



## Domestic Violence Prevention & Investigation

with David Cropp

# Domestic violence investigations: How to identify primary vs. dominant aggression

In order to identify dominant aggressors we must know their characteristics

Aug 22, 2017

---

Understanding the distinction between primary and dominant aggression is crucial to investigating domestic violence cases.

In California, Penal Code Section 13701 mandates that officers make reasonable efforts to identify the dominant aggressor and describes a few characteristics of dominant aggression. It mandates that we consider the intent of the law to protect victims of domestic violence from continuing abuse.

### RECOGNIZING THE DIFFERENCE

In order to identify dominant aggressors we must know their characteristics and not confuse dominant aggression with primary aggression. There is a difference.

- A primary aggressor is the one who initiates the first strike.
- A dominant aggressor is the one who controls and dominates the other.

### FOUR EXAMPLES OF PRIMARY VS. DOMINANT AGGRESSION

These examples are aggregates of information gathered from police reports and crisis centers. The names are not real.

#### 1. Amanda

*He always accused me of being attracted to other men. He'd call me a whore and a slut. I never did any of that. It got worse when he drank. He'd complain about how I spent money, especially when I bought anything for myself. He could spend money with no accountability. I had to buy what he wanted me to buy, eat what he wanted to eat and prepare it the way he wanted it prepared. It did not good to say no to sex – he was relentless and would not stop. If I wanted to leave, he would break down and apologize or cry. If that didn't work he'd threaten to make me pay for ruining his life. I had no life of my own. He started pushing me and grabbing me by my hair and pulling me around the house. I knew what he was capable of doing. He would tell me I was a bitch and a whore, stupid and ugly. I was so hopeless I just wanted to die.*

Amanda is the victim of dominant aggression: emotional, psychological, financial and sexual abuse.

## **2. Beatrice**

*I couldn't take the daily abuse anymore – the insults and the pushing me around. I started fighting back. I'd yell in his face and slap him to stop the insults. He'd record me yelling at him with his cell phone and then call the police. He'd tell them I was out of control and crazy, and that I'd slapped him. He'd show them his recording. They threatened to arrest me. I did slap him, but it was in reaction to his daily abuse. He just set me up. I didn't want to go jail and I didn't trust anyone to believe me. I was stuck.*

Beatrice is the victim of dominant aggression. Some may consider her a primary aggressor for slapping her abuser, but an investigation would tend to show that her behavior was reactionary in nature. She did not initiate the abuse, and her behavior did not precipitate the behavior. She would not have slapped him had it not been for the abuse – she yelled back and slapped him to stop the abuse.

## **3. Cindy**

*Yeah, I scratched him. I wanted to leave and he grabbed my car keys to stop me from leaving. I grabbed them back – they're mine. I scratched him in the process of grabbing my keys from him. I didn't mean to do it.*

Cindy's behavior is reactionary. She is not a primary aggressor. We don't know if either is a dominant aggressor, so we have to ask more questions. She had a right to reach for her keys. The scratch was not intentional, willful or reckless.

## **4. Delores**

*We were arguing again. It was about money. He's a good guy, but I'm just not happy. He only works part-time and that's a problem for me. We get along most of the time, but when money is tight, we argue. Yeah, I slapped him across the face out of anger. I shouldn't have done it, but I lost my temper. It's the first time either of us hit the other. He's never hit me. He's a good guy.*

Delores is a primary aggressor. She admitted slapping her boyfriend and said he was a good guy. Her behavior was intentional and willful, and not in self-defense or reactionary to dominant aggression.

## **HOW TO IDENTIFY THE DOMINANT AGGRESSOR**

California Penal Code Section 13701 requires us to make reasonable attempts to identify the dominant aggressor. This is for good reason and is supported by valid research. It does not mean that dominant aggression is present in all cases, but if we don't look for it, we risk missing it when it is present.

Here are questions to ask:

- Have there been threats to kill, commit suicide or take the children?
- Have arguments been laced with coercive and harmful profanities that demean the victim?
- Have there been attempts to control one's movement, associations or social interactions?
- Do the facts of the case imply that one is motivated out of the need for dominant attention, or to be the sole defender?
- Is the relationship dominated by jealousy and control?
- Have attempts to separate been met with an increased severity of violence?

We must investigate whether anyone acted in self-defense or in response to patterned tension-building, intimidation or attempts to control. When a dominant aggressor cannot be validated, then our arrestee is typically a primary aggressor. In less than 20 percent of the cases I've read over the years, women are primary aggressors. Many times dominant aggression is simply not present.

Writing better reports, filing more cases for prosecution, facilitating the delivery of services and minimizing return calls for service is a win for everyone.

---

## References

Walker L. *The Battered Woman Syndrome* (3rd edition). New York, NY: Springer Publishing, 2009.

Whitaker D, Haileyesus T, Swain M, Saltzman L. *Differences in frequency of violence and reported injury between relationships with reciprocal and nonreciprocal intimate partner violence. American Journal of Public Health; 2007, 97(5), 941-947.*

## About the author

David Cropp is a retired sergeant with the Sacramento Police Department and has a combined 35 years of law enforcement experience. He is a regional domestic violence expert witness and consultant, and holds a POST Master Instructor Credential and a Master's Degree in Behavioral Science.

Contact David Cropp

