BRIDGING HEALTHCARE, POLICE, AND COURT RESPONSES TO INTIMATE PARTNER VIOLENCE PERPETRATED BY INDIVIDUALS WITH SEVERE AND PERSISTENT MENTAL ILLNESS


A subgroup of individuals with severe and persistent mental illness (SPMI) commit acts of intimate partner violence (IPV). State and federal legislators have enacted statutes altering police response to IPV. Proarrest laws have curbed police discretion to a degree, and resulted in more IPV arrests. Unaware of alternative options, such as family court, mental health professionals may refer families with IPV to the police. However, perpetrators with SPMI may be inappropriate for adjudication in the criminal justice system. A singular legal response to IPV may miss the opportunity for detection and assertive treatment of SPMI, that could promote safety and reduce the likelihood of violence.

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Offenders with SPMI may also have difficulty comprehending court procedures. This article discusses the potential for a more flexible approach to IPV through interdisciplinary coordination and training of police, judges, attorneys, legal advocates, mental health professionals and substance abuse providers.

**KEY WORDS:** mental illness; domestic violence; police response.

**CASE SCENARIO**

Wanda came to the attention of the prosecutor's office. Her husband had assaulted her and been arrested for a misdemeanor Assault in the Third Degree. They shared three children in common. The police responded to the home, yet Wanda did not want the case to proceed in criminal court. She explained that her husband was under a great deal of stress and didn't mean to hit her. After meeting with Wanda, it became apparent that her husband had violent propensities, had been physically and mentally abusive in the past, and that her children may be at risk as well. Wanda wanted to "drop the charges." She attended a victim information session at the prosecutor's office, which included information on the dynamics of domestic violence, a video of the local shelter and a list of referrals for community agencies. After participating in the session, Wanda did not self-identify as a "battered woman" and the case was reduced to a lower level crime—a violation, called "Harassment." Despite the charges being reduced, the interaction with the police resulted in a referral to Child Protective Services, an agency also working with the family. Shortly after the case was resolved, Wanda returned to the prosecutor's office to speak with the Assistant District Attorney who had run the information session. Her husband had set one of their children on fire for reasons unknown to anyone else. Her husband was severely mentally ill. None of the criminal justice practitioners had screened nor identified that this perpetrator was in need of acute psychiatric care. A tragic outcome resulted despite the involvement of a specialized police and prosecutor unit.

**INTRODUCTION**

Intimate partner violence (IPV) perpetrators are a heterogeneous population that varies widely in the breadth and severity of their violence