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Police Trainings on Coercive Control

Introduction

Coercive control is a pattern of behavior used to cause another to suffer from physical, emotional, or psychological harm with the purpose of restricting that person’s agency.[[1]](#footnote-1) Dr. Evan Stark introduced the concept and argued coercive control is a human rights violation to autonomy, personhood, dignity, and liberty.[[2]](#footnote-2) Coercive control can manifest in a number of ways, but is not limited to: damaging, destroying or threatening to destroy property or items of special value; using technology to harass, humiliate, stalk, intimidate, or abuse other party; displaying or carrying a firearm to intimidate another; driving recklessly with the other party or minor children in the car; exerting control over a party’s identity documents; engaging in sexual or reproduction coercion; confining or isolating one from friends and relatives; regulating one’s movements, communications, daily behavior, and finances; excessive litigation; and psychological aggression.[[3]](#footnote-3)

 Several countries and a few individual states in the United States (Hawaii, California, Connecticut, and Washington) have recently enacted laws or added to existing domestic violence laws to include coercive control.[[4]](#footnote-4) Each policy varies in many ways from how a crime is established, what evidence is needed, and how the victim can be protected by the law.[[5]](#footnote-5) Because not all coercive control legislation is created equally, there is a lack of training for law enforcement in the United States when dealing with coercive control in the criminal context.

 The United Kingdom was the first jurisdiction to implement coercive control legislation in 2015 and the U.K.’s College of Policing provided a guide for how they teach officers to investigate domestic violence cases with the new law in place.[[6]](#footnote-6) In response to the new offense, there was just 27 convictions for coercive and controlling behavior by the end of 2016.[[7]](#footnote-7) By March 2017, there was 4,246 crimes of coercive or controlling behaviors recorded for all of England and Wales.[[8]](#footnote-8) The number of police-recorded crimes increased to 9,052 in the year 2017–18.[[9]](#footnote-9)

Further, in eighty-seven percent of the cases involving intimate partners, there was evidence of coercive control in witness statements and previous records detailing repeat victimization that were not identified by police officers.[[10]](#footnote-10) This suggests that law enforcement may be missing key opportunities for identifying patterned abuse and indicate coercive control is not being used to its full potential.[[11]](#footnote-11) Police officers are experienced in responding to “incidents” of domestic abuse, particularly physical violence, rather than a pattern of abusive behavior.[[12]](#footnote-12) This change in response requires a significant shift in police focus and investigative practice in which England and Wales received no extra funding or training to assist with the implementation of the new offense.[[13]](#footnote-13)

 The lack of training in shifting police focus to a pattern of abusive behavior rather than physical violence is also seen in the United States. When reaching out to a friend who is in law enforcement in California, he claimed to have received training on coercive control as part of his continued professional training. However, the department posts their yearly trainings online and the supplemental domestic violence course trains officers to recognize and understand domestic violence which includes a refresher on victim services and how to approach a domestic violence scene.[[14]](#footnote-14) This is a two-hour course that is offered every four to five years and is optional for law enforcement officers at or above supervisory rank.[[15]](#footnote-15) The continued professional training on domestic violence is a legislative mandated training under Penal Code §13519 and there appears to be no mandated topic-specific training for coercive control. Under Penal Code §13519, coercion is mentioned, but defined as “includes a scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; the abuse or threatened abuse of the legal process; debt bondage; or providing and facilitating the possession of a controlled substance to a person with the intent to impair the person’s judgment.”[[16]](#footnote-16) Even though California recognizes coercive control, the state mandated training still focuses largely on physical violence, excessive litigation, and financial control which is not an exhaustive list of what coercive control can include.

 Similarly, this lack of topic-specific training is seen in Washington police departments. Both the Seattle Police Department and Bellevue Police Department display the same information on their websites explaining domestic violence.[[17]](#footnote-17) The websites explain that domestic violence can take many forms, some of which are illegal—emotional or verbal, controlling/ intimidating, physical, and sexual forms of domestic violence are explained.[[18]](#footnote-18) But most importantly, both departments display, “In Washington State, it is a crime if your partner hurts you physically, forces you to have sex, threatens to hurt or kill your children, stalks or harasses you, or destroys your property. All forms of domestic violence are harmful and should be taken seriously.”[[19]](#footnote-19) Again, this demonstrates the departments’ focus on tangible harm like physical sexual, and property. After reaching out to Seattle Police Department, the public affairs section directed me to their online manual which had limited information and similar findings to the Long Beach Training Course Catalog mentioned above. Without the necessary training, the ability to shift law enforcement’s focus from physical violence to recognizing patterns of abusive behavior seems unlikely. It is imperative to introduce profession education about coercive control into the curriculum for new recruits and established officers.[[20]](#footnote-20)

Conclusion

Reframing domestic violence as coercive control changes everything about how law enforcement responds to partner abuse.[[21]](#footnote-21) This includes the underlying principles guiding police and legal intervention, i.e., arrest, how suspects are questions, how evidence is gathered, how resources are rationed, and how protection orders are crafted and enforced.[[22]](#footnote-22) A shift in this understanding can provide a significant difference in police understanding of partner abuse from a single assault or a long-standing pattern of hostage like entrapment.[[23]](#footnote-23)

 Having a force wide training for law enforcement in each state that has enacted or is attempting to enact laws regarding coercive control will help accurately identify the crime and enforce it. This type of training has already begun in some countries such as, Scotland where even before the law was enacted, thousands of police officers and support staff received training on how to enforce coercive control.[[24]](#footnote-24) Scotland government allocated 825,000 pounds in funding to the national police force of Scotland.[[25]](#footnote-25) Today, Scotland is considered the gold standard.

Further, one study that was done on trained police officers in England illustrated very positive results. Training was associated with a 41 percent increase in arrest for controlling or coercive behaviour for trained forces compared to untrained forces.[[26]](#footnote-26) This study illustrated that the increase in arrests in trained forces was consistent with the timing of the training.[[27]](#footnote-27) This type of training should be implemented by law enforcement in the United States to better recognize coercive control and hold those accountable because training entire police forces to understand the dynamics of coercive control is effective in increasing the rate of arrest for coercive control.[[28]](#footnote-28)

1. See Washington’s legal definition in RCW 26.09.191 (“‘Coercive control’ means a patternof behavior that is used to cause another to suffer physical, emotional, or psychological harm, and in purpose or effect unreasonably interferes with a person's free will and personal liberty. In determining whether the interference is unreasonable, the court shall consider the context and impact of the pattern of behavior from the perspective of a similarly situated person.”) [↑](#footnote-ref-1)
2. See Evan Stark, Coercive Control: How Men Entrap Women in Personal Life (2007). [↑](#footnote-ref-2)
3. See RCW 26.09.191. [↑](#footnote-ref-3)
4. See Americas Conference to End Coercive Control, Coercive Control Bill Tracker, https://www.theacecc.com/billtracker. [↑](#footnote-ref-4)
5. Dee-Dee Kanhai, Not All Bills are Created Equal: A Review of Coercive Control Legislation, ACECC (Nov. 13, 2020), https://www.theacecc.com/post/not-all-bills-are-created-equal-a-review-of-coercive-control-legislation. [↑](#footnote-ref-5)
6. See Coercive Control Collective, Police Training on Coercive Control, CCC, https://coercivecontrolcollective.org/academic-policy-resources. [↑](#footnote-ref-6)
7. Charlotte Barlow, Kelly Johnson, Sandra Walklate & Les Humphreys, Putting Coercive Control into Practice: Problems and Possibilities, Brit. J. Criminol. 60, 163 (2020). [↑](#footnote-ref-7)
8. *Id.* [↑](#footnote-ref-8)
9. *Id.*  [↑](#footnote-ref-9)
10. *Id.* at 169. [↑](#footnote-ref-10)
11. *Id.* [↑](#footnote-ref-11)
12. *Id.* [↑](#footnote-ref-12)
13. *Id.* at 174. [↑](#footnote-ref-13)
14. See Long Beach Police Department Training Course Catalog, 17, https://citydocs.longbeach.gov/LBPDPublicDocs/DocView.aspx?id=196421&dbid=0&repo=LBPD-PUBDOCS&cr=1 [↑](#footnote-ref-14)
15. *Id.* [↑](#footnote-ref-15)
16. See Cal. Penal Code §13519; see also Cal. Penal Code §236.1 (h). [↑](#footnote-ref-16)
17. See Seattle Police Department, What is Domestic Violence?, https://www.seattle.gov/police/need-help/domestic-violence/what-is-domestic-violence; see also Bellevue Police Department, Domestic Violence Assistance, https://bellevuewa.gov/city-government/departments/city-attorneys-office/domestic-violence-assistance. [↑](#footnote-ref-17)
18. *Id.*  [↑](#footnote-ref-18)
19. *Id.* [↑](#footnote-ref-19)
20. Evan Stark, Looking Beyond Domestic Violence: Policing Coercive Control, Journal of Police Crisis Negotiations 12 no.2, 216 (2012). [↑](#footnote-ref-20)
21. *Id.* at 213. [↑](#footnote-ref-21)
22. *Id.* [↑](#footnote-ref-22)
23. *Id.* [↑](#footnote-ref-23)
24. Viji Sundaram, Coercive Control - Abuse that Leaves No Marks, MSN (Sept. 26, 2022), https://www.msn.com/en-us/health/wellness/coercive-control-abuse-that-leaves-no-marks/ar-AA12fk5P [↑](#footnote-ref-24)
25. *Id.*  [↑](#footnote-ref-25)
26. Science Letter, Policing a new Domestic Abuse Crime: Effects of Force-wide Training on Arrests for Coercive Control, NewsRX LLC (July 31, 2020), link.gale.com/apps/doc/A630633061/AONE?u=seat38459&sid=bookmark-AONE&xid=8d3b004c. [↑](#footnote-ref-26)
27. *Id.* [↑](#footnote-ref-27)
28. *Id.* [↑](#footnote-ref-28)