

Assessing Whether Batterers Will Kill¹

Some batterers are life-endangering. While it is true that all batterers are dangerous, some are more likely to kill than others and some are more likely to kill at specific times. Regardless of whether there is an order of protection in effect, police officers, prosecutors, probation counselors, and advocates should evaluate whether an assailant is likely to kill his partner, other family members and/or criminal justice system personnel and take appropriate action.

It is important that responding officers conduct an assessment at every call, no matter how many times an officer has responded to the same household. The dispatcher and responding officer can utilize the indicators described below in making an assessment of the batterer's potential to kill. Prosecutors, probation counselors, and advocates should likewise make an assessment during each interview with a battered woman.

Assessment is tricky and never foolproof. Considering these factors may or may not reveal actual potential for homicidal assault. But, the likelihood of a homicide is greater when these factors are present. The greater the number of indicators that the batterer demonstrates or the greater the intensity of indicators, the greater the likelihood of a life-threatening attack.

The evaluation should use all information available about the batterer. Reliable information cannot be obtained from an interview conducted with the victim and perpetrator together. . Furthermore, information obtained from the victim is significantly more reliable than that obtained from the batterer.

¹ We have assumed that the victim is a woman and the abuser is a man. It may be that the victim is a man and the abuser a woman or that the abuser and the victim are of the same sex. Assessment is basically the same despite these gender differences. The only additional indicator to be assessed in a lesbian or gay relationship is whether the abuser has been firmly closeted and is now risking exposure as a lesbian or gay person in order to facilitate their severe, life-threatening attacks. When a person has been desperately closeted, losing the protection of invisibility in order to abuse suggests great desperation and should be included in the assessment.

1. Threats of homicide or suicide.

The batterer who has threatened to kill himself, his partner, the children, or her relatives must be considered extremely dangerous.

2. Fantasies of homicide or suicide.

The more the batterer has developed a fantasy about who, how, when, and/or where to kill, the more dangerous he may be. The batterer who has previously acted out part of a homicide or suicide fantasy may be invested in killing as a viable "solution" to his problems. As in suicide assessment, the more detailed the plan and the more available the method, the greater the risk.

3. Weapons.

Where a batterer possesses weapons and has used these or has threatened to use them in the past in his assaults on the battered woman, the children or himself, his access to those weapons increases his potential for lethal assault. The use of guns is a strong predictor of homicide. If a batterer has a history of arson or the threat of arson, fire should be considered a weapon.

4. "Ownership" of the battered partner.

The batterer who says "Death before Divorce!" or "You belong to me and will never belong to another!" may be stating his fundamental belief that the woman has no right to life separate from him. A batterer who believes he is entitled to his female partner, her services, her obedience, and her loyalty, no matter what, is likely to be life-endangering.

5. Centrality of the partner.

A man who idolizes his female partner or who depends heavily on her to organize and sustain his life or who has isolated himself from all other community may retaliate against a partner who decides to end the relationship. He rationalizes that her "betrayal" justifies his lethal retaliation.

6. Separation Violence.

When a batterer believes that he is about to lose his partner, if he can't envision life without her or if the separation causes him great despair or rage, he may choose to kill.

7. Escalation of batterer risk.

A less obvious indication of increasing danger may be the sharp escalation of personal risk undertaken by a batterer; when a batterer begins to act without regard to the legal and social consequences that previously constrained his violence, chances of assault increase significantly.

8. Hostage-taking.

A hostage-taker is at high risk of inflicting homicide. Between 75% and 90% of all hostage takings in the US are related to domestic violence situations.

9. Depression.

Where a batterer has been acutely depressed and sees little hope for moving beyond the depression, he may be a candidate for homicide and suicide. Research shows that many men who are hospitalized for depression have homicidal fantasies directed at family members.

10. Repeated outreach to law enforcement.

Partner or spousal homicide always occurs in a context of historical violence. Prior calls to the police indicate elevated risk of life-threatening conduct.

11. Access to the battered woman and/or to family members.

If the batterer cannot find her, he cannot kill her. If he does not have access to the children, he cannot use them as a means of access to the battered woman. Careful safety planning and police assistance are required for those times when contact is required, e.g. court appearances and custody exchanges.

If a criminal justice system professional concludes that a batterer is likely to kill or commit life-endangering violence, extraordinary measures should be taken to protect the victim and her children. This may include providing transportation and conducting meticulous follow-up. The victim should be advised that the presence of these indicators may mean that the batterer is contemplating homicide and that she should immediately take action to protect herself and should contact the local battered woman's program to further assess lethality and develop safety plans.

Assessment by Battered Women. It is important that advocates and criminal Justice system personnel help each battered woman assess the threat that her batterer poses to her life and safety. Often a professional's confirmation of a battered woman's suspicions impels her to implement her most careful safety plan, and she may go into hiding or flee. Assessment of a batterer should be made at the time of the crisis call, during intake, in preparation for legal proceedings, and on a continuing basis until the batterer is no longer a part of the battered woman's life. Ongoing assessment is critical since batterers may have periods when they present no danger to battered women and others when they are acutely dangerous. Therefore, it is important that advocates and criminal justice personnel encourage battered women to frequently assess the lethality of their assailants.

Assessment by Batterers' Counselors. Batterers' counselors should also carefully assess lethality. Invariably, batterers deny threats of homicide or suicide. The counselor may want to obtain information from third parties in order to complete an assessment of the batterer. Caution should always be taken to preserve confidentiality when a counselor seeks information from a battered woman. If a batterer hears that a battered woman has spoken with his counselor, it may trigger an assault. Similarly, should the batterer hear that a counselor has sought information from someone else, he may very well blame the battered woman for this intrusion on his privacy, precipitating a life-imperiling assault. Thus, lethality assessment should be conducted discreetly and information obtained from persons other than the batterer must not be shared with him.

One danger in asking batterers' counselors to undertake lethality assessment is that they may reach different conclusions than the battered woman and because of a counselor's professional status and apparent expertise, she may defer to his or her assessment and fail to act or plan in accord with her own conclusions about the batterer's lethality. Counselors should be careful to encourage the battered woman to believe in her own assessment, especially if she concludes that the batterer may be highly dangerous.

Cautionary Note. Intuition, rather than the factors set forth in this section, may be the best guide to gauging lethality. Intervention with battered women must always include concrete safety planning which covers strategies for responding to lethal assaults even if the battered woman concludes that her assailant does not currently represent a lethal threat.

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