* 127.

MUIR, William Ker, Jr. (1977) *Police: Streetcorner Politicians*. Chicago: University of Chicago Press.

PARNAS, Raymond I. (1967) "The Police Response to the Domestic Disturbance," 2 *Wisconsin Law Review* 914.

SMITH, Douglas A. and Christy A. VISHER (1981) "Street-level Justice: Situational Determinants of Police Arrest Decisions," 29 *Social Problems* 167.

SYKES, Richard E. and John P. CLARK (1975) "A Theory of Deference Exchange in Police-Civilian Encounters," 81 *American Journal of Sociology* 584.

SYKES, Richard E., James C. FOX and John P. CLARK (1976) "A Socio-Legal Theory of Police Discretion," in A. Niederhoffer and A.S. Blumberg (eds.), *The Ambivalent Force: Perspectives on the Police*, 2nd Ed. New York: Holt, Rinehart.

WHITE, Susan O. (1972) "A Perspective on Police Professionalization," 7 *Law & Society Review* 61.

WILSON, James Q. (1968) *Varieties of Police Behavior: The Management of Law and Order in Eight Communities*. Cambridge, MA: Harvard University Press.