

The Virgin Islands Consortium

Justice Department Issues Guidance To Identifying And Preventing Gender Bias In Law Enforcement Response To Sexual Assault And Domestic Violence

VIC News / **Published On December 16, 2015 08:07 PM /**

Staff **December 16, 2015**



U.S. Attorney General Loretta E. Lynch announced today a new guidance from the Justice Department designed to help law enforcement agencies prevent gender bias in their response to sexual assault and domestic violence, highlighting the need for clear policies, robust training and responsive accountability systems, a press release Attorney Ronald Sharpe's office issued on Tuesday has revealed.

“Gender bias, whether explicit or implicit, can severely undermine law enforcement’s ability to protect survivors of sexual and domestic violence and hold offenders

accountable,” said Attorney General Lynch. “This guidance – developed in collaboration with law enforcement leaders and advocates from across the country – is designed to help state, local, and tribal authorities more fairly and effectively address allegations of domestic violence and sexual assault. In the days and months ahead, the Department of Justice will continue to work with our law enforcement partners nationwide to ensure that they have the tools and resources they need to prevent, investigate, and prosecute these horrendous crimes.”

Today’s guidance – which reflects input from a wide array of stakeholders, including police leaders, victim advocates and civil rights advocates – aims to enhance the Justice Department’s partnership with law enforcement officers who work tirelessly to protect their communities, advance bias-free policing and uphold the civil rights of the people they serve. The Justice Department’s Office on Violence Against Women (OVW), the Civil Rights Division and the Office of Community Oriented Policing Services (COPS Office) collaborated to produce the guidance.

The guidance serves two key purposes. First, it aims to examine how gender bias can undermine the response of law enforcement agencies (LEAs) to sexual assault and domestic violence. Second, it provides a set of basic principles that – if integrated into LEAs’ policies, trainings and practices – will help ensure that gender bias, either intentionally or unintentionally, does not undermine efforts to keep victims safe and hold offenders accountable.

The guidance, through a series of detailed case examples, advises law enforcement agencies to incorporate the following principles into clear policies, comprehensive training and effective supervision protocols:

- Recognize and address biases, assumptions and stereotypes about victims.
- Treat all victims with respect and employ interviewing tactics that encourage a victim to participate and provide facts about the incident.
- Investigate sexual assault or domestic violence complaints thoroughly and effectively.
- Appropriately classify reports of sexual assault or domestic violence.
- Refer victims to appropriate services.
- Properly identify the assailant in domestic violence incidents.
- Hold officers who commit sexual assault or domestic violence accountable.
- Maintain, review and act upon data regarding sexual assault and domestic violence.

A form of discrimination, gender bias may result in LEAs providing less protection to certain victims on the basis of gender, failing to respond to crimes that disproportionately harm a particular gender or offering less robust services due to a reliance on gender stereotypes.

Gender bias can manifest in police officers misclassifying or underreporting sexual assault and domestic violence cases; inappropriately jumping to conclusions and labeling sexual assault cases unfounded; failing to test sexual assault kits; interrogating rather than interviewing victims and witnesses; treating domestic violence as a family matter rather than a crime; failing to enforce protection orders; or failing to treat same-sex domestic violence as a crime. These failures may ultimately compromise law

enforcement's ability to ascertain the facts, determine whether the incident constitutes a crime and develop a case that holds the perpetrator accountable.

The Department of Justice has included additional resources in an appendix to the guidance to further assist LEAs in improving their response to sexual assault and domestic violence.

© Viconsortium 2026