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Domestic Violence

Do teenagers need more protection?

On a typical day in the United States, three women are murdered by their spouses or partners, and thousands more are injured. While men are also victims of domestic violence, women are at least five times more likely to suffer at the hands of a loved one. Young people between the ages of 16 and 24 are most at risk. The victims include teens who are abused by their parents as well as young parents who assault each other or their children. Moreover, teen-dating violence touches more than 30 percent of young men and women. The good news is that domestic violence against women has dropped dramatically in recent years. Now Congress has just approved a measure that advocates say will provide much-needed funding to try to stop domestic violence before it starts. Meanwhile, some fathers'-rights and conservative groups say too many domestic-violence programs demonize men, promote a feminist agenda and do not try hard enough to keep families together.



Carolyn Thomas of Waco, Texas, was shot in the face and severely disfigured by her jealous boyfriend. She now speaks to high school groups about domestic violence.

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Cover: Carolyn Thomas of Waco, Texas, was shot in the face and severely disfigured by her jealous boyfriend, Terrence Dewaine Kelly, in December 2003. Kelly also shot and killed Thomas' mother and was sentenced to life in prison. (AP Photo/Duane A. Laverty)

Domestic Violence

BY PAMELA M. PRAH

THE ISSUES

Domestic violence doesn't seem to get much attention until a celebrity comes along like O. J. Simpson, the former football star and admitted wife beater who was accused of murdering his ex-wife and her male companion in a fit of jealous rage. Also grabbing headlines was the case of Lorena Bobbitt, the abused Virginia woman who cut off her husband's penis while he slept.*

Yet, on a typical day in the United States, three women are murdered by their spouses, ex-spouses or partners — and thousands more are raped or injured.¹

They are women like Yvette Cade, 31, from Clinton, Md., who was doused with gasoline and set on fire by her estranged husband. And Jessica Wickiewicz, of Garden City, N.Y., whose boyfriend started punching and kicking her when she was a senior in high school. And Maria, a pregnant 15-year-old from Los Angeles whose boyfriend hit her so hard when she was pregnant that she had to have her baby delivered by cesarean.²

Violence against women has been reported since ancient Roman times and has been commonplace in America since Colonial times. But in the last decade, the rate of domestic violence against women has dropped more than 50 percent.³ And the number of



Supporters of tougher domestic-violence legislation demonstrate in Columbia, S.C., on April 27, 2005. Congress recently reauthorized the Violence Against Women Act, adding more funding for youth programs and prevention.

AP Photo/Mary Ann Chastain

men murdered by their wives, girlfriends and former partners has declined even more dramatically — by some 70 percent since 1976.

Many experts credit the changes to the billions of dollars spent in recent years on shelters, hotlines and legal help for victims and training sessions for police, prosecutors and judges. With more help available, abused women, in particular, recognized they no longer had to resort to violence to get out of a bad relationship.

Despite the positive trends, experts say the true scope of the domestic-violence problem is hard to gauge, because researchers and government agencies use different definitions for the term. Fourteen states, for example, do not include dating violence as

a form of domestic violence. Nonetheless, the latest figures from the Department of Justice (DOJ) show more than 588,000 women and more than 100,000 men were physically assaulted, raped or robbed by their “intimate partners” in 2001.⁴ And more than 1 million women are stalked.⁵

Researchers are now finding that young people ages 16 to 24 are most at risk.⁶ Some teens are exposed to violence at the hands of their parents, while others are young parents themselves and are beating each other and/or their children.

Moreover, teen-dating violence is more prevalent than most parents suspect, since young people usually do not tell their parents about the abuse. Wickiewicz, for example, blamed her high school bruises on cheerleading and hid them under baggy jeans. “It was all a big secret,” she said.⁷

While girls and women are much more likely to suffer at the hands of a loved one, men and boys are often victims as well. For 13 years, for example, Karen Gillhespy of Marquette, Mich., brutally abused her husband. Indeed, she broke his ribs, ripped patches of his hair out, beat him with a baseball bat and scratched, bit and kicked him — but he never hit back or filed charges.⁸

In fact, a federal study showed that high school boys are nearly as likely as girls to get hit, slapped or physically hurt by their partners. After surveying youths in Chicago, Dallas, Milwaukee, San Diego and Washington, D.C., the study found that 10 to 17 percent of girls are hit by their boyfriends, and almost the same number of boys — 10 to 15 percent — are abused by their girlfriends.⁹

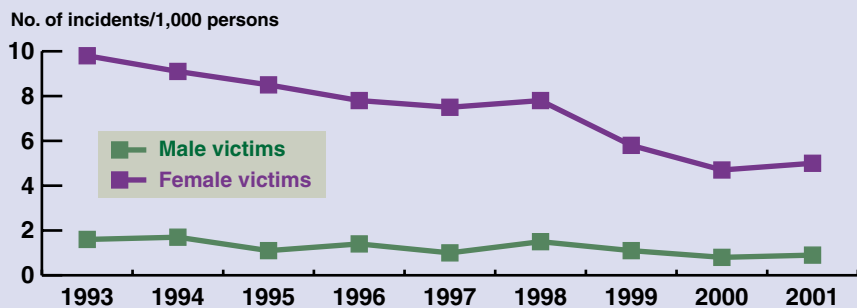
* Simpson was acquitted of the murders of Nicole Brown Simpson and her friend Ronald Goldman, but in a civil trial he was found liable for their deaths and ordered to pay the Goldman family \$8.5 million in compensatory damages. A jury in Manassas, Va., acquitted Bobbitt of malicious wounding in January 1994.

Partner Violence Against Women Plummeted

The number of female victims of so-called intimate-partner violence dropped nearly 50 percent — from 1.1 million incidents in 1993 to 588,490 incidents in 2001. Women make up 85 percent of all victims of abuse by either a spouse or ex-partner.

Rates of Non-Fatal Violence by an Intimate Partner*

(per 1,000 persons of each gender; includes rape, sexual assault, robbery and simple or aggravated assault)



* Intimate partners include current or former spouses, boyfriends or girlfriends.

Source: Bureau of Justice Statistics, U.S. Department of Justice, February 2003

The fact that researchers are studying dating violence reflects the recent sea change in how the nation views and deals with domestic violence. Forty years ago, there were no shelters or hotlines for battered women. Police often responded to a domestic-violence call by telling the batterer, typically a man, to walk around the block to cool off. Doctors and health-care providers rarely screened their patients for domestic violence.

But the women's liberation movement of the 1970s shined a spotlight on domestic violence — triggering a wave of state laws dealing with the problem. Much later, the 1994 Violence Against Women Act (VAWA) provided billions of federal dollars to help victims of domestic violence, including funds for legal services and for building local shelters.

The sweeping law — which Congress expanded in December 2005 — also created the National Domestic Violence Hotline and made it a fed-

eral crime to cross state lines with the intent of stalking or committing domestic violence. VAWA funding has been used to set up domestic-violence courts as well as specially trained “response teams” to deal with sexual-assault victims.

“Although violent crime has decreased nationwide, it still devastates the lives of many women,” says Diane M. Stuart, director of the DOJ's Office on Violence Against Women, who in the 1980s ran a shelter for battered women in Utah. “We have much more work to do.”

Today 2,000 shelters provide refuge for victims and information on how to obtain restraining orders against their abusers. Rape-victim advocates offer support in many hospitals, and state courthouses often provide special programs to help guide victims through the legal process.

Businesses also are becoming active on the domestic-violence front, partly because it's the right thing to

do and partly because domestic violence costs society, particularly employers. Victims annually lose nearly 8 million days of work, the equivalent of more than 32,000 full-time jobs.¹⁰ In 1995, researchers estimated that domestic violence cost the country more than \$5.8 billion — more than \$8.3 billion in today's dollars — primarily for medical and mental health care.¹¹

In 2005 the DOJ formally kicked off the president's Family Justice Center Initiative, modeled after a San Diego program that brings legal and social services under one roof with victim-support and counseling programs. At the one location, victims can undergo forensic exams, obtain legal advice and even restraining orders against their abusers, speak with a chaplain and meet with a victim's advocate.

“It's a one-stop process. Everything that a person who has been victimized needs is right there,” says Stuart.

Advocates and women's groups hope the recent VAWA expansion will usher in a new era that focuses on preventing domestic violence from ever beginning in the first place, rather than treating the victims and punishing the abusers afterwards.

“Many programs today focus on helping adult victims, and prevention has a lesser emphasis, if it is addressed at all,” says Esta Soler, president of the Family Violence Prevention Fund, an advocacy group that sponsors campaigns, in partnership with the Advertising Council, to raise awareness about family violence. She says adolescents, young adults and the poor particularly need more attention.

Prevention is key because children who grow up in homes where domestic violence or dating violence occur are more likely to become victims or perpetrators of domestic or dating violence themselves.¹² Abuse also tends to lead to other problems. Young people and adults abused by their spouses or partners are more likely to abuse alcohol or drugs, suffer from eating

disorders and engage in risky behavior, such as having unprotected sex. They also are more apt to have mental and physical health problems that make it difficult for them to hold jobs.

Some fathers'-rights and conservative groups, however, say many domestic-violence programs demonize men and promote a feminist and leftist agenda. "The Violence Against Women Act is gender-driven politics being operated through the public purse," says Michael McCormick, executive director of the American Coalition for Fathers and Children. "We're spending nearly \$1 billion a year to reinforce in the public's mind that men are indiscriminately attacking women."

As Congress, researchers and advocates debate how best to combat domestic violence, here are some of the questions being asked:

Should the federal government do more to combat domestic violence?

Women's groups say federal programs have contributed to remarkable gains in curtailing domestic violence, sexual assault and stalking. But they say the programs should be expanded to provide more housing options and focus more on prevention. Meanwhile, some fathers'-rights and conservative groups say the programs at the local level that get funds from the federal government demonize men and promote a radical feminist agenda.

In the decade after Congress passed the Violence Against Women Act in 1994, domestic violence dropped more than 50 percent, according to government figures. "VAWA has had a huge impact," says Jill Morris, public policy director of the National Coalition Against Domestic Violence. "It has changed attitudes. It's a great success."

Besides providing billions of dollars to help victims of domestic violence and sexual assault, VAWA forced the issue out into the open. "People are now talking about it in newspapers and in Congress," Morris says.

Simple Assault Is Most Common Crime

Nearly three-quarters of the intimate-partner crimes against women and nearly half of those against men were simple assaults.

Types of Violence by Intimate Partners

Violent Crime	No. of female victims	Rate/1,000 females	No. of male victims	Rate/1,000 males
Simple Assault	421,550	3.6	50,310	0.5
Aggravated Assault	81,140	0.7	36,350	0.3
Robbery	44,060	0.4	16,570	0.1
Rape/Sexual Assault	41,740	0.4	---	---
Total	588,490		103,230	

Source: Bureau of Justice Statistics, U.S. Department of Justice, February 2003

While lauding VAWA, the coalition and other women's groups say more federal funds should be targeted to help minorities, the disabled, the elderly, victims in rural areas, Native Americans, young people, gays and immigrants who fear being deported. And rape crisis centers should be guaranteed additional federal funds to help counsel victims of sexual assault.

Several states, including Illinois, Massachusetts and Pennsylvania, have waiting lists of sexual assault victims needing counseling, and in many states "rural areas have no services at all," said Mary Lou Leary, executive director of the National Center for Victims of Crime. ¹³

Victims also need more housing options, say advocates. "Homelessness does not cause domestic violence, but rather the opposite," according to Lynn Rosenthal, president of the National Network to End Domestic Violence. Half of homeless women and children are fleeing domestic violence, and 38 percent of domestic-violence victims become homeless at some point in their lives, she estimated. ¹⁴

Advocates say victims who live in public housing need protection from their abusers — and sometimes from their landlords. A 39-year-old North Carolina woman, for example, was

evicted from her apartment because she was "too loud" after her ex-boyfriend shot her and she jumped from her apartment's second-story balcony to escape his attack. ¹⁵ A Michigan woman was evicted because of "criminal activity" in her apartment after her ex-boyfriend returned and attacked her.

Conservative and fathers'-rights groups, however, say VAWA ignores men who are abused. The Safe Homes for Children and Families Coalition and other groups want to rename the law as the Family Violence Prevention Act. They also have pressed for new VAWA language making clear that the law includes programs for men.

"It's a blatant lie to say that new language is not necessary," says David Burroughs, legislative consultant to the coalition. Burroughs says he was denied a VAWA grant because his proposal targeted men and also was rejected for a federal grant to pay for hotel stays for male victims wanting to leave their homes for a cooling-off period. He helped mount a billboard campaign at the Wilmington, Del., Amtrak station to remind Sen. Joseph Biden Jr., D-Del. — lead sponsor of VAWA — that men are abuse victims, too.

VAWA advocates argue, however, that all of the law's provisions are

gender neutral. “Nothing in the act denies services, programs, funding or assistance to male victims of violence,” says Morris.

Government figures show women overwhelmingly are the victims of domestic violence, with males making up only 15 percent of the victims.¹⁶ But men’s groups say more than 100 studies show that men and women are equally likely to initiate domestic violence, adding that 99 percent of the federal funding should not go to programs that help only women.

Abused men have a hard time finding legal help and shelters — services that get federal funds under VAWA, Burroughs says. About 20 percent of the victims who apply for free legal services are men, but they receive less than 1 percent of the pro bono services, he says, adding that only a handful of domestic-violence shelters nationwide are open to men.

VAWA should be scrapped altogether, says McCormick of the American Coalition for Fathers and Children, although he acknowledges, “the political reality is that it’s not going to be withdrawn.” The coalition opposes violence against anyone, but McCormick says VAWA funds “a one-sided agenda driven by people who really don’t want to see families stay together,” namely, feminists and left-wing organizations.

VAWA breaks up families and increases the number of fatherless children, McCormick says, because it funds programs that push couples into divorce instead of trying to get the victim and abuser into counseling.



A high-school student in New York state submitted the winning poster in a statewide contest to increase awareness of teen-dating violence.

Office for the Prevention of Domestic Violence

Lisa Scott, a Bellevue, Wash., attorney specializing in family law, agrees. “VAWA is not about stopping violence,” Scott wrote. “It is about greedy special interests slopping at the federal trough, perpetuating gender supremacy for women. If proponents were truly concerned about helping victims, they would demand that all intervention and funding be gender neutral and gender inclusive.”¹⁷

Are judges and police doing enough to protect domestic-violence victims?

Forty years ago, a wife beater would not be arrested unless police actually saw the incident or had a warrant. Police and judges would routinely dismiss the problem as a “family matter.”

Things have changed, particularly in the last decade, as police officers, judges and prosecutors have received VAWA-funded training on how to deal with domestic violence. But women’s advocates say much still needs to be changed, both in the courtroom and on the police beat.

For instance, Yvette Cade might never have been burned if Judge

Richard Palumbo had not dismissed her request for a protective order against her estranged husband. Three weeks later Mrs. Cade’s husband walked into the store where she worked, poured gasoline on her and set her on fire. Cade suffered third-degree burns over much of her body. Advocates said Palumbo has a pattern of dismissing temporary protective orders and making flip remarks about domestic violence.* In one instance, he told an abused woman to speak up, even though he had been told her hus-

band had attacked her and crushed her voice box.¹⁸

“There are judges, for whatever reason, who still don’t get it,” says Billie Lee Dunford-Jackson, co-director of the Family Violence Project at the National Council on Juvenile and Family Court Judges. But, she quickly adds, “most judges now readily recognize [domestic violence] as a crime and will take steps to protect the victim.”

She points to intensive three-day training sessions for judges that the National Judicial Institute on Domestic Violence has sponsored since 1998, largely funded by VAWA. Judges are taught what makes a batterer batter, why victims stay and how to identify and overcome their own biases and blinders when it comes to the problem.

Nationwide, more than 300 judicial systems have established specially designed “domestic-violence courts.”¹⁹ Some states have created courts that handle only domestic violence, while others have staff trained who provide

* Palumbo’s actions led to his temporary removal from the bench and reassignment to administrative duties on Oct. 26, 2005.

support to victims, Dunford-Jackson explains. New York uses both approaches, with more than 30 domestic-violence courts plus special units that include victims' advocates and staff members who monitor those convicted of domestic violence to ensure they are complying with the terms of their sentence.

Law students also are getting training. As of 2003, most law schools offered educational programming on domestic violence, says Robin R. Runge, director of the American Bar Association's Commission on Domestic Violence.

However, there are still gaps in the system. Most states require volunteers on domestic violence hotlines to complete 40 to 50 hours of training but don't require training for police, judges or lawyers. Even with VAWA, 80 percent of domestic-violence victims are without lawyers to guide them through the process, Runge says. "We've seen the difference having lawyers available" can make, she says. For example, lawyers can help abused women file the legal paperwork more quickly to obtain protection orders, which prohibit their abusers from coming into contact with them.

But, some men's groups say the training given to judges, police and attorneys reinforces the notion that only women are victims. "They are being taught garbage," says Burroughs, of the Safe Homes for Children and Families Coalition.

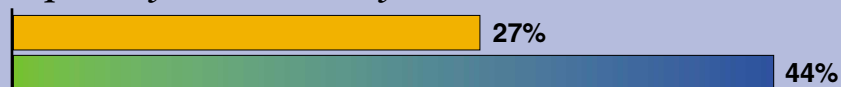
Some conservatives also argue that women who seek help from domestic-violence legal programs get an edge in their custody or divorce proceedings. VAWA "has little to do with violence and much to do with divorce court," family-law attorney Scott wrote.²⁰ McCormick of the American Coalition for Fathers and Children says abused women who turn to shelters do not get counseling first but instead are directed to the courthouse to get a restraining order, which helps them in a divorce or child custody case because

Many Teens Aware of Abusive Relationships

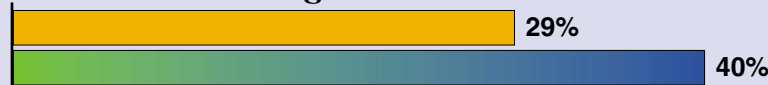
Nearly one-in-three teens knows friends and peers who were assaulted by a boyfriend or girlfriend, and more than a third know a peer who was pressured into having sex by a partner.

Percentage of Teens Who Know Other Youths Who Have Been . . .

Repeatedly abused verbally



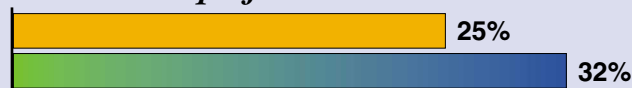
Pressured into having sex



Punched, kicked, pushed, slapped or choked



Pressured to perform oral sex



Threatened (with violence or self-harm)



Boys Girls

Source: Teenage Research Unlimited, Liz Claiborne Inc., 2005. The survey included 337 boys and 346 girls.

judges will view the man as abusive and dangerous even if he is not.

Meanwhile, feminists and some domestic-violence experts are backing away from the "mandatory arrest" laws that they pushed states to enact 20 years ago. At least 23 states require police officers to make an arrest when responding to a domestic-violence complaint. But police on the scene often cannot tell the victim from the aggressor, so they arrest both.

States began passing mandatory-arrest laws after a 1984 Minnesota study found that few people arrested

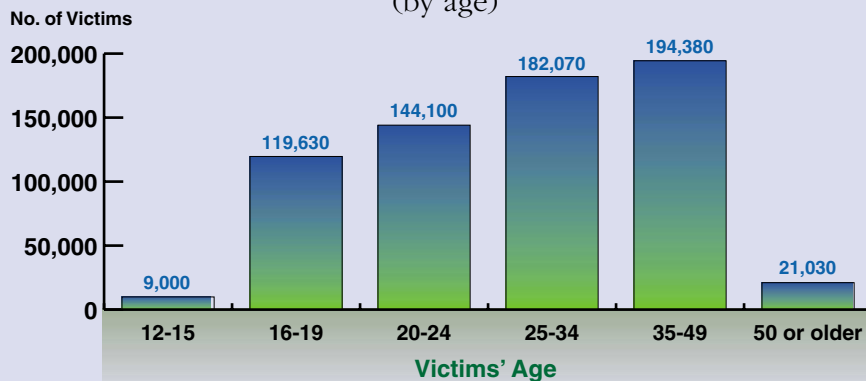
under such laws repeated their crimes. But researcher Lawrence Sherman says that states acted too hastily after his first study. His follow-up research showed that mandatory arrests only work in middle-class communities with low unemployment rates, but for some reason, he says, "the new findings got buried."

The new findings showed that unemployed people or those without ties to the community have less to lose by getting arrested and often become angrier. In such cases, mandatory arrest "causes more violence than it prevents,"

Female Teens at Risk for Partner Violence

Females ages 16-24 were the most vulnerable to intimate-partner violence in 1999.

Number of Women Abused by Intimate Partners, 1999*
(by age)



* Includes assault, robbery and rape/sexual assault

Source: Bureau of Justice Statistics, U.S. Department of Justice, 2001

according to Sherman, director of the Jerry Lee Center on Criminology at the University of Pennsylvania.

In any event, even when mandatory-arrest laws are in effect, many police officers are reluctant to respond quickly to domestic-violence cases because they are considered so potentially dangerous, with either the abuser or the victim — or both — liable to turn on the officer. Although studies have yet to prove that family disputes are more dangerous to police officers than other incidents, so many officers believe it to be true they often wait for backup before responding to such calls.²¹

However, John Terrill, a spokesman for the National Association of Police Organizations, denies that police treat domestic violence any differently than other cases and supports mandatory-arrest laws.

Some women's groups say a June 2005 U.S. Supreme Court decision undercut efforts to beef up enforcement of mandatory-arrest laws and restraining orders. In *Town of Castle Rock, Colorado v. Gonzales*, the court ruled that a woman did not have the right

to sue a police department for failing to enforce a court-ordered restraining order against her husband.²² Women's groups fear that police departments now will have less incentive to aggressively enforce such orders.

"Mandatory restraining orders aren't worth the paper they're printed on if police officers are not required to enforce them," said Eleanor Smeal, president of the Feminist Majority Foundation. The organization said the decision jeopardizes women's lives and potentially lets police departments off the hook for failing to enforce mandatory orders.²³

Terrill says police "try to the best of their ability to enforce restraining orders," but sometimes they "get pushed down on the list" of calls police officers must handle. "You can't keep an officer stationed outside the door 24 hours a day."

Should the government do more to protect teens?

The recent expansion of VAWA provides millions of dollars to help teen victims of domestic violence, including dating violence.

Dating violence represents an "epidemic of monumental proportions" among today's youth, says Juley Fulcher, director of public policy at Break the Cycle, a Los Angeles-based group that provides information and legal help to young people experiencing domestic violence. Fulcher points to Justice Department data showing that girls and young women between the ages of 16 and 24 experience the highest rate of non-fatal "intimate-partner" violence, or attacks by a spouse, partner or former spouse or partner — 16 incidents per 1,000 women in this age group compared to six incidents per 1,000 for all women.²⁴

"Not enough attention has been paid to finding ways to stop the intimate-partner violence that pervades and sometimes shapes the lives of adolescents and young adults," says Soler, of the Family Violence Prevention Fund.

In 2005, a Gallup survey found that one-in-eight teens ages 13 to 17 knows someone in an abusive relationship with a boyfriend or girlfriend.²⁵ Another 2005 youth survey, commissioned by Liz Claiborne Inc., the clothing maker, found that one-in-three 13-to-18-year-olds had a friend or peer who had been hit, punched, kicked or slapped by a partner.²⁶ And up to 18 percent said their partners had threatened to harm themselves if the couple broke up, making the victim feel trapped.

In many cases, teens exposed to violence have fewer options than adults. Many shelters for battered women do not admit their teenage sons. And few shelters accommodate teenage mothers and their children. Teen mothers can be particularly vulnerable to domestic violence. A 2001 study found that a quarter of teen mothers experience violence by their boyfriends or husbands before, during or just after their pregnancies.²⁷

Advocates successfully pushed Congress in 2005 to revise the Violence Against Women Act to provide federal money for new programs targeting

teens, including programs to educate people working with teens on how to recognize, respond to and provide services to teen victims of domestic and dating violence. Women's groups also wanted middle and high schools to train teachers, coaches and administrators to recognize and address issues related to dating violence and sexual assault.

"Teens must be taught what is healthy and what is not, and services must be offered to help them through this transition," says Fulcher, noting that many teens are dating for the first time and are unsure of the differences between a healthy relationship and an abusive one. A 2003 federal study of schools in Alabama, Idaho, Oklahoma and Utah found that between 11 and 16 percent of female students — and between 4.5 and 7 percent of males — reported being forced to have intercourse.²⁸

Fulcher and other women's groups want the federal government to pay for education programs that involve courts, law-enforcement agencies and youth-based community groups. Only a handful of states — Minnesota, Oklahoma, Utah, Washington and Wyoming — allow minors ages 16 and older to petition for an order of protection without an adult, according to the National Coalition Against Domestic Violence. Moreover, only one county in the United States — Santa Clara, Calif. — has a domestic-violence court just for juveniles.



Members of the Safe Homes for Children and Families Coalition call for changes in the Violence Against Women Act during a rally at the U.S. Supreme Court in July 2005. Congress in December 2005 addressed some of their concerns.

Safe Homes for Children and Families Coalition

VAWA already provides grants to reduce sexual assault, rape and other violent crimes on college campuses. "There isn't a university in the country that doesn't have this problem," says Stuart, of the Office on Violence Against Women. Some universities, for example, provide information to all incoming freshmen about sexual assault and other crimes, she says. The programs also "help universities understand that a rape or sexual assault on campus isn't something that can be handled within the university," she says. "It's a crime."

Stuart says she would also like to see secondary schools become more

involved, allowing community leaders to come into the schools to share their expertise.

But McCormick, of the American Coalition for Fathers and Children, says the federal government is already too deeply involved in private matters and that talk of domestic violence in the classroom "is not in line with public education." He is particularly concerned that the "education" would in fact be "propaganda" that reinforces feminists groups' one-sided message that men are always the perpetrators.

Burroughs, of the Safe Homes for Children and Families Coalition, says domestic violence is an appropriate topic for schools, even though many school boards may be reluctant to address it because it is a family-related issue and involves sex and sexuality. "We'd be doing young people a favor by teaching them what healthy relationships are," he says, as long as the education doesn't "inject bias" that only women are victims.

BACKGROUND

Women as Property

Well into the 19th century, U.S. laws were influenced by the 1768 English "rule of thumb" law, which allowed a husband to beat his wife as long as the stick was no thicker than his thumb.²⁹

Early in America's history, women were viewed as the property of men,

DOMESTIC VIOLENCE

much like children or slaves, who could be punished physically for not obeying orders. The Mississippi Supreme Court in 1824 upheld a husband's right to use corporal punishment on his wife, even as women were fighting for equal rights and the right to vote.

Suffrage and temperance movement leaders in the 19th and early 20th centuries saw wife beating as one of society's scourges. The first women's-rights convention was held in Seneca, N.Y., in 1848, and by the 1870s, wife beating was becoming unacceptable, at least legally. In 1871, courts in Alabama and Massachusetts overturned the right of a husband to beat his wife. This change coincided with growing concern over child abuse, which expanded to women's issues.

Maryland became the first state to outlaw wife beating, in 1883, but it took the turbulent 1960s and the women's movement of the 1970s to fundamentally change how Americans viewed domestic violence.³⁰

The race riots, violent protests and assassinations of President John F. Kennedy, Sen. Robert F. Kennedy, D-N.Y., and the Rev. Martin Luther King Jr. during the 1960s prompted creation of the President's Commission on the Causes and Prevention of Violence. The panel's national survey gave researchers invaluable — and troubling — data. For instance, about a quarter of all adult men said they could think of circumstances in which it was acceptable for spouses to hit one another.³¹

While abhorring violence in the streets, many Americans still viewed

domestic violence as a private matter between family members. For example, after a young woman in New York City named Kitty Genovese was stabbed repeatedly in an alley in 1964 — and her neighbors ignored her screams — many concluded that Americans had become inured to violence. But upon closer examination, the witnesses said they didn't get involved because they thought it was a man beating his wife and felt it wasn't their business to get involved.³²

Police and judges also were reluctant to intervene in family matters that turned violent. For example, in 1967 the International Association of Police

attitudes about handling domestic violence. It led to establishment of telephone hotlines, support groups and shelters for rape victims — all of which helped battered women admit that they were being beaten at home. The first shelter for battered women opened in 1974 in St. Paul, Minn., and the National Organization for Women created a task force to examine wife beating in 1975.

The judicial and law-enforcement communities also began to step in. In 1977 Oregon became the first state to enact a mandatory-arrest law for domestic-violence incidents. The next year Minnesota became the first state to allow domestic-violence arrests without warrants. By 1980, all but six states had domestic-violence laws. And in 1981, Massachusetts and New Jersey supreme courts ruled that a husband could be criminally liable for raping his wife.

But progress was slow. By the mid-1980s, 22 states still barred police from making arrests without a warrant in domestic-violence cases unless an officer had actually witnessed the battering.

In many cases, police departments beefed up their domestic-violence activities in order to protect against lawsuits. In 1984, a jury awarded a \$2.3 million judgment

against the Torrington, Conn., police department for failing to protect a woman and her son from her husband's repeated violence.³³ Indeed, while the police were at her house, Tracy Thurman's husband stabbed her 13 times and broke her neck, leaving her partially paralyzed.

Continued on p. 12



Former NFL star O. J. Simpson was revealed as a wife beater during his trial for the murders of his ex-wife Nicole Brown Simpson and her friend Ronald Goldman. Simpson was acquitted but in a civil trial was found liable for their deaths and ordered to pay the Goldman family \$8.5 million.

Getty Images

training manual said that “in dealing with family disputes, arrest should be exercised as a last resort.”

Slow Progress

The women's-rights movement of the 1970s helped to change such

Chronology

19th Century

Family violence becomes an issue for charitable organizations. By the 1870s, most states declare wife beating illegal, but there are few services and no shelters to help battered women.

1824

Mississippi Supreme Court says a husband can beat his wife.

1871

Courts in Alabama and Massachusetts overturn the right of a husband to beat his wife.

1960s *Most police and judges view marital violence as a private affair. In most areas, a husband cannot be arrested for wife beating unless police see the incident or have a warrant.*

1967

International Association of Chiefs of Police training manual says arrests should be made only as a last resort in family disputes.

1970s *Feminist movement identifies spousal assault and rape as major women's issues, and shelters for battered women are established.*

1971

First hotline for battered women is started in St. Paul, Minn.

1977

Oregon becomes first state to require mandatory arrests in domestic-violence incidents.

1978

Minnesota becomes first state to allow arrests without warrants in domestic-violence incidents.

1980s *All states pass domestic-violence legislation, and most mandate or permit the arrest of batterers.*

1981

Massachusetts and New Jersey supreme courts say a husband can be charged with raping his wife.

1984

Congress passes Family Violence Prevention and Services Act and the Victims of Crime Act, providing federal funds for domestic-violence programs and shelters.

1985

President Ronald Reagan forces John Fedders, a top Securities and Exchange Commission attorney, to resign after his wife cites 18 years of repeated beatings as grounds for divorce. . . . U.S. surgeon general identifies domestic violence as a major health problem.

1990s *High-profile celebrity cases focus on domestic violence, leading to a new federal law providing money for services to help victims and train officials to deal with domestic violence.*

1991

Joint Commission on Accreditation of Hospitals in 1991 requires emergency-room personnel to be trained to identify battered women.

1992

American Medical Association and surgeon general suggest that all women patients be screened for domestic abuse.

1994

Spousal assault gets national attention during the trial of Lorena Bobbitt, a battered woman who cut off her sleeping husband's penis. . . . O. J. Simpson, a sports broadcaster and former football star, is charged with murdering his estranged wife and a male companion. Bobbitt and Simpson are both acquitted.

1994

Congress passes Violence Against Women Act (VAWA), establishing community-based programs for domestic violence, training for police and court officials and a national 24-hour hotline for battered women. The law also makes it a federal crime to cross state lines to commit domestic violence.

2000s *Supreme Court limits the types of lawsuits domestic-violence victims can file; Congress targets dating violence and prevention.*

2000

Supreme Court says victims of rape and domestic violence cannot sue attackers in federal court. . . . Congress reauthorizes VAWA to include dating violence and stalking.

2005

Supreme Court says a domestic-violence victim cannot sue a police department for failing to enforce a restraining order. . . . Congress updates VAWA to include teen dating and more prevention funds.

Domestic Violence Gets Military's Attention

Master Sgt. William Wright strangled his 32-year-old wife, Jennifer Gail, and buried her in a shallow grave in a North Carolina field. She was among four wives killed in a six-week period in 2002 by their husbands, all soldiers stationed at Fort Bragg, N.C. Three had recently returned from fighting in Afghanistan.¹

The murders drew considerable media attention and prompted the Pentagon to modify its handling of domestic violence, says Anita Sanchez, spokeswoman for the Miles Foundation, a Connecticut-based advocacy group that deals with domestic violence in the military.

Among other things, the military started requiring troops returning from long deployments to complete a mental health checklist — promptly dubbed the “don’t kill your wife survey” by troops. They quickly learned “what to check” to avoid raising red flags, Sanchez says, adding that few services are provided for families on what to expect from their returning soldiers. And with so many troops in Iraq and Afghanistan, many military families are strained and anxious.

Even before the four slayings, concern about domestic violence in the military had prompted lawmakers on Capitol Hill to require the Pentagon to establish a Defense Task Force on Domestic Violence. Established in 1999, it issued several reports and some 200 recommendations before disbanding in 2003.

Maj. Michael Shavers, a Pentagon spokesman, says the

Defense Department has made “substantial progress” implementing the task force’s recommendations and improving the military’s response to domestic violence. For example, the department has funded 22 domestic-violence training conferences over the past two years for commanding officers, judge advocates, law-enforcement personnel, victims’ advocates, chaplains, health-care providers and fatality-review team members. The Pentagon also is working with the Family Violence Prevention Fund and the National Domestic Violence Hotline to develop public-awareness campaigns encouraging the military community “to take a stand against domestic violence,” Shavers says.

In the last five years, the Miles Foundation reports a dramatic spike in its caseload. In October 2001, the foundation was handling 50 cases a month. Now it has 147 a week, Sanchez says, attributing the increase to greater public awareness of the issue as well as to the confidentiality and privacy the foundation can offer that the military cannot.

Military life, by its very nature, is stressful, making some family members especially vulnerable to domestic violence. Frequent relocations and high unemployment for military spouses, for example, make them more dependent on their service-member partner for income, health care and housing. Moreover, long deployments can cause some soldiers to worry that their spouses are having extramarital affairs. And easy access to weapons also has been shown to be a risk factor in domestic-violence homicides.

Continued from p. 10

That same year, Congress passed the Family Violence Prevention and Services Act and the Victims of Crime Act, which, for the first time, provided money for states to set up shelters for battered women and a national, toll-free hotline for victims of domestic violence. The amount of money provided, however, was “but a trickle,” wrote Richard J. Gelles, now dean of the School of Social Work at the University of Pennsylvania and an expert in the field.³⁴

By 1987, more than half of the nation’s major police departments had adopted “pro-arrest” policies requiring officers to make arrests in domestic-violence cases unless they could document a good reason not to.

Two widely reported cases in the 1980s dispelled the notion that domestic violence affected only the poor or

uneducated. In 1985, President Ronald Reagan forced the resignation of John Fedders, a top official at the Securities and Exchange Commission, when Fedders’ wife cited 18 years of repeated beatings as grounds for divorce.

Two years later, New York City lawyer Joel Steinberg was convicted of beating

* Charlotte Fedders was granted a divorce in 1985. In 1987 John Fedders sought a financial share of his ex-wife’s book about her experiences, *Shattered Dreams*, which became a made-for-TV movie; a circuit court judge rejected Fedders’ claim. He was never criminally prosecuted and still practices law in Washington. Steinberg was convicted of first-degree manslaughter in 1989 and sentenced to up to 25 years in prison; he was released in 2004. Murder charges against Hedda Nussbaum were dropped after prosecutors concluded she had been too severely battered to protect Lisa. She now works at My Sisters’ Place, an organization that helps battered women.

his 8-year-old adopted daughter Lisa to death.* During the trial it was also disclosed that Steinberg also routinely beat his companion, Hedda Nussbaum, who hadn’t tried to stop the child’s abuse. Photos of Nussbaum’s badly injured face and vacant stare introduced the nation to “battered women’s syndrome,” suffered by women living in abusive relationships. Its symptoms include loss of self-esteem, fear, passivity and isolation.

While data suggest that fewer battered women are resorting to violence against their abusers, no one really knows how many women are in prison today for killing or assaulting their abusive partners, says Sue Osthoff, director of the Philadelphia-based National Clearinghouse for the Defense of Battered Women. Recent Justice Department data don’t track how many violent crimes committed by women involve spouses or intimates, although a 1991 Justice

Abuse victims in military families are often reluctant to report incidents of abuse because they know it could jeopardize the spouse's career, along with the family's paycheck, housing and health care.

"Imagine, in the civilian world, that calling a local shelter or confiding in your doctor automatically caused your batterer's employer to find out about his acts of violence and abuse," Judith E. Beals, a member of the Defense Task Force on Domestic Violence, wrote in the group's 2003 report.²

Victims' advocates say, however, that in recent years the military has lagged behind the nation in dealing with domestic violence. When the military created its Family Advocacy Programs (FAP) more than 20 years ago, the programs were considered progressive. But over time, experts say, FAP stayed the same while the civilian world changed the way it dealt with domestic violence.

In terms of domestic-violence programs, "the military today is where the country was in the 1980s," Sanchez says. For example, in the 1980s, many civilian hospitals were beginning to make sure they had registered nurses on staff — called SANEs (sexual assault nurse examiners) — trained to examine sexual-assault victims. But Camp Lejeune, a big Marine Corps base in North Carolina, didn't get its first SANE until 2002, Sanchez says. Until recently, sexual-assault victims on some military bases had to be transferred to civilian hospitals to obtain treatment.

Advocates had hoped to persuade Congress in 2005 to add military-specific provisions to the Violence Against Women Act but were told the bill would have to go through the Armed Services and other committees with jurisdiction over military issues, possibly delaying or derailing the entire bill.

Meanwhile, the DOD and the Justice Department's Office on Violence Against Women in 2005 kicked off two domestic-violence demonstration projects that use the "coordinated community response" approach. The projects involve the U.S. Army at Fort Campbell, Ky., and the communities of Hopkinsville, Ky., and Clarksville, Tenn., and the U.S. Navy and the city of Jacksonville, Fla. The projects are expected to provide "lessons learned" and serve as a guide for other military installations.

"There really isn't a set model for coordinating the military and civilian response to domestic-violence incidents, so hopefully we can create one," said Connie Sponsler-Garcia, the Military Projects Coordinator and coordinator of the Jacksonville project.³

¹ Fox Butterfield, "Wife Killings at Fort Reflect Growing Problem in Military," *The New York Times*, July 29, 2002, p. A9, and "Rash of Wife Killings at Ft. Bragg Leaves the Base Wondering Why," *The Associated Press*, July 27, 2002.

² Judith E. Beals, "The Military Response to Victims of Domestic Violence," 2003. The report comes from the Battered Women's Justice Project, which provides technical advice to the Department of Justice's Office on Violence Against Women.

³ Kaylee LaRocque, "New Program Will Help Navy Deal with Domestic Violence Cases," *Navy NewsStand*, March 4, 2005.

Department survey of 11,800 female prisoners found that nearly 20 percent were incarcerated for a violent offense committed against an intimate.

Only 125 battered women from 23 states have received clemency since 1978, according to the clearinghouse. Osthoff says many governors and pardon boards are leery of giving battered women a break on their sentences because much of the public opposes early releases for anyone convicted of violent crimes, including battered women. In addition, many believe victims could have avoided violence by turning to today's array of domestic-violence programs.

In the early 1990s the medical community got more involved in domestic violence. The Joint Commission on Accreditation of Hospitals in 1991 required that all emergency room personnel be trained in identifying battered women. The next year the American Medical As-

sociation (AMA) and the U.S. surgeon general encouraged the screening of all women patients for domestic abuse.

Few medical organizations, however, supported requiring health-care workers to report patients who were apparent victims of domestic violence to the police or social services, as they are required to do in cases of suspected child abuse.

"Reporting does not ensure that a victim will have access to necessary resources and safeguards, nor does it guarantee prosecution, punishment or rehabilitation of abusers," says Peggy Goodman, director of violence-prevention resources at East Carolina University's Brody School of Medicine in Greenville, N.C. "In fact, [reporting] can further escalate an abusive situation and further endanger the life of the patient," she says. Thus, she says the American College of Emergency Physi-

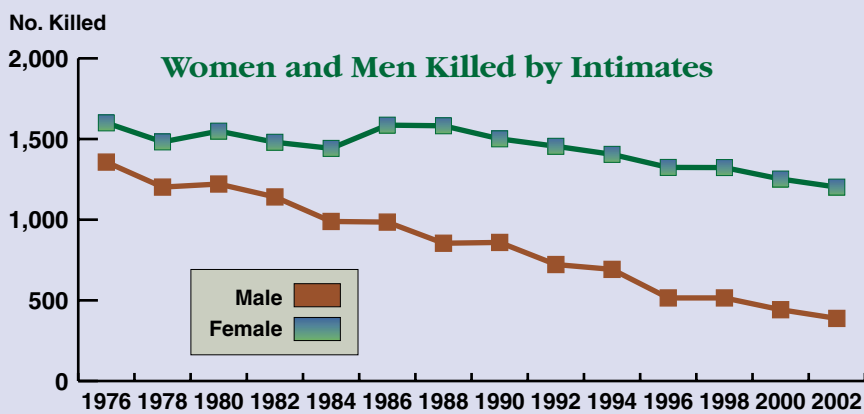
cians, the AMA and the American College of Obstetrics and Gynecology all oppose mandatory reporting by health-care workers.

The 1990s also ushered in a series of domestic-violence cases that either involved celebrities or made celebrities out of the parties involved because the trials were televised. In 1992, heavyweight boxer Mike Tyson was convicted of raping an 18-year-old beauty-pageant contestant, drawing national attention to date rape. A year later, the issue of spousal assault got national attention when Bobbitt cut off her husband's penis with a knife.

Then, in 1994, O. J. Simpson was arrested and charged with murdering his ex-wife, Nicole Brown Simpson, and her friend, Ronald Goldman. Simpson had pleaded no contest in 1989 to charges that he beat his wife and was fined \$700 and sentenced to two years'

Killings of Men Dropped

The number of men killed by so-called intimates dropped by 71 percent between 1976 and 2001.* Experts say women now feel they don't have to resort to violence because there are tougher laws to protect them from domestic violence and safer shelters.



* "Intimates" includes spouses, ex-spouses, boyfriends and girlfriends.

Source: Bureau of Justice Statistics, U.S. Department of Justice, 2003.

probation. Police records also showed that Mrs. Simpson had frequently made emergency calls to police to report that her husband was beating her.

Congress Acts

Experts say the Simpson case helped prod Congress to approve the Violence Against Women Act in 1994, which proponents call a turning point in the fight against domestic violence. President Bill Clinton, who as a child had witnessed his own mother being beaten by his stepfather, was a strong supporter of VAWA, which was attached to Clinton's crime bill.

The legislation reworked several areas of federal criminal law. It created penalties for stalking or domestic abuse in which an abuser crossed a state line and then physically harmed the victim in the course of a violent crime. VAWA also set new rules of evidence specifying that a victim's past sexual behavior generally was not ad-

missible in federal civil or criminal cases regarding sexual misconduct. The law also allowed rape victims to demand that their alleged assailants be tested for HIV, the virus that causes AIDS.

VAWA encouraged local governments to create "coordinated community responses" bringing together criminal-justice agencies, social-services systems and local shelters and other nonprofits. The strategy is often called the "Duluth model," after the northern Minnesota city where it was developed over a 15-year period. Researchers say the ideal coordinated community response should also involve health-care providers, child-protection services, local businesses, the media, employers and clergy. Health-care providers, in particular, can be important since doctors, nurses and emergency-room workers may see and treat women who don't or can't seek other kinds of assistance.

States in the 1990s also began experimenting with ways to help victims and alternatives to penalizing perpetrators. New Haven, Conn., for example,

launched a pilot program that included weekend jail stays combined with counseling. The approach allowed offenders to keep their jobs while remaining behind bars on weekends, when batterers often drink and become abusive. Illinois and Oregon were among the states that put domestic-violence counselors in welfare offices. Washington became the first state to allow battered women to set up confidential addresses their abusers couldn't locate.

Congress updated VAWA in 2000, adding "dating violence" to the definition of domestic violence and urging grant programs to address it. The revised law also created penalties for anyone traveling across state lines with the intent to kill, injure, harass or intimidate a spouse or intimate partner. The revised law also laid out special rules for battered immigrant spouses and their children, allowing them to remain in the United States. Under the old law, battered immigrant women could be deported if they left their abusers, who usually are their sponsors for residency and citizenship in the United States.

Also in 2000, the U.S. Supreme Court invalidated portions of the law permitting victims of rape and domestic violence to sue their attackers in federal court for damages. Ruling in *United States v. Morrison*, the justices said those provisions were unconstitutional under the Commerce and Equal Protection clauses. Victims could still bring damage suits in state courts. In addition, the court said, such violence does not substantially affect interstate commerce and noted that the Equal Protection clause is directed at government actions, not private. The high court's ruling did not affect any VAWA grant programs.³⁵

Although the VAWA amendments passed in 2000 with nearly unanimous support, the law had its share of critics. Most of the criticism came from those who complained that violence was a problem of both men and women but that VAWA addressed only the needs of female victims. ■

CURRENT SITUATION

Reworking VAWA

Working until the early-morning hours of Dec. 17, 2005, Congress updated and expanded VAWA, kicking off several new initiatives, including a focus on young people and prevention.

Sen. Biden, the lead sponsor of both the original VAWA and the 2005 updated law, called passage of the new bill “a major victory,” saying it “provides cities and towns with the tools they need to combat domestic violence, assist victims and go after abusers when it occurs.”³⁶

The updated legislation sets aside federal grant money for programs that help teen domestic-violence victims — including those in abusive dating relationships — and focuses more on children exposed to domestic violence at home. It also provides funds to combat domestic violence, sexual assault and dating violence in middle and high schools and expands services for rape victims and rape crisis centers, homeless-youth shelters and homes for runaways.

Targeting federal funds to younger victims “makes sense since we know that the highest rates of intimate-partner violence affect those in the 16-to-24 age group,” says Kiersten Stewart, director of public policy at the Family Violence Prevention Fund, which lobbied Congress to enact the original Violence Against Women Act and many of the key revisions in 2005.

Stewart lauded Congress for continuing existing domestic-violence programs and for adding new ones, particularly those that focus on young people. “We’re very pleased,” she says.

The updated VAWA also includes money for programs to help domestic-

Is Your Relationship Healthy or Abusive?

Break the Cycle, a nonprofit organization helping young people create lives free of abuse, suggests teens ask themselves the following questions to determine if their relationships are healthy. If teens answer yes to any of these questions, they may be in an abusive or potentially abusive relationship, the organization says.

Does the person I am with:

Get extremely jealous or possessive?

Accuse me of flirting or cheating?

Constantly check up on me or make me check in?

Tell me how to dress or how much makeup to wear?

Try to control what I do or whom I see?

Try to keep me from seeing or talking to my family and friends?

Have big mood swings — being angry and yelling at me one minute, and the next being sweet and apologetic?

Make me feel nervous or like I’m “walking on eggshells?”

Put me down or criticize me and make me feel like I can’t do anything right or that no one else would want me?

Threaten to hurt me?

Threaten to hurt my friends or family?

Threaten to commit suicide or hurt himself or herself because of me?

Threaten to hurt my pets or destroy my things?

Yell, grab, push, shove, shake, punch, slap, hold me down, throw things or hurt me in any way?

Break things or throw things when we argue?

Pressure or force me into having sex or going farther than I want to?

Source: Break the Cycle, www.break-the-cycle.org/

abuse victims who are over age 60. It is difficult to say how many older Americans are abused, neglected or exploited, in large part because the problem remains “greatly hidden,” says the National Center on Elder Abuse, a Washington, D.C., group that receives funds from the U.S. Administration on Aging. A 1998 federal study estimated that in 1996 some 450,000 Americans

60 and over were victims of physical, emotional or sexual abuse, neglect or financial exploitation. In 90 percent of the cases, a family member was the perpetrator, the study found.³⁷

Experts fear that as the U.S. population ages, the number of elder-abuse cases will grow. “It’s a hidden epidemic,” Daniel Reingold, president and chief executive officer of the Hebrew Home

Innovative Programs Fight Domestic Violence

A host of programs around the country are dedicated to fighting and preventing domestic violence. Among those that have been found to work well are:

- **Coaching Boys into Men** — This program from the Family Violence Prevention Fund recognizes the mentoring role coaches have with their athletes and provides training tools to encourage disciplined and respectful behaviors. (www.endabuse.org) A similar effort comes from New York Yankees Manager Joe Torre, who founded the Joe Torre Safe at Home Foundation to prevent others from suffering as he did as a child. Growing up, he stayed away from home, fearful of his own father, who abused his mother. (www.joetorre.org)
- **Cut it Out** — Originally a statewide program created by The Women's Fund of Greater Birmingham and the Alabama Coalition Against Domestic Violence, this program went national in 2003, training hair salon professionals to recognize the signs of domestic abuse and to encourage suspected victims to get help. The project is cosponsored by *Southern Living At Home* magazine, the National Cosmetology Association and Clairol Professional. (www.cutitout)
- **Domestic Violence Prevention Enhancement and Leadership Through Alliances (DELTA)** — These state demonstration projects get funds from the U.S. Centers for Disease Control and Prevention to focus on preventing violence between intimate partners. A program at John Dickenson High School in Wilmington, Del., involves an interactive play for ninth-graders, weekly "healthy relationship" lessons during health class and a weekly after-school club called "Teens Talking About Relationships." Delaware Gov. Ruth Ann Minner (D) awarded the club the 2004 Outstanding Youth Volunteer Service Award. (www.cdc.gov/ncipc/DELTA/default.htm)
- **Family Justice Center, San Diego, Calif.** — Opened in 2002, this program provides "one-stop shopping" for legal, social service and some medical services in downtown San Diego, avoiding the need for abuse victims to go to

different locations on different days. It is considered the gold standard for a compact community with good access to mass transit. But researchers have found that such programs are not as efficient for rural areas or spread-out cities that are more auto-dependent. It's a model for President Bush's Family Justice Center program. (www.familyjusticecenter.org)

- **Greenbook Demonstration Initiative** — Named for the report's green cover, this program was launched in 2001 and brings a closer collaboration between child-abuse and domestic-violence services. The project took place in six counties: San Francisco and Santa Clara counties in California; Grafton County, N.H.; St. Louis County, Mo.; El Paso County, Colo.; and Lane County, Ore. Among the key lessons from the Greenbook project: Mothers should not be accused of neglect for being victims of domestic violence, and separating battered mothers and children should be the alternative of last resort. ¹ (www.thegreenbook.info/)
- **Judicial Oversight Demonstration Initiative** — This Justice Department program, which began in 1999, establishes closer working relationships between the courts, police departments, district attorneys' offices, probation departments and batterer intervention and victim services. The program was launched in Milwaukee, Wis., Dorchester, Mass., and Ann Arbor, Mich. (www.vaw.umn.edu/documents/1jod/1jod.html)
- **Victim Intervention Program (VIP)** — This program at Parkland Hospital at the University of Texas in Dallas provides staff caseworkers to help determine the health-care and social-service needs of patients who are victims of abuse and provides referrals for other services. Ellen Taliaferro, an emergency physician, founded the program in 1999. (www.parklandhospital.com)

¹ "The Greenbook Demonstration Initiative: Interim Evaluation Report," Caliber Associates, Education Development Center and the National Center for State Courts, Dec. 16, 2004.

for the Aged in Riverdale, N.Y., told *AARP* magazine. ³⁸ That's largely because older victims are ashamed to report the abuse, because they feel they are old enough to know better than to be victimized. Reingold compares the current attention to elder abuse to the domestic-violence and child-abuse movements 25 years ago.

The expanded VAWA also funds programs to educate health-care professionals on how to identify and serve victims of domestic violence. A 2005 report from

researchers at Harvard Medical School found that nearly one-third of doctors surveyed fail to document patients' reports of domestic violence, and only 10 percent offer information about domestic abuse to their patients. ³⁹

The National Network to End Domestic Violence says VAWA's new housing provisions are of particular importance, since 92 percent of homeless women have experienced severe physical or sexual abuse. The new law protects victims of domestic violence

or stalking from being evicted from public housing and provides grants for transitional housing for domestic-violence victims.

"The reauthorization of VAWA shows that Congress recognizes domestic violence as a devastating social problem," said network President Rosenthal. ⁴⁰

The updated law fails to make the Violence Against Women Act gender neutral, as some men's groups had requested, but contains language

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At Issue:

Did Congress improve the Violence Against Women Act?

JILL J. MORRIS

PUBLIC POLICY DIRECTOR, NATIONAL COALITION AGAINST DOMESTIC VIOLENCE

WRITTEN FOR THE *CQ RESEARCHER*, JANUARY 2006

Since Congress passed the bipartisan and groundbreaking Violence Against Women Act (VAWA) in 1994, the criminal-justice and community-based responses to domestic violence, dating violence, sexual assault and stalking have significantly improved. Ten years of successful VAWA programs have helped new generations of families and justice professionals understand that society will not tolerate these crimes.

Congress improved VAWA when it reauthorized it in December 2005. Since 1994, lawmakers have authorized more than \$5 billion for states and local programs under VAWA. This relatively small amount has had a huge impact on local communities. For example, the number of women murdered by an intimate partner declined by 22 percent between 1993 and 2001. Also, more women came forward to report being abused in 1998 than in 1993.

VAWA is not only good social policy but also sound fiscal policy. A 2002 university study found that money spent to reduce domestic violence between 1995 and 2000 saved nearly 10 times the potential costs of responding to these crimes. The study estimated that \$14.8 billion was saved on medical, legal and other costs that arise from responding to domestic violence. On an individual level, VAWA saved an estimated \$159 per victim.

VAWA has fostered community-coordinated responses that for the first time brought together the criminal-justice system, social services and private, nonprofit organizations. With VAWA reauthorized, our local communities can continue to provide life-saving services such as rape prevention and education, victim witness assistance, sexual-assault crisis intervention and legal assistance.

Additionally, VAWA grants help reduce violent crimes on college campuses and provide services for children who witness violence, transitional housing, supervised visitation centers and programs for abused seniors and victims with disabilities.

The updated VAWA will expand programs to fill unmet needs, such as fostering a more community-based response system and addressing housing discrimination, preventing violence, promoting healthy relationships and engaging male allies to encourage positive roles for young men and boys.

The 2005 reauthorization of VAWA was one of the few pieces of legislation that was overwhelmingly supported by members of Congress on both sides of the aisle. Together, Democrats and Republicans agreed that passing VAWA showed that Congress was willing to recommit federal resources to programs that save lives, save money and help future generations of Americans live free from violence.

MICHAEL MCCORMICK

EXECUTIVE DIRECTOR, AMERICAN COALITION FOR FATHERS AND CHILDREN

WRITTEN FOR THE *CQ RESEARCHER*, JANUARY 2006

Violence perpetrated against others should be unacceptable regardless of the initiator's sex. But as many lawmakers privately confide, the Violence Against Women Act (VAWA) is not good law. Unfortunately, it has become the third rail of politics: Legislators acknowledge that it is political suicide to oppose passage of the bill. As one chief of staff aptly stated, "You do not want to be one of the few congressmen returning to your district having voted against this legislation, regardless of your reservations."

As a result, VAWA funds a political agenda that addresses domestic violence from a myopic viewpoint. It expands government encroachment into the private sphere of citizens' lives without adequate safeguards to those running afoul of the law and the domestic-violence industry.

Congress had a chance to address the law's shortcomings but failed to do so. For example, therapeutic approaches aimed at preserving the relationship and developing conflict-resolution skills still receive lower priority than law enforcement and relationship-dissolution options. This focus is at odds with stated public-policy objectives of building and maintaining strong, intact families. Congress should have changed this policy and did not.

Congress was correct to include language making clear that VAWA programs cannot discriminate against male victims, but it is still too early to tell whether male victims and their children will indeed get the help they need. Men and their children are not recognized as an underserved population, even though numerous studies indicate men are likely to be victims and suffer injury 15-30 percent of the time.

Even further, Congress made the right move by mandating that the Government Accountability Office study the issue, including the extent to which men are victims of domestic violence. This study will be balanced and give a better idea of how many men are abused and have access to services.

The biggest problem, however, is that VAWA does not recognize the role women play in domestic violence. The updated VAWA reinforces and statutorily codifies the notion that women are victims and men are abusers — a sure-fire way to assure half-baked solutions to a multi-faceted problem. This simplistic view of domestic violence ignores the vast storehouse of data indicating a small minority of both men and women are equally likely to initiate and engage in domestic violence.

Until such fundamental concerns are addressed, VAWA will continue to support a one-sided approach to dealing with domestic violence. Gender politics has no business being funded through the public purse.

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specifying that men can't be discriminated against. Rep. James Sensenbrenner Jr., R-Wis., chairman of the House Judiciary Committee and lead VAWA sponsor in the House, said after the bill's passage that the reauthorization "specifies that programs addressing these problems can serve both female and male victims."⁴¹

It is widely speculated on Capitol Hill that gay men, who have been excluded from men's groups, could be the biggest beneficiaries of making sure VAWA funds help abused men. While numbers are hard to come by, domestic-violence groups say gays are frequent victims of abuse. "Clearly, it would benefit gay men if the act was gender neutral," Sean Cahill, director of the National Gay and Lesbian Task Force's Policy Institute, told *CQ Weekly*.⁴²

McCormick, of the American Coalition for Fathers and Children, is still troubled that the updated law focuses too much on the criminal aspect of domestic violence and not the social problems associated with it. "It still resorts to the nuclear option of blowing up a family," arresting and incarcerating someone who could be falsely accused without even seeing whether counseling could keep the family together, he says.

But McCormick says he's glad the new law authorizes the Government Accountability Office to study the issue, including the extent to which men, women, youths and children are victims of domestic violence, dating violence, sexual assault and stalking. The study will be balanced and provide a better idea of how many men are abused and have access to services, McCormick says.



Youths from Los Angeles plan programs to publicize and prevent domestic violence against teens at a meeting of Break the Cycle's Youth Voices program.

Break the Cycle

Finding What Works

While Congress debated reworking VAWA, the Bush administration's Office on Violence Against Women was launching the president's Family Justice Center Initiative. Fifteen centers will get federal funds to provide one-stop help for victims, including legal, medical and social services.

In 2005 family-justice centers opened in Brooklyn, N.Y.; Bexar County, Texas; Alameda County, Calif.; Ouachita Parish, La., and Nampa, Idaho. Additional centers are slated to open in 2006 in St. Louis, Tulsa, Boston and Tampa. The DOJ's Stuart says the centers are examples of approaches that are working. (See sidebar, p. 16.)

Meanwhile, 14 states are working with the U.S. Centers for Disease Control and Prevention (CDC) to prevent domestic violence in the so-called DELTA (Domestic Violence Prevention Enhancement and Leadership Through Alliances) program.*

* The 14 states are Alaska, California, Delaware, Florida, Kansas, Michigan, Montana, New York, North Carolina, North Dakota, Ohio, Rhode Island, Virginia and Wisconsin.

Each state project is a little different, since domestic violence and social programs differ from state to state, says Corinne Graffunder, branch chief of the CDC's National Center for Injury Prevention and Control. She says all 14 are innovative because they focus on prevention, not treating the victim or punishing the perpetrator. "That is new," she says.

In Valdez, Alaska, for example, the DELTA program is developing a healthy-relationships curriculum for the local high

school. Mayor Bert Cottle proclaimed December 2005 as "White Ribbon Campaign Month" and encouraged all citizens, particularly men, to wear white ribbons in support of preventing domestic violence. And Dane County, Wis., provides programs and discussions for young men about sexual assault and domestic violence. The CDC expects to be able to evaluate the effectiveness of the programs in about three years, Graffunder says.

In New York state, Republican Gov. George Pataki and his wife Libby have spearheaded campaigns targeting teen-dating violence, including a statewide contest in which students were invited to submit posters, songs and music videos to raise awareness of the problem's seriousness. As part of Domestic Violence Awareness month in October 2005, New York kicked off its new "If It Doesn't Feel Right, It Probably Isn't" education campaign and distributed information packets — including copies of the 2005 winning poster — to all high schools in the state. (See photo, p. 6.)

"This campaign will serve as a powerful platform to raise awareness about teen dating violence and will let all of New York's teens know that there are resources available to help if they are suffering from abuse," Pataki said.⁴³

States also are using welfare offices to help victims of domestic violence, but the efforts have been spotty. Studies have indicated that up to 50 percent of welfare recipients are, or have been, victims of domestic violence and all but three states — Maine, Oklahoma and Ohio — screen welfare recipients for signs of domestic violence. Most states will waive some federal welfare rules pertaining to work, the five-year lifetime limit on cash assistance and child-support requirements for victims of domestic violence. But a recent Government Accountability Office report found that state requirements varied widely and that few welfare recipients received waivers.⁴⁴

The Center for Impact Research, a Chicago anti-poverty research group, found that workers in a local welfare office “overwhelmingly” did not refer welfare recipients to domestic-violence services, says Lise McKean, the center’s deputy director. Part of the problem was a cumbersome form that welfare recipients had to fill out and overburdened caseworkers who didn’t have the time or interest to pursue the matter.

“The vision of the [welfare] office as the public agency with access to poor women that can identify individuals living with domestic violence and help them gain access to domestic violence services may be unrealistic,” the center concluded.⁴⁵

Rather than welfare offices, McKean suggests putting domestic-violence services at employment-service agencies — an approach the center tried in Houston, Chicago and Seattle.⁴⁶ Having a domestic-violence counselor on site was key, she says. The case manager did not have to worry whether clients would follow up because the manager could escort them directly to the counselor. Plus, adding domestic violence to a case manager’s list of concerns was not a big burden since a specialist was available to handle it.

Experts say domestic violence also should be addressed in marriage and

responsible-fatherhood programs. Recent federally funded research found that many of the widely available marriage-education programs were designed and tested with middle-income, college-educated couples and do not address domestic violence.⁴⁷

Some states, such as New York, argue that programs designed to encourage healthy relationships have the positive benefit of reducing the likelihood of both physical and emotional abuse. The Oklahoma Marriage Initiative addresses domestic violence implicitly by focusing on communication and conflict resolution and has recently created a handout telling couples how to identify domestic violence and where to obtain help.⁴⁸

Businesses and nonprofits also are stepping in. Liz Claiborne Inc., Break the Cycle and the Education Development Center, Inc., have created curriculums for ninth- and 10th-graders on dating violence. And 19 schools are participating in the “Love is not abuse” program, which formally began in October 2005.

“Our hope is that this curriculum will help educate teens on how to identify all forms of relationship abuse and understand what types of actions are and are not acceptable in a healthy dating relationship,” said Jane Randel, vice president of corporate communications at Liz Claiborne.⁴⁹ (See *questionnaire*, p. 7.)

Kraft Foods has sponsored several studies, including the Center for Impact Research’s project that looked at how domestic violence affects women’s job training and employment.⁵⁰ Verizon Wireless has donated more than \$8 million to shelters and prevention programs nationwide. Kaiser Permanente has stepped up its efforts to train counselors to perform domestic-violence evaluations and provides resources for patients who need help. The Blue Shield of California Foundation offers free consultations to any employer in California interested in setting up a domestic-violence prevention program in the workplace.⁵¹ ■

OUTLOOK

Focus on Prevention

Most experts say the country has made significant headway in viewing domestic violence as a crime instead of merely a private family matter. But most agree that more focus should be placed on prevention.

“True primary prevention is the next real area on the horizon,” says the CDC’s Graffunder.

“We’re just now beginning to scratch the surface,” says Soler, of the Family Violence Prevention Fund. “We can’t just intervene after the fact.”

“All the recent emphasis has been on the criminal aspect of domestic violence,” says Jeffrey L. Edelson, director of the Minnesota Center Against Violence and Abuse at the University of Minnesota. “This is a public health epidemic” that must be tackled in both the courts and public health agencies. “The prevention piece is important.”

Until now, prevention has not been a top priority because the immediate concern has been helping victims in crisis and making sure batterers were held accountable and got counseling, says Graffunder. And, she adds, while advocates fighting domestic violence like to envision a day when violence no longer destroys families and lives, “We still have a lot of work to do.”

Research and funding still lag behind the needs, advocates say. “We have a pretty good idea what works, but we need documentation by researchers to back it up,” says Stuart, of the Justice Department’s Office on Violence Against Women. For example, she says, research is particularly lacking on stalking. “Right now, it’s hidden. We really don’t know how much stalking is out there.”

Dunford-Jackson, of the Family Violence Project, also sees a dearth of data. She says judges are always asking for statistics on successful programs and techniques. “We’re still in the infancy of domestic-violence research,” she says.

Researchers expect to know more from the CDC’s DELTA prevention programs once results are in. Advocates are also trying to figure out best practices from several other demonstration projects, such as the “Greenbook” program that provides closer collaboration between child-custody and domestic-violence agencies.

Boroughs of the Safe Homes for Children and Families Coalition is confident that in the coming years male victims of domestic violence will get more attention and federal funds. Soler of the Family Violence Prevention Fund likewise sees a bigger role ahead for men — as major players in prevention.

“Men — as fathers, coaches, teachers and mentors — are in a unique position to influence the attitudes and behaviors of young boys,” Soler says. The Family Violence Prevention Fund has two major initiatives aimed at boys, Founding Fathers and Coaching Boys Into Men, which are funded by foundations and private donors.

Fulcher of Break the Cycle says it’s critical that more prevention programs target teens. “Now is the time to tell the youth of our nation that we are done pretending, that we will lead them into healthy adulthoods, that we won’t tolerate violence and neither should they.”

Advocates, however, worry that the budget crunch in Washington caused by Hurricane Katrina and the war in Iraq will mean less money for state and local social and domestic-violence programs, jeopardizing the progress made so far.

“As resources are strained, the decisions that people have to make at the local, community and state levels just get harder and harder,” says the CDC’s Graffunder. “Prevention doesn’t traditionally fare well in those environments.” ■

Notes

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About the Author



Pamela M. Prah is a *CQ Researcher* staff writer with several years previous experience at Stateline.org, *Kiplinger’s Washington Letter* and the Bureau of National Affairs. She holds a master’s degree in government from Johns Hopkins University and a journalism degree from Ohio University. Her recent reports include “War in Iraq,” “Methamphetamines” and “Disaster Preparedness.”

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FOR MORE INFORMATION

American Coalition for Fathers and Children, 1718 M St., N.W., Suite 187, Washington, DC 20036; (800) 978-3237; www.acfc.org. Argues that the Violence Against Women Act destroys families and funds an anti-male, pro-feminist ideological agenda.

Break the Cycle, P.O. Box 64996, Los Angeles, CA 90064; (888) 988-TEEN; www.acfc.org. An advocacy group that educates and empowers youth to build lives and communities free from dating violence and domestic abuse.

Family Violence Prevention Fund, 383 Rhode Island St., Suite 304, San Francisco, CA 94103-5133; (415) 252-8900; www.endabuse.org. Sponsors education campaigns on family violence and was instrumental in lobbying Congress to enact the Violence Against Women Act.

National Coalition Against Domestic Violence, 1633 Q St., N.W., Suite 210, Washington, DC 20009; (202) 745-1211; www.ncadv.org. Serves as a national information and referral center for battered women and their children as well as the public, media and allied agencies and organizations.

National Network to End Domestic Violence, 660 Pennsylvania Ave., S.E., Suite 303, Washington, DC 20003; (202) 543-5566; www.nnedv.org. Represents state domestic-violence coalitions and lobbies for stronger domestic-violence measures.

National Resource Center on Domestic Violence, (800) 537-2238; www.nrcdv.org. Provides comprehensive information and resources, policy development and assistance to enhance community response to and prevention of domestic violence.

National Sexual Violence Resource Center, 123 N. Enola Dr., Enola, PA 17025; (877) 739-3895; www.nsvrc.org. Provides information and technical assistance to local and national organizations and the public.

Safe Homes for Children and Families Coalition, 185 Springfield Dr., North East, MD 21901; (410) 392-8244; www.vawa4all.org. Advocates for gender-neutral federal legislation regarding domestic violence.

Stalking Resource Center, 2000 M St., N.W., Suite 480, Washington, DC 20036; (800) 394-2255; www.ncvc.org/src. Part of the National Center for Victims of Crime; serves as an information clearinghouse and peer-to-peer exchange program on stalking.

U.S. Centers for Disease Control and Prevention, National Center for Injury Prevention and Control, Mailstop K65, 4770 Buford Highway, N.E., Atlanta, GA 30341-3724; (770) 488-1506; www.cdc.gov/ncipc/factsheets/ipvoverview.htm. Studies ways to prevent intimate-partner and sexual violence.

U.S. Department of Justice, Office on Violence Against Women, 800 K St., N.W., Suite 920, Washington, DC 20530; (202) 307-6026; www.usdoj.gov. Handles legal and policy issues regarding violence against women and administers Violence Against Women Act grants.

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The Next Step:

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