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# 5-0 Is Not Coming To Save You: Examining The Lack Of Police Intervention In LGBTQ Intimate Partner Violence

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By

Lucais Wallen



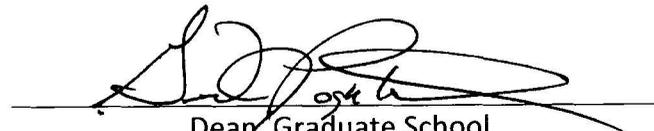
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5-0 IS NOT COMING TO SAVE YOU: EXAMINING THE LACK OF POLICE INTERVENTION IN  
LGBTQ INTIMATE PARTNER VIOLENCE

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for the degree of

MASTER OF SCIENCE In Criminal Justice

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## **Abstract**

Intimate partner violence (IPV) has garnered a lot of attention by the criminal justice system, the media and, academia. Intimate partner violence laws have seen drastic changes over the past hundred years often coupled with the changes of culture and society. Though intimate partner violence surely warrants that attention, the growing and important issue of lesbian, gay, bisexual, transgender, and queer (LGBTQ) intimate partner violence has largely been ignored. The ongoing struggle of LGBTQ community for equality has not as of yet been a catalyst for drastic legal change. Utilizing narratives from victims of intimate partner violence from around the nation, this paper hopes to prove that the police and criminal justice system have failed to provide protective measures to victims of LGBTQIPV. That this failure is not solely from personal biases of the everyday police officer but more importantly from the institutional and societal. By using a Institutional ethnography, which is rooted in the mapping of social interactions of rules of governance, these victim narratives will show the system of oppression and marginalization that creates these harsh realities for LGBTQ victims and promotes their continued victimization. The five prevailing themes, 1) Violence; 2) Lack of police response; 3) gender roles; 4) fear of outing or deportation; and 5) services provided, found in the qualitative data will be contextualized and explained. Parallels to the broader fight for equality of the LGBTQ community the potential solutions, will also be discussed.

## DEDICATION

This thesis is dedicated to all the victims of intimate partner violence of any and all sexual orientations.

## ACKNOWLEDGMENTS

I would like to thank my professor Dr. Kishonna Gray and all the guidance, patience and motivation through this whole grueling process. She always had the ability to reassure me I was on the right track and make me laugh. I would also like to thank my family and friends who never missed an opportunity to ask me about my thesis progress and what my plans were after graduation, stopping the constant questions was motivation enough to complete this project.

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## CHAPTER 1

### Introduction

Lisa, who was born a male, is now a thirty-five year old heterosexual transgender woman; her transition from male to female was not without complications. Her family did not accept her as the man she was before and they certainly did not welcome the new transgender person she was now. The steep financial medical cost of changing sexes put her in financial ruin, but it was a choice she had to make. Lisa could no longer fight the feelings of being the “wrong sex”. Lacking family support during and after the transition she sought out drugs as a respite from her internal conflict which led not only to losing what family support she had but also losing her source of income and ability to take care of herself. For the past ten years she has been with her boyfriend, who is also an addict. Currently Lisa lives in a residential addiction facility but she knows when she finishes her program her options are limited.

She and her boyfriend have a rich past of abuse and control. For the entirety of their relationship both have abused drugs and alcohol, and he controlled all of the money. Facing financial ruin he forced Lisa into a life of prostitution, making money to fuel their addictions. He controlled every facet of her day to day life, always questioning everything she did. Any perceived slight was met with violence. Hitting and slapping was not the worst part as she could try to protect herself from the physical violence. It was the verbal attacks that hurt the most. He would mock and ridicule her transition, tell others about her transition, and call her by her original male name. The threats on her life were unsettlingly and created an environment where Lisa could never feel safe. One

day he acted on those death threats and threw Lisa off a second floor roof, sending her to the hospital for weeks.

Lisa's boyfriend always knew what to say after, promising he would never hurt her again, telling her things would change. Lisa forgave him every time, sometimes out of fear and other times because she still loved him. He was all she knew and had no one else who she could turn to. She had no family support; they had abandoned her because of her transition. She had no friends to help her; he would not allow her to have friends as he was very controlling and jealous. She was afraid to call the police, fearing the punishment from her boyfriend and the stigma she had from being a prostitute. When she was hospitalized from the fall the police failed to realize the pattern of abuse. They interviewed her about the incident with her boyfriend in the room; she told them nothing about the abuse instead telling them it was her fault and an accident. Lisa's story is not over yet, while living in the residential addiction facility she has had a brief respite from her abuser but this was only temporary. She knew she would finish the program soon and have nowhere else to turn to but him. She does not want to go back with him but despite all that she still loved and misses him.

Lisa's experience illustrates many of the typical experiences for victims of LGBTQ intimate partner violence. Her story which was one of the most deplorable narrative from the data set, highlights many of the obstacles faced by lesbian, gay, bisexual, transgender and queer (LGBTQ) victims of intimate partner violence. Obstacles shared by victims of all intimate partner violence include patterns of control, jealousy and financial control (McClennon, 2005). There are some obstacles of

particular concern to LGBTQ victims of intimate partner violence such as losing family and friends because of their sexual orientations (Buel, 1999), having their sexuality be thought of as a choice or wrong (Bograd, 1999), and being denied legal and social services because of their sexual orientations (Cook, 2009). Lisa's story is a great example of how difficult it is to be a victim and more so a victim who feels helpless and lost. More importantly it shows the failure of both the legal system to help and protect victims but and a failure from society to acknowledge and address the issue. Unfortunately Lisa's final outcome is unknown, and sadly, stories like Lisa's are rarely told.

A primary goal of this project is to add to the sparse literature concerning the realities of LGBTQ victims of intimate partner violence. The purpose of this research is to examine the intimate partner violence narratives among LGBTQ individuals and to uncover the failure of the criminal justice system to adequately address this populations needs. By utilizing a institutional ethnography to analyze data compiled from the narratives, this research will highlight that victims of LGBTQ intimate partner violence often fail to get the protections needed by the criminal justice system.

## CHAPTER 2

### Literature Review

Much like the previous fights for civil rights, the members of LGBTQ community are increasingly successful in their campaign for equal rights (Schacter, 1994; Smith, 2008). This pursuit has been raging for decades and now tremendous strides have been made such as most recently demonstrated in the social and legislative efforts to legalize gay marriage. This fight is not isolated to just those states thought of as progressive, such as California and Massachusetts, but everywhere even in the statistically most conservative state of Alabama (Rogers, 2014), which legalized gay marriage this year. Now thirty-seven states have legalized gay marriage and the majority of population in the United States lives in a state with legalized gay marriage (Hendrix & Heim, 2015). However the LGBTQ struggle for equal rights is not isolated to gay marriage and it is far from over, of which the reality of victims of LGBTQ intimate partner violence is a prime example of the existing struggles.

### *The Failures of the Justice System*

Intimate partner violence between LGBTQ couples has been largely ignored by the legal, social and criminal justice systems (Renzetti & Miley, 2014). Intimate partner violence is typically defined as violence between a male and female who are in a relationship (Dececco, 2013; Buzawa, Buzawa & Stark 2011; Garcia & McManimon 2011). ). Legally intimate partner violence is included under the broader criminal offense of domestic violence which is broader in its definition and includes other familial relationships such as siblings, etc. Many states do not explicitly say it must be between

members of the opposite sex to constitute a criminal act; rather it is between married couples (Messinger,2011). This definition is problematic for LGBTQ partners as the laws nationwide technically state that LGBTQ couples are legally incapable of committing intimate partner violence because the states of Arkansas, Kentucky, Georgia, Louisiana, Michigan, Mississippi, Missouri, North Dakota, South Dakota, Ohio, Texas, Tennessee and Nebraska do not recognize LGBTQ partnerships (Hendrix & Heim, 2015). Consequently, those in LGBTQ relationships and marriages with patterns of abuse at a considerable disadvantage in acquiring legal safeguards, social help and justice (Brown et al., 2009)

Domestic violence is typically viewed as a heterosexual phenomenon (i.e a man perpetrating violence against a woman) thus making violence between LGBTQ couples not a “real” crime. There are powerful social and cultural influences that depict intimate partner violence as a problem for heterosexual relationships, and these influences dominate and shape society’s conceptualization of intimate partner violence (Buzawa & Buzawa, 2003). Many members of society cannot accept LGBTQ intimate partner violence as a crime because it explicitly challenges societal gender roles. By accepting LGBTQ intimate partner violence as a reality, many feel that equates to accepting LGBTQ relationships. With additional research and analysis it will become more evident that LGBTQ intimate partner violence is an issue worthy of attention and, more importantly establish that every day the victims of LGBTQ intimate partner violence face the consequences from the failures of the criminal justice system to protect them.

There are many parallels in the failure of the justice system to meaningfully address the needs of women who are victims of intimate partner violence. This literature is significant because it highlights that the most marginalized among us are in greatest need of protection. Looking at heterosexual research, many laws historically have not banned domestic abuse outright, rather they put restrictions on how much or how often a husband could physically abuse his family (Pleck, 1989). An infamous example of a law that restricted or attempted to regulate intimate partner violence is the “rule of thumb,” which references the law that limited the size of the rod a husband could use to beat his wife (Buzawa & Buzawa, 2003). The belief that the proper way to handle intimate partner violence is to control it, not to prevent or punish it, highlights the idea that until very recently intimate partner violence has been consistently accepted.

Historically, intimate partner violence was viewed as a family matter and something that was outside of the criminal justice scope. But this changed in the 1970s when the feminist movement organized to draw attention to the issues pushing intimate partner violence from the private realm into the public arena. It was after these efforts and significant pressure on the federal government that laws began changing (Klarman, 2012). Thanks to our changing social and cultural norms, public sentiment has altered the public’s perception of intimate partner violence, as a public rather than a private issue. Additionally, society has progressed where most forms of intimate partner violence (child abuse, etc) are considered crimes (Dutton, 2011). However, this view is the case primarily in heterosexual families, not same sex relationships.

### *Gendering Intimate Partner Violence*

Our major social institutions (religion, politics, media, family, economy and education) influence people's understanding of who is a victim and who is a perpetrator. Traditionally, intimate partner violence has been conceptualized as violence perpetrated by a husband against his wife. Constructing the victim as female presents a significant issue to same sex couples where there may be no female present.

Seelua and Seelua (2005) studied how people perceived LGBTQ couples and the roles expected of them. They found that people expected men to be the aggressors and women to be the victims. The participants were more likely to administer more punishment of males and less of females. Their findings were consistent with society's expected gender roles of men as the aggressor and women as the victims. Many people in U.S society have a hard time accepting women in the role of the perpetrator of violence which creates an environment that marginalizes and justifies their acts of violence. There are firm and unchallengeable perceived gender roles in our society; women are the victims and men the aggressors in intimate partner violence (Elliot, 1996). LGBTQ couples have men as the victims and women as the aggressor; a direct challenge to our highly gendered conceptualization of intimate partner violence (Seelua and Seelua, 2005).

When the police do actively try to address LGBTQ intimate partner violence the results are inconsistent. English (2010) asserts from his survey of five Illinois police forces, that police are not properly trained to access and successfully address LGBTQ intimate partner violence and that specialized training is needed to properly address

these LGBTQ intimate partner violence cases. Pattavina et al. (2007) argues that the police do respond differently to hetero-sexual cases of intimate partner violence than to LGBTQ cases of intimate partner violence. They found that police were more likely to practice mandatory-arrest when it involved hetero-sexual cases and less likely to arrest the perpetrator of intimate partner violence in LGBTQ couples. These findings further support the notion that intimate partner violence is thought of as a purely heterosexual crime. The fact that accepting LGBTQ intimate partner violence counters society's norms drastically influences how officers respond to cases. Pattavina et al. (2007) argue that a major issue when researching LGBTQ intimate partner violence is the lack of sample size. Police do not face the same number of cases of LGBTQ intimate partner violence as they do the more common heterosexual intimate partner violence which makes it considerably harder to reach adequate sample sizes. Another issue in researching LGBTQ intimate partner violence is classification. A combination of officer errors and victim reluctance create a reality in which many cases of LGBTQ intimate partner violence get classified in other categories such as simple assault or battery, or nothing at all.

A common myth of LGBTQ intimate partner violence is that it does not occur often and therefore does not need the attention of police or policy makers. Many studies have shown the opposite, that LGBTQ couples are statistically more likely to experience physical and emotional abuse. For example, a study by Tjaden and Thoennes, (2000) reported 39.2 percent of lesbian couples reported rape or physical assault during their relationship, whereas in heterosexual couples it was 21.7 percent.

Other research showed that 11 percent of lesbian couples and 15 percent of gay couples reported victimization by their partner (Tjaden, 2003). Another study showed that lesbians and gay men are equally as likely to abuse their partners as a heterosexual man (Burke & Follingstad, 1999). One quarter to one half of LGBTQ relationships will experience abusive dynamics, a percentage much higher than that reported for heterosexual couples (Alexander, 2002).

### *Personal Opinion and Policing the LGBTQ Community*

An important influence in the police response to LGBTQ intimate partner violence is the opinion and values of the officers. Younglove's (2002) asserts that there is certainly a bias amongst officers, but not as wide spread as one might expect. She posits that the officers do not rely on stereotypes of homosexuals when they encounter LGBTQ intimate partner violence. These results create a "cautious optimism" in regards to the future of police responses to LGBTQ intimate partner violence. The current issue is not police perception of LGBTQ couples but rather lack of attention altogether.

LGBTQ intimate partner violence, and more specifically consistent police action or consistent lack of police action, is a largely under researched topic. Examination of police response to LGBTQ intimate partner violence has been lacking when compared to traditional acts of intimate partner violence (Messinger, 2011). Many states do not legally acknowledge or allow gay marriage and therefore are less likely to have specific LGBTQ intimate partner violence laws. In those states, many times when police encounter LGBTQ intimate partner violence, it is classified into other, more general, crime categories including assault or battery (English, et al., 2010). Another major factor

in the sphere of LGBTQ intimate partner violence is the lack of acknowledgement of LGBTQ intimate partner violence as a “real” crime (Buzawa & Buzawa, 2003).

Institutionally, as a group, the LGBTQ community is ignored and this disregard leads to the structural inequalities they face aggregately.

### *Intercultural Conflict in the LGBTQ Community*

Unfortunately there has been relatively little pressure from the public or the LGBT community to inspire social and legal changes regarding LGBTQ intimate partner violence (Knauer, 1999). In fact, the reaction from the LGBTQ community has been to deny or marginalize the instance of LGBTQ intimate partner violence amongst LGBTQ couples (Renzetti, 1992). The reason why the LGBTQ community has chosen to downplay and outright deny LGBTQ intimate partner violence is because many feel acknowledging LGBTQ intimate partner violence will hurt the LGBTQ goals for political equality (Renzetti,1992). Many believe that LGBTQ intimate partner violence can become a weapon for anti-gay rights advocates using against the LGBTQ community (Renzetti, 1992). This approach to ignore the violence may not be the best solution. In fact, by bringing LGBTQ intimate partner violence to the forefront of the battle for LGBTQ equality, the LGBTQ community can show that LGBTQ couples face the same issues as heterosexual couples. That the same instances of abuse and power happens in LGBTQ couples, the only difference is that there are no laws against LGBTQ domestic. By showing the undeniable parallels between LGBTQ and heterosexual couples, it is unmistakable that they have more similarities than differences. And the additional factor of institutional discrimination improves their platform.

## CHAPTER 3

### Method

To explore the failure of our justice system to respond to victims of LGBTQ intimate partner violence, institutional ethnography was utilized. Institutional ethnography is a sociological mapping of social interactions of rules or governance, a qualitative investigation into social relations that constitute and determine parts of society's workings. The entire framework of institutional ethnography is carefully built on the ideas of the social construction of reality (Allen, 2005; Berger & Luckman, 1966). This method was chosen to examine not just the failure of the criminal justice system but also the narrative around the failure by members of the LGBTQ community because it is important to examine how they have made sense of their lived experiences inside violent situations while the justice system adds additional levels of violence.

An institutional ethnography begins with the notion that there are no assumptions of facts or reality outside of the meanings constructed through people's common understandings in language and social relations (Fairhurst & Putnam, 2004). So discourse, rhetoric, and text have significant influence on this project. Specifically, the narratives of victims of intimate partner violence were examined for their individual contributions to understand the institution of justice. Institutional ethnography focuses on the individual experience while developing critical insights that are applied to the macro-level (Smith, 2005). "Scholars increasingly assert that organizations are discursive constructions because discourse is the very foundation upon which

organizational life is built” (Fairhurst & Putnam, 2004, p. 5). “Importantly, the study of discourse is the study of talk and text in social practices” (p. 7).

Institutional ethnography is a discourse analysis based on the idea that discourse is a “situated knowledge” (Haraway, 1991/2004) that arises from the experience of the person who perceives the social relations. So by using the narratives of victims of intimate partner violence, we can begin to privilege the marginalized within a system of dominance and oppression.

### Research Design

Victim narratives were collected from surveys and interviews compiled by the National Coalition of Anti-Violence Programs, which included narratives from programs such as L.A Gay & Lesbian Center (CA), Colorado Anti-Violence Program (CO), Kansas City, Anti-Violence Program (MO), Buckeye Region Anti-Violence Program (OH), Safe Space Vermont (VM), New York City Anti-Violence Program (NY), Los Angeles County Bar Association (CA), The Network/ La Red (MA), Outfront Minnesota (MN), Milwaukee LGBT Center (WI), Center on Halsted (IL), The Gay Alliance Of Genesee Valley (NY), Montrose Counseling Center (TX), Community United Against Violence San Francisco (CA), The Center for Lesbian and Gay Civil Rights (PA), Wingspan Anti-Violence Project (AZ) and Fenway Health Center (MA) . From the narratives collected, a focus was given to the narrative around calls for help to police, the lack of police response, and the availability of social services. These narratives are significant to this institutional ethnography because the lack of institutional support for the LGBTQ community influences their disparate outcomes in most social settings. The data were coded into

an Excel file where critical discourse analysis was then employed. That data sheet is included in the appendices.

I began coding the stories highlighting the following: instance of violence, call for institutional help (social services, police, etc), police response, and obstacles faced seeking help. I did not make attempt to suggest that one type of violence is more severe than another. Adhering to the tenets of institutional ethnography and critical discourse analysis, their narratives will be privileged. The obstacles faced by the victims in the stories are the most subjective variable but also the variable which showcases the realities in which these victims live every day. It is a combination of subjectivity, ambiguity and reality. This variable changed my thesis from being a project attempting to see if the police respond to LGBTQ intimate partner violence to one that also strived to bring to light the harsh truth that victims of LGBTQ intimate partner violence live every day. I found hundreds of victim stories online and coded about one-hundred. I stopped coding when the patterns in the data became obvious, which occurred after the ninety-eighth story was coded. Upon finishing the coding process the major prevailing themes and the potential answers to my research question were clear.

#### Limitations

Every research project inherently has domain assumptions and limitations; the mark of a properly researched thesis is acknowledging the limitations in your own work. A major limitation of my research is that I am using secondary data, I never met any of the victims nor did I conduct any of the interviews with them. I am relying on these secondary sources and assuming that they did not alter the answers or leave out

important information. These secondary sources are mainly intimate partner violence or victim advocate organizations who one would think would not change data because they would want to show the real story. None the less though it remains a limitation as I cannot be sure and I assume that they have not.

Another major limitation of my research is myself, I have not been a victim of intimate partner violence not have I experienced it at home with my parents. I have never had to endure the emotional trauma that is coupled with intimate partner violence. I am grateful for that but it could potentially limit my research and analysis. This is not to say that only victims of intimate partner violence can properly research it, as that too would be a limitation. Since I come from a personal experience of no intimate partner violence victimization there may be some bias and assumptions that affect the way I interpret data. What I see as an obstacle and what I do not may not be what others do especially those who have been victims do see. Obstacles faced by these victims are one of the important variables I analyze as well as my most subjective one. My definition of an obstacle is surely going to be different from those of a person who literally lived facing these obstacles and that fact will be evident in my biased analysis of the obstacles faced by these victims. Many times the obstacles faced by these victims were explicitly stated in their stories which mitigates my inherent biases but just as important as the explicit obstacles are the inexplicit ones. These hidden obstacles which are not as clear as most are certainly going to be affected by my personal biases and experiences. It is entirely possible that I may have failed to see one

or many inexplicit obstacles in my analysis and therefore creating a void in my themes and conclusions.

The area of this research is focused on the LGBTQ community and the intimate partner violence between its couples. I am not a member of the LGBTQ community although I serve as an ally. I am unable to fathom the everyday experiences of being a sexual minority. Since the research topic is specifically about LGBTQ intimate partner violence and I do not identify as a member of the LGBTQ community nor have experienced what life can be like as a LGBTQ community member, there is a possibility that my analysis and the conclusions that I draw may be fundamentally flawed as it comes from a very privileged position.

#### Delimitations

Every research project has limitations and assumptions which are critical to consider but also equally important are the delimitations of a research project. These are the factors that influence the research parameters but often are overlooked. For this thesis one of the delimitations is my setting, the literal place in which I live and interact with people on a day to day basis. Kentucky is one of those states that still does not recognize same-sex marriages and has voted down legislation that would have legalized it in the past. How this fact impacts my research parameters is yet to be known although naturally this delimitation undoubtedly influences my research parameters. I also live in a relative small town with a population of 30,000 people. Not a small city but not a major city either. The location of a relatively small town located in the common-wealth of Kentucky as well as the fact that the majority of LGBTQ

communities and intimate partner violence shelters are located in bigger more urban cities, creates a clear delimitation in my research. My location also creates the delimitation of lacking access to victims of LGBTQ intimate partner violence. As a result of my setting I have limited access to intimate partner violence shelters who accept LGBTQ victims. As well as the lack of progressiveness of my settling creates a paradigm for victims of LGBTQ intimate partner violence to either not seek social and legal services here in Kentucky or not at all, adding to the lack of victims my setting creates for my research. This lack of access to victims stemming from my location influenced me to seek out other means to get victim stories. If located in other states such as Massachusetts, California, Colorado, or Illinois where many of the stories used in the data came from and in a more urban environment, which those states have more of, I theoretically would have better access to victims. This delimitation forced me to rely on secondary sources from more progressive and populated locations in the country. Kentucky fails to provide access to victims and thus creating an environment where I have to find other solutions

## CHAPTER 4

### Findings & Analysis

Analysis revealed five prevailing themes in the data set, some that I anticipated and others that were unexpected: 1) Violence; 2) Lack of police response; 3) gender roles; 4) fear of outing or deportation; and 5) services provided. These themes will be explored in further detail.

### **Expected But Still Inconspicuous**

As previous research has concluded, LGBTQ couples are just as likely to experience intimate partner violence as heterosexual couples (Alexander, 2000; Burke & Follingstad, 1999; Tjaden & Thoennes, 2000;). It is important to define what is meant by violence as the narratives painted a broad picture of what constitutes violence. Not only were physical acts considered violence but also the mental and emotional burden associated with being a constant victim of verbal abuse. This is demonstrated from the narrative in Scott's story which is laid out below.

Thirty-six year old Scott, a white male who identifies as gay thought he had found the help he needed in his friend Anthony. Scott had recently left an abusive relationship and Anthony had been there to listen and talk him through the emotional trauma. Within a month they were a couple and Scott had moved in with Anthony although soon enough Anthony changed. He became controlling and verbally abusive. He would not allow Scott to see his friends, monitored how well Scott cleaned and cooked. One night when unhappy with the meal Scott prepared, Anthony forced Scott to sleep on the living room floor. When Anthony was confronted about his cheating, the

physical violence followed. He beat Scott with a broom, targeting his face and skull.

Scott was hospitalized for two days and once released from the hospital had no friends, clothes or home to go to.

Lisa's story in the introduction is a great example of the violence found in the data. She is beaten, slapped and pushed off the roof second story building, all examples of violence that could have led to her death. A broad range of extreme physical violence emerged from the data. From Geraldo who was chased down by his abusers car, to Davis who is forced to have sex with others for his abuser's pleasure, to Steven who was raped with knives. The examples of extreme and alarming acts of cruelty and violence towards supposed loved ones further proves the validity of the victimization of these people.

The violence in the stories were not confined to just one single act but as many of the narrators revealed, the violence was constant and ever present. The outlier in the data was not stories of extreme violence but rather stories of one-time violent episodes. The duration of the violence these victims endured and survived reinforces pervasive nature of intimate partner violence in LGBTQ relationships. Their stories typically included a specific instance of violence that ultimately made them seek out help. Unfortunately, there was no way to gauge if the single act of violence they endured was part of an on-going series of violence acts.

Jeremy is a thirty-two year old white gay male. The following narrative is from the 2007 report by the Buckeye Region Anti-Violence Organization. His story shows that many

LGBTQ relationships have long violent histories and the pattern of violence is not isolated to a single violent episode.

“I am staying with my friend and am so afraid to go home. I’ve been with my boyfriend for almost two years and things were pretty violent from the start so I don’t know why I let him stay. Last night he beat me up pretty bad, destroyed my cell phone, and threw my computer out the window. Luckily I wasn’t hurt too bad this time, but I am a mess and afraid of what he will do next time. In the past my boyfriend has broken my ribs, thrown me down steps, and even locked me in rooms. I am being terrorized in my own home. It is my house and I don’t know how to get him out. My friend Rex is afraid of him too and says I can’t stay. I don’t know what to do. My friend is trying to get me to call the local intimate partner violence program but I just don’t know what they can do. I guess my choice is to go back to my house and hope for the best.”

Others within the sample mention long periods of time where there is no violence present at all. These ‘once in a while’ stories are significant because the victim of the abuse is constantly thinking about when the next time might come. There was a constant fear of the return of the violence. This led to much mental and emotional trauma just dealing with the unknown. The voices of LGBTQ victims of intimate partner violence are often marginalized despite the level of violence incurred and because they do not fit the socially constructed ideal of a victim of intimate partner violence. This marginalization is further illustrated by some of the victim’s experiences with the police.

## **The 5-O Ain't Coming**

The majority of the victims' stories had absolutely no police response at all. So when there is violence among LGBTQ couples, even violence that sends people to the hospital, there is most likely no police involvement. Sixty-five out of the nine-eight narratives had no police involvement, an additional nine narratives had called the police but still had no police involvement. One can argue that the police were not called or that the victim did not want them there, and surely that may be true for some instances but for every example of that, there are many more cases where the police are called and no intervention occurs.

Steven called the police seeking help from the abuse from his boyfriend whom had abused Steven throughout their relationship and had made death threats before. The police were called and arrived at their house, unfortunately though they made no arrests nor took into account the history of violence and death threats. They left Steven with his abuser which may have endangered Steven by making him vulnerable to retaliatory violence. Steven asked for police help to get a restraining order but was met with unwilling officers who did not consider Steven to be justified in his efforts to escape his abuser. Auspiciously though Steven did find help, just not from the police; he sought out a intimate partner violence shelter and found the help needed to escape his abuser. This example is one of a few where other institutional outlets were helpful in aiding a victim of intimate partner violence.

Jason's narrative is even more representative of the consistent failures of the criminal justice system to provide protection to victims of intimate partner violence.

Jason 30 years old, an African American male who identifies as gay, shares a home with his partner of five years. He is unable to find steady work and is often unemployed. Their relationship has become increasingly violent and controlling. The most recent violence has brought Jason to his breaking point. Jason had always defended himself when faced with violence from his abuser but this time he could do little. His partner knowingly hurt himself by cutting his arms with kitchen knives and intentionally hitting himself with a hammer. He then called the police and reported that Jason abused him. Jason pleaded his case and explained the years of abuse and controlling patterns. The police never took into account Jason's testimony nor looked to see if the wounds were self-inflicted. Instead they immediately arrested Jason, incarcerated him for three days. Upon release he feared returning home and felt no police officer would listen to his side of the story. Feeling trapped he lived in a homeless shelter and eventually found help from the Los Angeles Gay and Lesbian Center's batterers intervention program who clinically determined Jason was not a dominant/primary aggressor type and advocated for him with the police.

This case represents the failure of our legal systems to expand their idea of who a deserving victim may be. It was hard for the officers to fathom a man being anything except the aggressor of intimate partner violence. Sadly, this misconception sometimes presents a problem for heterosexual couples as well (Benson, 2009). This strict and rigid categorization fails to account for instances of intimate partner violence between LGBTQ couples, and further strengthens the idea that intimate partner violence amongst LGBTQ couples is not constitute legitimate case of intimate partner violence.

Alternatively, there are some instances where police officers have been helpful in aiding victims of intimate partner violence. The data showed that there are some instances where the police do in fact help by arresting the abuser and getting the proper help to the victims. Those cases are just not typical of the current data set; most stories involve no police intervention. This is a failure not necessarily of the officers but rather by the system in which they work. Individual officers are unable to shift the narrative of institutional discrimination that has constantly failed the LGBTQ community. With the knowledge that the criminal justice system has historically been resistant to social changes, it is arguably an instrument for the rich and influential to criminalize and oppress those who threaten them the most and is dominated by a paradigm of hypermasculinity (Parrott, 2003). It is not surprising that the issue of LGBTQ intimate partner violence and its victims have been largely ignored. The personal bias of an officer towards LGBTQ can undoubtedly affect the outcomes for victims but more important are the structural institutions in place that create a reality in which victims of violence can go ignored.

### **But You Are Bigger Than Him**

LGBTQ intimate partner violence has both male victims and female aggressors and is therefore not in line with the strict and rigid definition of gender roles. This fact became clear in many occurrences in the data. A typical scenario that was common to more than one narrative was where officers arrived at the scene of a domestic dispute between homosexual males and refused to accept either of them as victims. The victim often reported that officers laughed about the violence and even asked them why he

did not fight back or to stand up for himself conceptualizing the intimate partner violence as just a fight. Bennie's narrative showcases how an officer's bias can impact a victim's outcomes and re-victimization. Bennie, a male who identifies as gay, has been in a relationship for two months when his partner snapped. Bennie ended up hospitalized with broken bones including his collar bone. The police were called and came but were unconvinced by Bennie's story. Instead of arresting the abuser they laughed and called the violence and abuse a 'sex thing'. The inherent bias some officers have towards LGBTQ victims can be tremendously influential to the victim's outcome. As shown in the victims' stories, those personal biases can affect outcomes for victims. However, as an institution, the justice system could issue mandatory training and more progressive policies and reform to better help LGBTQ victims of intimate partner violence. So there could be some legal recourse to an officer failing to provide assistance.

When Terri, a victim of sexual violence had to be hospitalized because of her injuries, police intervention could have dramatically influenced her outcomes. When the officers intervened they could not understand how Terri could be a victim, in fact, they assumed that Terri, who kept in mind was hospitalized, was the aggressor. They began to question her as if she was the aggressor and began to treat her like one, all because of their definition of proper gender roles. Using terminology from the narratives, Terri is 'butch'; she has masculine characteristics and is physically bigger than her abuser, which to the officers called to intervene was enough to conclude she was the aggressor despite being in the hospital. Terri was not the only example in the stories

of the officials failing to disrupt their gender identity biases. This example reveals that more training is needed for our law enforcement personnel.

### **Double Victimization**

Fear is a powerful motivator and a potential weakness that abusers can exploit. Fear was a constant theme in the data as there were numerous examples outside of the fear of violence. Being outed was a significant fear for many victims of intimate partner violence. Being 'out' short for 'out of the closet', is a critically significant part of a LGBTQ person's life. It is the process a LGBTQ person goes through to inform their family, friends of their sexual orientation and the person they are. It can be a tremendously emotion time because of the unknown. The person cannot be sure his or her family and friends will accept who he or she is.

An important notion of coming out of the closet is for the person to choose when he or she will come 'out'. As many of the victims stories revealed, their abusers chose to 'out' them without their consent constituting a form of abuse. With this powerful tool of fear and control, victims were forced to stay in abusive relationships and not seek out help. This is illustrated in the following narrative that narrative was anonymously submitted to the Los Angeles County Bar Association and found in the Intimate partner violence Stories section on their website:

"I work at a fancy hotel in Century City, and no one knows I'm gay. When I broke up with my boyfriend, he told me he was going to 'out' me. He calls my place of employment around 10 times per day. I feel forced to answer his calls, because of his threat. Once, when I didn't take his call, he brought a sex toy to

the front desk. Now, he's calling my 16-year old daughter and my 81-year old mother. I can't take it anymore. I need help so he'll stop harassing me.”

This fear is one that only sexual minorities have to deal with. There is no fear of being 'outed' in the heterosexual community. This fear also reflects the lack of progress made by society. If society was fully accepting of LGBTQ relationships then the fear of people not accepting an outed LGBTQ community member would not be as powerful.

Nonetheless, fear of being outed remains an influential means for abusers in LGBTQ relationships to assert their control and manipulation and ensure that their victims remain.

Fear was not specific to purely threats of 'outing', fear of deportation for undocumented victims was evident as well. Their status as undocumented, coupled with the motivation to remain unknown to legal authorities, gave power to their abusers. This is demonstrated by Lizzie's story

Lizzie is an undocumented immigrant Latina transgender heterosexual female. She is also HIV positive and lives with an abusive partner, Jason in a subsidized apartment for HIV positive people. She worked fulltime to support both her and Jason, as he did not work. He would become physically violent and force her to have sex with people whom he brought over. Lizzie often feared for her life but feared seeking out the police because of her immigration status and because Jason would tell her the police would arrest her as soon as they found out she was an 'illegal'. Lizzie felt stressed and isolated because of this threat and often felt helpless too because of her inability to speak English well; she felt much more comfortable speak her native Spanish. She often

faced communication difficulties when trying to talk to her landlord and housing advocate.

Threatening deportation or calling the police becomes a powerful tool at the disposal of abusers to keep their victims silent about abuse. Undocumented people are already prone to victimization and lack the ability to seek help from services because of the fear of deportation. Undocumented people who are also victims of LGBTQ intimate partner violence are doubly prone to victimization and facing obstacles when seeking help. As a result of this dual status they are more likely to be criminalized, stigmatized and oppressed

### **Cautious Optimism**

A prevailing theme that emerged from the data was services provided. By services provided I mean that the victims in the stories found some form of help from domestic violence shelters, legal advocate, and/or some form of state social services. Services provided could mean something substantial such as housing and legal protection or something as small as a motel voucher for one night. Generally, services provided means that the victims sought out help in some way and found it, no matter how major or small.

The data showed that the majority of victims who sought out help found some sort of help. But, receiving some help by no means indicates that the victims got all they help them needed, and their final outcomes were not necessarily positive, but it reflects that there is some form help out there for victims that seek it. Of the ninety-eight stories of LGBTQ intimate partner violence in the data, twenty-one victims failed to

receive the services they sought. That is not exactly a low number but it means that out of almost one-hundred victims seventy-seven found some form of help. The relatively high percentage shows that at least some help being provided shows that perhaps there is more help out there for victims than I first suspected.

This theme of services provided found throughout the data should be taken with caution. This fact reflects that there are reasons for cautious optimism about the progress made. However, as a result of the broad definition of 'services provided', victims with very different experiences would get a peripheral check mark in the services provided box. For example, Jason a thirty year old gay male who sought help to escape from his violent and controlling boyfriend of five years, found the help he needed. He was provided with a legal advocate, free of charge, to help press charges and file orders of protection. He also received LGBTQ specific counseling as well as a bed in a homeless shelter. Valerie, a lesbian female in her fifties, also required help to get away from her violent and controlling girlfriend. Valerie sought out help also and the only service she received was transportation back home. Jason received the services he needed and had a positive outcome, Valerie too got a service provided but hers were tremendously different. Both Jason and Valerie were hospitalized by their abusers and sought help afterwards and both received radically different forms of support but both would be classified as receiving support in the data. This is where the data fail to account for the degree of help provided and the nuanced differences in the type of help received by victims. By definition Valerie did receive services provided which was a ride home and nothing else, but Jason got everything he needed and had a positive

outcome. This example shows that 'services provided' is a relative term, one that can mean two very different degrees of help.

One other factor to examine when considering the prevailing theme of services provided is the source of the data. The victim stories I used for my data were collected from a wide variety of intimate partner violence organizations. These organizations created nationwide pamphlets, newsletters, and websites dedicated to conveying these victims stories. They have victims coming to them for help, seeking services from them and because of that the stories they tell may be more likely to have instances of services being provided. This fact makes it reasonable to assume that since the vast majority of my data comes from intimate partner violence organizations there may be more instances of stories with services being provided because I am getting the data from a literal provider of services to victims of intimate partner violence.

## CHAPTER 5

### Conclusion

The findings discussed in the previous chapter examined are important to understanding the realities in which victims of LGBTQ intimate partner violence victims live. Violence, police inaction, gender role expectations, fear of outing, and deportation, as well as the services provided to victims all intersect to create the daily experiences of these victims. All people's experiences matter and shape the things that occur in their lives, including how they experience and escape being victimized by an intimate partner. For the purposes of this research project all of the themes that emerged from the data impacted the person's victimization and how the police responded to their LGBTQ intimate partner violence incident. It is critically important to understand that these variables all intersect and become the reason why people have the positive or negative realities they have.

I believe one of the keys to finding that solution is changing the perspective of intimate partner violence in society and in the criminal justice system. By changing it, I mean that no longer should it be a question as to whether or not LGBTQ intimate partner violence is a real crime or if the victims of it warrant social services. I think understanding that violence is violence and our personal beliefs and bias have no place in deciding what constitutes intimate partner violence or a proper victim. Changing the perspective on intimate partner violence to include LGBTQ intimate partner violence is not going to happen overnight. It will take a considerable amount of time before LGBTQ intimate partner violence is universally accepted. With more specific training for police

officers, raising awareness of LGBTQ intimate partner violence through media and education, political equality, perhaps a drastic change can be made. While the fight to continue to make legal and social changes happen, there are still victims of LGBTQ intimate partner violence, and they cannot wait for the perspective to change; they need help now.

When the police do not respond to a crime, especially one that involves an already marginalized and victimized group, such as the LGBTQ community, it sends a clear message. That message is that they do not care about the victims of LGBTQ intimate partner violence, there are higher priority crimes and that those victims of LGBTQ intimate partner violence have to seek help from another source. This leads many victims of intimate partner violence to not call at all. The paradigm that the police do not consider LGBTQ intimate partner violence as a main concern created the reality in which victims do not even call the police seeking help, and the data reflect that. The vast majority of the stories do not have any police intervention at all. Coupled with the lack of LGBTQ specific intimate partner violence shelters and counseling in most cases, victims of LGBTQ intimate partner violence find their options limited.

The lack of police response not only sends a message of inaction to the LGBTQ community but also perpetuates the victim's negative experiences. By doing nothing the police and the criminal justice system promote the re-victimization of LGBTQ intimate partner violence victims and insure that these people have little chance to find a positive respite. This intersection between police inaction and the perpetual

victimization of LGBTQ intimate partner violence victims shows the many different factors contribute.

LGBTQ intimate partner violence does occur and should garner more attention from the criminal justice system. It is easy to justify inaction towards LGBTQ intimate partner violence on the basis that LGBTQ intimate partner violence is invisible. The criminal justice system is already plagued with issues and inconsistency. It is much easier and cheaper to ignore a topic that is as highly contested and political as LGBTQ intimate partner violence. The idea to ignore it or just reclassify LGBTQ intimate partner violence into other forms of crime, such as simply assault or battery, shows a true failure of the criminal justice system. The perception that it does not occur needs to change. Studies show that a homosexual couple is just as likely if not more likely to experience intimate partner violence and yet there is little done to prevent and deter LGBTQ intimate partner violence. Whether it is an intentional act or from sheer ignorance, the criminal justice system needs to address LGBTQ intimate partner violence properly and stop justifying doing nothing based on false beliefs and lack of understanding of the facts.

Studies have shown that the same aspects of power dynamics, cycles of abuse and intensification of violence over time found in intimate partner violence cases of heterosexual couples, are found similarly in couples in the LGBTQ community (McClennen, 2005). Despite the similarities, US policy on helping homosexual couples has been to ignore them or that they are not worth helping (Potoczniak et al., 2005). In twelve states victims of LGBTQ intimate partner violence cannot get protection under

domestic relation statutes, there have been no shelters established to handle victims of LGBTQ intimate partner violence in the US, and only four cities have counseling services specifically designed to help LGBTQ victims (Jablow, 2010). There needs to be an active and aggressive effort to create shelters that are either specifically for victims of LGBTQ intimate partner violence or battered women's shelters already in operation need to admit all victims of abuse. There needs to be implementation of more programs and counseling services targeting LGBTQ intimate partner violence, services with providers that understand the varying personal experiences of each victim and take into account all influences that may be specific to LGBTQ victims. Proper training and education as well as insuring that none of the service providers are homophobic, will be imperative in the success of helping victims.

Another major contributor to helping ensure all victims of intimate partner violence get the help they deserve, particularly LGBTQ victims, is to increase the amount of heterosexual allies. The LGBTQ community is small social group and yield little political power. The LGBTQ communities needs those outside of their social group to universally acknowledge their struggle for equal rights, including LGBTQ intimate partner violence, and pressure their respective political representatives for change. A unified contingent of LGBTQ members and non-LGBTQ allies could certainly provide enough political force to provoke massive social changes and therefore help to transform the perspective not only on LGBTQ intimate partner violence but on LGBTQ equality. In short, the responsibility is not only on the LGBTQ community but on all members of society no matter one's sexuality. Macklemore, a vocal supporter of the

fight for LGBTQ equal rights characterizes the need for non-LGBTQ allies perfectly in his

2012 song 'Same Love' written by Haggerty, B, Lewis, R, and Lambert, M (2012):

*“When everyone else is more comfortable remaining voiceless  
Rather than fighting for humans that have had their rights stolen  
I might not be the same, but that's not important  
No freedom 'til we're equal, damn right I support it”*

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## APPENDIX

For demonstration of important elements in the following sample pages, spacing has been altered and margins have been reduced to fit inside borders

## Appendix

Name	Gender	Sexuality	Race	Age	Physical Violence Present	Police Intervention?
Betty	F	Lesbian	White	25	Yes	Avoided
Jason	M	Gay	Black	30s	Yes	Both arrested for DV
Angelica	F	Lesbian	Latina	30s	Yes	Called but no intervention
Monica	TF	Hetero	Latina	40s	Yes	Called but no intervention
Stephanie	F	Lesbian	Latina	20s	Yes	Called but no intervention
Steven	M	Gay	White	30s	Yes	Called but no intervention
Josie	F	Lesbian	N/A	50s	Yes	Called but no intervention
Steven	M	Gay	N/A	20s	Yes	Called but no intervention
Jocelyn	F	Lesbian	Black	40s	No	Called but no intervention
Deborah	F	Lesbian	White	30s	No	No
Tatianna	F	Lesbian	Latina	30s	Yes	No
Bruce	M	Gay	N/A	N/A	Yes	No
Theodore	M	Gay	N/A	30s	No	No
Valerie	F	Lesbian	Latina	50s	Yes	No
Patricia	F	Lesbian	Black	60s	Yes	No
Jack	M	Gay	White	30s	Yes	No
Jose	M	Gay	Latino	20s	No	No
Joann	F	Lesbian	White	N/A	Yes	No
Don	M	Gay	Black	30s	N/A	No
Jeanette	F	Lesbian	Latina	23	Yes	No
Barry	M	Gay	White	59	Yes	No
Leti	F	Lesbian	Latina	20	Yes	No
Peter	M	Gay	N/A	N/A	Yes	No
Charlene	F	Lesbian	Black	32	Yes	No
Ana	TF	Hetero*	Latina	25	Yes	No
James	M	Gay	Black	36	Yes	No
Janet	F	Lesbian	White	35	Yes	No
Neil	M	Gay	N/A	26	Yes	No
Dennis	M	Gay	N/A	22	Yes	No
Curt	M	Gay	N/A	N/A	Yes	No
Dannielle	F	Lesbian	N/A	N/A	Yes	No
Rebecca	F	Lesbian	N/A	N/A	Yes	No
Michelle	F	Lesbian	N/A	N/A	No	No
Jade	F	Lesbian	N/A	20s	Yes	No
Ayet	F	Lesbian	N/A	20s	Yes	No
N/A	M	Gay	N/A	N/A	No	No

Arthur	M	Gay	White	40s	No	No
Sophia	TF	Gay	Latina	40s	Yes	No
Steven	M	Gay	White	30s	Yes	No
Janice	F	Lesbian	White	50s	Yes	No
Tamara	F	Lesbian	Latina	50s	Yes	No
Justin	M	Gay	White	30s	Yes	No
Davis	M	Gay	Biracial	30s	Yes	No
Peter	TM	Gay	N/A	N/A	Yes	No
Julie	F	Lesbian	Biracial	30s	Yes	No
Justin	M	Gay	White	20s	Yes	No
Victoria	TF	Bisexual	White	30s	No	No
Julia	F	Bisexual	Latina	20s	Yes	No
E	M	Gay	White	40s	Yes	No
T	F	Lesbian	Biracial	20s	Yes	No
Chi	TM	Queer	White	N/A	Yes	No
Samantha	TF	Hetero*	N/A	20s	Yes	No
Jeremy	M	Gay	White	30s	Yes	No
Jim	M	Gay	White	50s	Yes	No
Lori	F	Bisexual	N/A	30s	Yes	No
N/A	F	Lesbian	N/A	N/A	Yes	No
Tara	TF	Hetero*	N/A	N/A	Yes	No
Jake	M	Gay	N/A	40s	Yes	No
Chris	M	Gay	White	20s	Yes	No
Luna	TF	Hetero*	Latina	20s	Yes	No
Jane	F	Bisexual	White	30s	Yes	No
Claudia	F	Lesbian	Latina	40s	Yes	No
Robin	TF	Gay	Black	30s	Yes	No
Aaron	M	Gay	White	20s	Yes	No
Gabriel	M	Gay	Biracial	30s	Yes	No
Sue	F	Lesbian	White	20s	Yes	No
Elizabeth	TF	Hetero*	Black	40s	Yes	No
Joe	M	Gay	Latino	20s	Yes	No
N/A	M	Gay	N/A	N/A	Yes	No
Alice	F	Lesbian	N/A	N/A	Yes	No
Lisa	TF	Hetero*	N/A	30s	Yes	No
Gerardo	M	Gay	N/A	20s	Yes	No
Linda	F	Lesbian	N/A	30s	Yes	No
Glenn	M	Gay	N/A	30s	No	No
Stanley	M	Gay	Black	40s	Yes	No
N/A	M	Gay	Latino	60s	Yes	Yes

Shawn	M	Gay	Black	28	Yes	Yes
Justice	M	Gay	N/A	N/A	Yes	Yes
Scott	M	Gay	White	30s	Yes	Yes
Alan	M	Gay	N/A	30s	Yes	Yes, arrested abuser
Salvador	M	Gay	Latino	40s	Yes	Yes, arrested abuser
William	M	Gay	N/A	20s	Yes	Yes, arrested abuse
Javier	M	Gay	Latino	34	Yes	Yes, arrested abuser
Joe	M	Gay	White	40s	Yes	Yes, arrested abuser
Danny	M	Gay	White	50s	No	Yes, arrested abuser
Lizzie	TF	Hetero*	Latina	N/A	Yes	Yes, arrested abuser
Rainer	M	Gay	N/A	N/A	Yes	Yes, arrested abuser
Brad	M	Gay	N/A	20s	Yes	Yes, arrested abuser
Terri	F	Lesbian	White	20s	Yes	Yes, arrested victim
Andrea	F	Lesbian	N/A	30s	No	Yes, arrested victim
Greg	M	Gay	N/A	N/A	Yes	Yes, arrested victim
Andrew	M	Gay	Black	N/A	Yes	Yes, but no arrest
Clarisse	F	Hetero*	Latina	30s	No	Yes, filled police report
Yolanda	F	Lesbian	Black	38	Yes	Yes, no arrests
Bennie	M	Gay	N/A	30s	Yes	Yes, no arrests
Ted	M	Gay	Black	40s	Yes	Yes, no arrests. Downplayed DV
Lynn	F	Lesbian	White	40s	Yes	Yes, supported abuser

\* Although in heterosexual relationship their status as a transgender warrants their inclusion.