



ICPSR 4409

## Prosecuting Domestic Violence Cases with Reluctant Victims in Milwaukee, Wisconsin, 1994-1995

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User Guide



National Institute of Justice  
Data Resources Program

# ICPSR

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## **Bibliographic Description**

ICPSR Study No.: 4409

Title: Prosecuting Domestic Violence Cases with Reluctant Victims in Milwaukee, Wisconsin, 1994-1995

Principal Investigator(s): Robert C. Davis, Victim Services

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## **Scope of Study**

Summary: Officials in Milwaukee, Wisconsin, introduced two experiments designed to provide answers to questions of how to deal with victim reluctance in domestic violence cases. Two projects funded by the National Institute of Justice (NIJ) evaluated these Milwaukee domestic violence experiments. The first project examined the effectiveness of a specialized domestic violence court that opened in September 1994. The primary intent of the specialized domestic violence court was to speed up the disposition of cases. The second project examined the impact of a change in the district attorney's (DA's) screening policy that admitted more cases into the special court, which became effective January 1, 1995. The liberalized prosecutorial policy was intended to determine whether arrests that the DA normally rejected for prosecution because victims failed to attend the prosecutor's charging conference could be prosecuted successfully none the less. The researchers collected data from three time periods: (1) prior to September 1994, (2) between September 1994 and January 1995, and (3) post-January 1995. For the first experiment, several samples were selected from court and DA records to assess the impact of the introduction of the special domestic violence court and its impact after the change in the DA's charging policy.

These samples of domestic violence cases (court samples) filed by the prosecutor included: (1) 237 cases from Summer 1994, (2) 190 cases from Fall 1994, and (3) 242 cases from Spring 1995. For the second experiment, three additional samples (complaint room samples) were collected of domestic cases declined by the prosecutor to determine how victim attendance at the charging conference and other factors affected the decision to prosecute: (1) 152 cases from Summer 1994, (2) 155 cases from Fall 1994, and (3) 152 cases from Spring 1995. Variables in this dataset include if the case was filed, type of charges, number of prior misdemeanors, number of prior felonies, number of misdemeanors after, number of felonies after, number of felony convictions, number of misdemeanor convictions, number of subpoenas, number of judicial body attachment orders, whether the victim was cooperative, if the victim testified, method of disposition, type of disposition, time to disposition, time to sentencing, sentencing conditions, if the defendant received jail or prison time, if the defendant received probation time, number of months incarcerated, number of months on probation, and several date variables. Additional variables provide the sex of the defendant, the relationship between the defendant and the victim, if the victim was injured, if the victim was intoxicated, and use of a weapon.

Subject Term(s): case processing, court system, disposition (legal), domestic violence, trial procedures, violence against women

Smallest Geographic Unit: none

Geographic Coverage: Milwaukee, United States, Wisconsin

Time Period: June 1994 - April 1995

Date(s) of Collection: September 1994 - April 1995

Unit of Observation: case

Universe: Domestic violence cases under the jurisdiction of the Milwaukee district attorney's office from Summer 1994 to Spring 1995.

Data Type: administrative records data

Data Collection Notes: The projects included interviews with court administrators, judges, prosecution staff, and victims. The interview data are not available as part of this collection.

## Methodology

**Purpose of the Study:** In Wisconsin, a 1987 statute made arrests mandatory for misdemeanor domestic violence incidents, resulting in a higher volume of arrests, which likely included cases more difficult to prosecute because of weaker evidence or less willing victims. Official statistics indicate that, immediately after the statute was enacted, as many as 90 percent of domestic violence misdemeanor arrests in Milwaukee were not charged by the district attorney's (DA's) office. By mid-1994 the DA realized that Milwaukee was prosecuting a smaller proportion of domestic arrests than other Wisconsin cities. Officials in Milwaukee, Wisconsin, introduced two experiments designed to provide answers to questions of how to deal with victim reluctance in domestic violence cases. Two projects funded by the National Institute of Justice evaluated these Milwaukee domestic violence experiments. The first project examined the effectiveness of a specialized domestic violence court that opened in September 1994. The primary intent of the specialized domestic violence court was to speed up the disposition of cases in order to: (1) reduce backlogs, (2) reduce the amount of time the victim had to change her mind about prosecution, thereby increasing convictions, and (3) reduce opportunities for pretrial violence. The second project examined the impact of a change in the DA's screening policy that admitted more cases into the special court, which became effective January 1, 1995. The liberalized prosecutorial policy was intended to determine whether arrests which the DA normally rejected for prosecution because victims failed to attend the prosecutor's charging conference could be prosecuted successfully nonetheless. To do this, the DA's office jettisoned the requirement that victims come to the complaint room, resulting in a doubling of the number of domestic arrests filed with the court. The second experiment focused on evaluating if it was in the interests of victims and in the interest of justice to open the intake gates wide and prosecute cases previously thought not winnable.

**Study Design:** The researchers collected data from three time periods: (1) prior to September 1994, which marked the start of the special domestic violence court, (2) between September 1994 and January 1995, the period after the special court began and before the change in the district attorney's charging policy, and (3) post-January 1995, after the change in the district attorney's charging policy. For the first experiment, several samples were selected from court and DA records to assess the impact of the special domestic violence court. Three samples of domestic violence cases (court samples) filed by the prosecutor were collected: (1) 237 cases from Summer 1994, (2) 190 cases from Fall 1994, and (3) 242 cases from Spring 1995. These samples allowed the researchers to examine how the handling of domestic violence cases changed with the introduction of the special court in September 1994, and how case processing changed again after the DA liberalized his charging policy in January 1995. For the second experiment, three additional samples (complaint room samples) were collected of domestic cases declined by the prosecutor, which were drawn from the same time periods as the

samples of prosecuted cases: (1) 152 cases from Summer 1994, (2) 155 cases from Fall 1994, and (3) 152 cases from Spring 1995. The researchers compared the samples of prosecuted and not prosecuted cases to determine how victim attendance at the charging conference and other factors affected the decision to prosecute during the three time periods. Data collection sheets for nolle processed cases were identical to the sheets designed for prosecuted cases except that disposition information was omitted.

**Sample:** Originally, the researchers intended to draw two court samples from case records. The baseline sample consisted of domestic violence cases processed in the general misdemeanor courts, prior to the creation of the special domestic violence court. This sample (n = 237) consisted of every other domestic violence case adjudicated in the general misdemeanor courts during June, July, and August 1994. Only cases with odd docket numbers were sampled. Cases were those identified by the prosecutor's office as involving domestic violence, including batteries, disorderly conducts, and violations of restraining orders in which the parties were married, cohabitating, shared children in common, or were blood relatives living in the same household. The post-special court sample consisted of cases that began shortly after the opening of the special domestic violence court. This sample (n = 190) was comprised of every other domestic violence case with initial pretrial hearings held during October, November, and December 1994. The researchers decided to draw a third sample after the prosecutor changed his charging policy after January 1995. This sample (n = 242) consisted of every trial case scheduled for an initial pretrial hearing in the domestic violence court during February, March, and April 1995. Three complaint room samples of cases were collected for the same time periods. The researchers sampled every other case in chronological sequence, including cases declined by the prosecutor during June, July, and August 1994 (n = 157), cases declined by the prosecutor during October, November, and December 1994 (n = 155), and cases declined by the prosecutor during January, February, and March 1995 (n = 152).

**Sources of Information:** Data were collected from court and district attorney administrative records.

**Mode of Data Collection:** record abstracts

**Description of Variables:** Variables in this dataset include type of sample, if the case was filed, type of charges filed against the batterer, number of prior misdemeanors, number of prior felonies, number of misdemeanors after, number of felonies after, number of felony convictions, number of misdemeanor convictions, number of subpoenas, number of judicial body attachment orders, whether the victim was cooperative, if the victim testified, method of disposition (trial, dismissed, guilty plea, diversion, other), type of disposition, time to disposition, time to sentencing, sentencing conditions,



if the defendant received jail or prison time, if the defendant received probation time, number of months incarcerated, number of months on probation, and several date variables. Additional variables provide the sex of the defendant, the relationship between the defendant and the victim, if the victim was injured (none, minor, major), if the victim was intoxicated, and use of a weapon (no, gun, knife, other).

Response Rates: Not applicable.

Presence of Common Scales: none

Extent of Processing: ICPSR checked for undocumented codes, standardized missing data codes, produced a codebook and frequencies, and generated SAS, SPSS, and Stata setup files. ICPSR also reformatted both the data and documentation.

## Access and Availability

Extent of Collection: This data collection consists of one data file, user guide and codebook in separate PDF files, and SAS, SPSS, and Stata setup files.

Restrictions: The data are restricted from general dissemination. Users interested in obtaining these data must complete a Data Transfer Agreement Form and specify the reasons for the request. A copy of the Data Transfer Agreement Form can be requested by calling 800-999-0960. The Data Transfer Agreement Form is also available as a Portable Document Format (PDF) file from the NACJD Web site ([Link](#)). Completed forms should be returned to: Director, National Archive of Criminal Justice Data, Inter-university Consortium for Political and Social Research, Institute for Social Research, P.O. Box 1248, University of Michigan, Ann Arbor, MI 48106-1248, or by fax: 734-647-8200.

Data Format: Logical Record Length with SAS, SPSS, and Stata setup files, SAS transport (XPORT) file, SPSS portable file, and Stata system file

Original ICPSR Release: 2006

Note: Detailed file-level information (such as LRECL, case count, and variable count) may be found in the file manifest.

## Publications

Final Reports and Other Publication Resources: A list of publications related to, or based on, this data collection can be accessed from the study's download page on the NACJD Web site or through the ICPSR Bibliography of Data-Related Literature at

<http://www.icpsr.umich.edu/citations/index.html>. The list of citations includes links to abstracts and publications in Portable Document Format (PDF) files or text files when available.

Final reports and other publications describing research conducted on a variety of criminal justice topics are available from the National Criminal Justice Reference Service (NCJRS). NCJRS was established in 1972 by the National Institute of Justice (NIJ), an agency of the U.S. Department of Justice, to provide research findings to criminal justice professionals and researchers. NCJRS operates specialized clearinghouses that are staffed by information specialists who supply a range of reference, referral, and distribution services. Publications can be obtained from NCJRS at NIJ/NCJRS, Box 6000, Rockville, MD, 20849-6000, 800-851-3420 or 301-519-5500. TTY Service for the Hearing Impaired is 877-712-9279 (toll-free) or 301-947-8374 (local). The URL for the NCJRS Web site is:

<http://www.ncjrs.org/>

## **NIJ Data Resources Program**

About the DRP: The National Institute of Justice Data Resources Program (DRP) makes datasets from NIJ-funded research and evaluation projects available to the research community and sponsors research and training activities devoted to secondary data analysis. Datasets are archived by the National Archive of Criminal Justice Data (NACJD) at the Inter-university Consortium for Political and Social Research (ICPSR) at the University of Michigan.

The NACJD maintains a World Wide Web site with instructions for transferring files and sending messages. Criminal justice data funded by the Department of Justice are available via the Internet at this site at no charge to the user. NACJD may be contacted at NACJD/ICPSR, P.O. Box 1248, Ann Arbor, MI, 48106-1248, 800-999-0960. The URL for the NACJD Web site is:

<http://www.icpsr.umich.edu/NACJD/>

## Data Completeness Report

Notes: (1) Variables are individually listed only if they have greater than 5% missing data. These variables are listed under the appropriate percentage category in the order in which they appear in the data file. (2) The Data Completeness Report only captures information about system missing or other values that are declared missing. Codes that have a label implying that they are missing but that are not declared missing values are not reflected in this report. Data users should consult the codebook for more specific information about missing values. (3) Some variables that have 100% missing data may have been blanked by ICPSR to protect respondent confidentiality. Data users should consult the codebook for more specific information about blanked variables. (4) Data do not contain skip patterns or skip patterns are not reflected in the data as coded.

**Table 1: Distribution of Variables by Percentage of Missing Values**

Variable Name and Label (Total Cases = 1137 )	Percent of Cases with Missing Values
22.8% ( 26 of 114 variables)	have 0% Missing Values
3.5% ( 4 of 114 variables)	have 0% - 1% Missing Values
2.6% ( 3 of 114 variables)	have 1% - 3% Missing Values
0.9% ( 1 of 114 variables)	have 3% - 5% Missing Values
3.5% ( 4 of 114 variables)	have 5% - 10% Missing Values
V14	RELAT 5.9%
V16	VCOMPLRM 6.5%
V14C	RELATIONSHIP V TO DEF (COLLAPSED) 6.1%
FELCONCI	FELCONCI 6.7%
11.4% ( 13 of 114 variables)	have 10% - 20% Missing Values
V9	VCOOP 13.5%
V10	INJURY 10.9%
V11	RO 17.4%
V12	WEAPON 10.6%
V13	VINTOX 13.8%
V10C	V10C 10.9%
V12C	V12C 10.6%
V11I	V11I 16.4%
V12CI	V12CI 14.8%
V13I	V13I 14.0%
V16I	V16I 19.3%
BATTARRI	BATTARRI 14.2%
MISCONCI	MISCONCI 15.3%
5.3% ( 6 of 114 variables)	have 20% - 40% Missing Values
SAMPLE	SAMPLE (TIME 2 OR 3) 35.0%
V5CI	V5CI 36.1%

**Table 1: Distribution of Variables by Percentage of Missing Values**

<b>Variable Name and Label (Total Cases = 1137 )</b>		<b>Percent of Cases with Missing Values</b>
V9CI	V9CI	24.5%
V10CI	V10CI	30.8%
V14CI	V14CI	37.6%
V15I	V15I	37.5%
48.2% ( 55 of 114 variables)	have 40% - 99% Missing Values	
V4Y	V4Y	59.3%
V4M	V4M	59.3%
V4D	V4D	59.3%
V6	CHARGE2	88.6%
V7	CHARGE3	98.3%
V4	DATE	41.7%
V18	SUPOENAED	44.3%
V19	XVAPPEAR	44.8%
V20	VTESTIFY	45.3%
V21	VCONTACT	47.1%
V22	METHDISPOS	42.4%
V23	DISPOS	65.7%
V24	REDUCTION	68.1%
V25	MONTHSINCAR	84.3%
V26	MONTHSPROB	78.1%
V27	CONDIT1	79.2%
V28	CONDIT2	80.7%
V29	CONDIT3	84.5%
V30	CONDIT4	93.0%
V31	PRIORMIS	43.0%
V32	PRIORFEL	43.5%
V33	ARRESTPRIOR	42.1%
V34	ARRESTBTW	42.1%
V35	MISBTW	42.0%
V36	FELBTW	42.0%
V37	ARRESTAFT	43.2%
V38	MISAFT	43.2%
V39	FELAFT	43.2%
V40	BODY ATTACHMENT	41.0%

**Table 1: Distribution of Variables by Percentage of Missing Values**

<b>Variable Name and Label (Total Cases = 1137 )</b>		<b>Percent of Cases with Missing Values</b>
V41	VICTIM COOP?	41.0%
V42	GOOD WITNESS?	41.2%
V43	V43	41.1%
V43Y	V43Y	41.1%
V43M	V43M	41.1%
V43D	V43D	41.1%
V44	V44	42.9%
V44Y	V44Y	42.9%
V44M	V44M	42.9%
V44D	V44D	42.9%
V45	V45	65.2%
V45Y	V45Y	65.2%
V45M	V45M	65.3%
V45D	V45D	65.3%
DISPTIME	V44 - V43	41.2%
SENTTIME	V45 - V43	61.5%
CONVICT	% GUILTY INCLUDES DISM IN FVR OTHER CASE	40.9%
TRIAL	% CASES RESOLVED BY TRIAL	40.9%
DISMISS	DISMISS	40.9%
JAIL	JAIL OR PRISON TIME?	40.9%
PROB	PROBATION TIME?	40.9%
CONDCOUN	CONDCOUN	78.5%
CONDSUB	CONDSUB	78.5%
CONDRO	CONDRO	78.5%
CONDOTH	CONDOTH	78.5%
UNCOOP	V19 LESS THAN V18	40.9%
1.8% ( 2 of 114 variables)		have 100% missing values
V2	DANUM	100%
V8	CHARGE4	99.7%