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ABSTRACT

This volume contains the transcripts from the 1978 Congressional hearings from the subcommittee on child and human development. Major topics focus on domestic violence and relevant legislation. Witnesses represented such organizations as State Departments of Health, Education and Welfare, the U.S. Senate, Commission on the Status of Women and the National Association of Social Workers. Areas covered include testimony of abused spouses, descriptions of emergency shelter programs and discussions on various pieces of legislation pertaining to domestic violence. (BMW)

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DOMESTIC VIOLENCE, 1978

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**HEARINGS
BEFORE THE
SUBCOMMITTEE ON
CHILD AND HUMAN DEVELOPMENT
OF THE
COMMITTEE ON HUMAN RESOURCES
UNITED STATES SENATE
NINETY-FIFTH CONGRESS**

SECOND SESSION

ON

**DOMESTIC VIOLENCE AND LEGISLATION WITH RESPECT TO
DOMESTIC VIOLENCE**

LOS ANGELES, CALIF.

MARCH 4, 1978

WASHINGTON, D.C.

MARCH 8, 1978

**U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
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DOMESTIC VIOLENCE, 1978

SATURDAY, MARCH 4, 1978

U.S. SENATE,
SUBCOMMITTEE ON CHILD AND HUMAN DEVELOPMENT
OF THE COMMITTEE ON HUMAN RESOURCES,
Los Angeles, Calif.

The subcommittee met at 9:10 a.m., pursuant to notice, at 1816 S. Figueroa Street, Los Angeles, Calif., Senator Alan Cranston (chairman of the subcommittee) presiding.

OPENING STATEMENT OF SENATOR CRANSTON

Senator CRANSTON. The hearing will please come to order.

This morning, the Subcommittee on Child and Human Development of the Committee on Human Resources, will hear testimony on domestic violence.

I would like to say that today's hearings were arranged in response to your expressions of interest—you here and others—and concern with Federal efforts with respect to domestic violence. There was a desire to have an opportunity to express viewpoints here in California. I am glad that we were able to get together in this way.

This is the first of 2 days of hearings which the subcommittee will hold on this matter. On Wednesday, in Washington, the subcommittee will again meet to receive testimony on domestic violence. At that time, the administration will be presenting its views.

These 2 days of hearings have been scheduled to gather information and provide full opportunity for public participation in the legislative process. I am keenly interested in hearing our witnesses' recommendations as to what role, if any, the Federal Government should play in establishing programs to assist victims of domestic violence and aid in reducing the incidence of domestic violence.

When I speak of domestic violence, I am referring to any act or threatened act of violence—including a forceful detention—which results or threatens to result in physical injury and is committed by and between adults. This detention does not include child abuse—an equally serious societal problem which is already being addressed through the Child Abuse Prevention and Treatment Act, Public Law 93-247—although these problems are sometimes related.

My legislation to extend the child abuse law is now pending in a House-Senate conference, and should be cleared for Presidential signature in the next several weeks.

Public awareness of the problem of domestic violence is growing. Information as to the extent of the problem, although not definitive, reveals that domestic violence is widespread.

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For example, among couples randomly selected, a recent study revealed that, during a single year, one out of six couples had engaged in violent acts—acts such as beatings, throwing objects at one another, or threats with a knife or gun. When the study included the entire period of marriage rather than just 1 year, the estimate increases to approximately 30 percent of all couples experiencing domestic violence in some form.

A recent magazine article in *Human Behavior* reported that one-fifth of all deaths of police officers in the line of duty occur in domestic violence interventions.

In 83 percent of the cases of spouse murder in a single year in Kansas City, Mo., police were summoned at least once before the murder occurred, and in 50 percent of the cases they had been called five or more times before the homicide. FBI figures show that annually approximately 12 percent of all murders occur between spouses.

It is time for broad public recognition of what law enforcement officials and others, including many sitting in this audience, have long realized—violence erupts frequently in many American families.

We are interested in our witnesses' opinions as to what society's role should be when a victim of domestic violence seeks society's assistance. Most of the victims who have been provided assistance by ongoing efforts have been women—many of whom have special problems.

For example, often, in those instances where the victim has decided not to return to the home, her many years as a housewife have left her unprepared to compete successfully in the job market. I want to note that I will very shortly be introducing an amendment to the CETA legislation to provide special assistance for displaced homemakers.

These problems we face in the domestic violence area are, indeed, complex. There are no simple answers. To overcome the problem, to develop any type of successful program, commitment is necessary—and not just from the Federal Government. This is essentially a local problem. All levels of Government must be involved in seeking a solution, and most importantly, interested private citizens and groups themselves must continue to take the lead.

Thus, in addressing these issues, it seems to me that the Federal Government's role should be to serve as a catalyst for efforts by State, local, and private nonprofit groups.

The legislation we are preparing is geared to provide Federal stimulation and support for local efforts. This hearing and the one in Washington next week, should provide the information necessary for us to develop an effective national approach to achieving the active involvement of States and local communities in grappling with this problem.

Because of my desire to allow as many people as possible to present testimony today, and to provide time for questions, I am asking each of you to limit your oral remarks to 5, or to not more than 7 minutes. I think we will have somebody let you know if you start going over that time. Otherwise we just won't be able to hear some people, and I won't have any chance to ask questions. If I get squeezed on the question time, it makes it less productive and we will have to submit

questions in writing—which we may do anyway. Of course, your entire written statement will appear in the record.

Our first witness is Senator Robert Presley.

Bob, I am delighted you are here; I know of your deep interest and concern about this topic.

STATEMENT OF HON. ROBERT PRESLEY, SENATOR, CALIFORNIA STATE LEGISLATURE

Senator PRESLEY. Thank you, Mr. Chairman.

In the interest of time, I have a prepared statement; I was going to read it, but we don't have to.

Senator CRANSTON. If you could summarize the high points. Do whatever you choose in about 5 minutes; that would be great.

Senator PRESLEY. Essentially what I was going to present to the committee and it is presented in the statement, is a little bit of the background of the problem which I think most everyone in the room is generally familiar with.

The second part and the part that I think is more or most germane to this hearing, is the new law that we have in California that was passed by the California legislature just last year, S.B. 91.

What that really does is provide for the building of from four to six centers around the State of California for the purpose of providing some very basic services to women, or it is worded in such a way that if a man is beaten, he is also qualified, but they could go to these centers which will be open on a 24 hour basis, 7 days a week. The phone number or the availability of the center would be made available to the police as well as other social agencies. Provisions would be made for transportation to the center were it not available otherwise, and there they would receive temporary housing and food, and any other needs that may be necessary as well as psychological support and counseling.

At this point, should a victim decide to avail themselves of this service, then they will have an opportunity during this period of time—which we hope isn't very long that they would be there—to make a decision of whether or not they want to either return home and continue with this kind of arrangement in the faint hope that maybe things will get better, or they can proceed if they desire to with the criminal justice system. They can go through the arrest and the prosecution, or they can decide that they do not want to return to the home environment and they want to make other arrangements. Then I think at this point the Center would be very helpful in assisting with job counseling and those things that would make it easier for the victim to get back into the mainstream, and back into the work-a-day world.

The money in the bill is not a great deal; it is \$280,000 and you might say that is not going to do very much. But I think we will be able to do quite a lot because of a couple reasons. One is that we plan on, where possible, to build on existing centers—quasi official centers that are in existence—and have been making efforts to provide this service in the community with funding from a variety of sources.

So we can build on those existing centers, plus at the same time, crank in the use of existing community services.

For instance, most communities have family services associations who have counselors, and I think that we can avail ourselves of some services that are already available and would not be a charge to the State necessarily. And for those reasons I think we will be able to do quite a lot with the \$280,000.

Once we are able to establish in California that this is a viable way to go, that it is effective, that it does some good, then I think we will be able to move legislation to be more comprehensive in the program throughout the State.

So that's kind of where we are. I was thinking you would probably ask me and I will anticipate it, that what should the Federal Government do.

Senator CRANSTON. Yes; I would ask you that.

Senator PRESLEY. And my suggestion would be two things. One is to do just exactly what you are doing here, to focus in on the problem; to educate the people to the problem, and provide encouragement to those in the States around the country who are trying to do something.

The second thing and probably the most important thing, would be to supplement the States with funding because in California we are probably more fortunate than many of the other States in that we are financially in pretty good shape at the moment. It may not always be so, but we are as of today. But it seems to me that States could be encouraged to legislate in this area, try to do more if there was some assurance of some kind of supplemental funding from the Federal Government.

That is just a very brief description of what we are trying to do in California from the standpoint of legislation.

I do have the specific statement that will be on file with you, and I do have the bill—the law itself—if anyone is interested.

Other than that, Mr. Chairman, if you have any questions, I will try to respond to them.

Senator CRANSTON. Thank you very much. I appreciate your presence, your statement, your brevity, and the points you have made.

I congratulate you on S.B. 91.

Steve Y'Barra, who is the assistant secretary as you know for health and welfare in the State, notes that in response to this legislation, California has already received about 200 requests for application from organizations seeking funding, and they are in 36 out of 57 counties, I believe. The bill provides a minimum of four or a maximum of six projects.

Do you have any comments on what can be done to meet more of the requests, or should it be done, or what do you think?

Senator PRESLEY. Well, I don't think there is any doubt that it should be done, and what we are doing in this legislation is just a very small first step. That's why I indicated earlier that I think once we are in operation which is going to be very shortly now, we will be able to prove that this is an effective way to go, and this is a

good alternative to the criminal justice system. We are leaving the provisions applicable in the criminal justice system there; anyone can still continue to proceed in that manner if they desire. But I think in most cases they would like to proceed in the manner of the shelters and centers.

Senator CRANSTON. What is the initial budget for the program?

Senator PRESLEY. \$280,000. So I say, it isn't a great deal of money, but I think it is a start and we will be able to build on it from that point forward.

Senator CRANSTON. I suppose it is going to be tough to get more, particularly with this new lid on spending that seems to be coming.

Senator PRESLEY. Well, the lid that we just proposed on local governments didn't apply to the State. If we can demonstrate the need and I am sure we can because the need is there, we just have to be able to demonstrate it. I believe that there will be a sympathy for the—as I recall when this bill went to the legislature last year, I don't think there was a dissenting vote in either house. So that gives you some idea that the legislature is aware of the problem and they are supporting it. I fear in not putting more money into it, was a veto by the Governor and we didn't want that to happen; we wanted to get the program underway.

Senator CRANSTON. Thank you very, very much. Very good to see you.

Is Maxine Waters here?

[No response.]

Senator CRANSTON. Guess she didn't get to make it through the rain yet.

Is Steve Y. Barra here?

[No response.]

Senator CRANSTON. Betty Stephens?

Delighted to have Betty J. Stephens, Chair of the California Commission on Status of Women as our next witness.

Betty, I am delighted to see you.

STATEMENT OF BETTY J. STEPHENS, CHAIRPERSON, CALIFORNIA COMMISSION ON STATUS OF WOMEN

Ms. STEPHENS. I have submitted my written testimony to the committee. What I would like to relate to you this morning is that the California commission, which I represent as Chair, has been working in this area for quite a long time now, and are aware of these issues and we appreciate your coming to Santa Barbara to hold meetings locally with us.

The commission commends you for addressing this issue openly; it is time we brought family violence out of the closet and discuss it intelligently. Women must feel safe in their own homes since they are being victimized at an alarming rate outside the home. Women are tired of being degraded. It is time for women to declare war on violence.

We must make women aware through public education that wife beating is a crime. Many women simply are not aware that aus-

bands don't have the right to beat them. But they should also have alternatives to remaining in a violent environment.

But while shelters fill a real need, it is addressing the problem after the fact. We support shelters for battered women, but we are also painfully aware of the fact that we need to get to the root of the problem—to the cause. And only through public education do we feel that this can be accomplished.

One of the problems that aggravates the situation of course, is the whole problem of drugs and alcohol. Ninety percent of the men involved in relations exceeding 7 years duration were reported—I am sorry—this is a study on the abused women's aid in crisis—and it gathered this information, and 150 cases were selected at random from among 1,000 case samples. The sample indicated a high incidence of alcohol associated with domestic violence.

Ninety percent of the men involved in relationships of 7 years or more were reported to have alcohol problems. About 85 percent of the violent husbands had either alcohol or other drug problems. These men were inclined to beat their wives at a higher frequency, either when under the influence of drugs, including alcohol, or when sober, and their violence was usually characterized by physical assault without a weapon, usually leading to serious injuries, including sexual assault.

More than 80 percent of the men who drank occasionally were inclined to beat their wives only when under the influence of alcohol. In relationships of less than 3½ years duration, a very high percentage of concurrent alcohol and hard drug use was reported, usually leading to constant violence.

At least our society is becoming aware of domestic violence; an issue that deserves the attention of all who are interested in preserving human dignity.

Substantially ongoing funding must be available to provide emergency shelters to victims of domestic violence; to increase our knowledge of the cause of domestic violence in the home, and to use our improved understanding to develop programs to prevent domestic violence.

That pretty much summarizes my remarks.

Senator CRANSTON. Thank you very, very much, for summarizing so well. It is a very meaty statement.

I would like to ask you this.

In your December letter, you enclosed recommendations by the Commission on the Status of Women for Federal legislation on domestic violence. The Commission recommended that "Federal funds be funneled directly to shelter programs for direct services to victims of domestic violence."

Often, however, the Federal Government's grant process can be as you well know, expensive, and many community-based programs wouldn't be able to afford to apply. If grants were made available through the States, it is likely the application and approval cost could be quite substantially reduced.

Do you have any thoughts or recommendations on that point?

Ms. STEPHENS. You mean as far as what you might do to simplify the grant process?

Senator CRANSTON. Yes, to have the States handle it instead of the Federal Government.

Ms. STEPHENS. Actually, I really don't know how that could be handled. I just know that if it is a difficult problem and I was hoping that somewhere along the line there has to be an easier way to do it. And also without changing the whole complexion of the program.

Frequently because of requirements that are made, the whole complexion of the outline of the program is changed through the granting process; this needs to be addressed too.

Senator CRANSTON. The Commission also recommends that the program be a direct grant to shelters. Do you think the legislation should limit the aid provided to shelters only, or are there other purposes for which the aid should be allocated?

Ms. STEPHENS. I didn't hear your last—

Senator CRANSTON. Should the aid be provided to shelters only, or for other purposes too, related to—

Ms. STEPHENS. Oh, for other purposes as well.

Senator CRANSTON. For other purposes as well.

Ms. STEPHENS. Yes. Absolutely. That only addresses one particular problem.

Senator CRANSTON. Thank you very much. Good to see you.

Ms. STEPHENS. Thank you.

[The prepared statement of Ms. Stephens follows:]



COMMISSION ON THE STATUS OF WOMEN

926 J Street, Room 3022 1506 Sacramento, California 95811 Tel. (916) 443-3531

The California Commission on the Status of Women has advocated state legislation establishing demonstration projects to assist victims of domestic violence.

The facts are that:

- Approximately one-fourth of all murders in the United States occur within the family. Half of these are husband-wife killings.
- In California one out of three female homicide victims is murdered by her spouse.
- One-fourth of all women who are beaten are pregnant.
- At least ten percent of the children who witness parental violence eventually become adult batterers themselves.
- One of every five police who lost their lives in 1974 did so while trying to settle or put down a family fight.
- Only two percent of the men who beat up their wives or female living partners are ever prosecuted.
- Family violence cuts across race, class, and social or economic background. It is widespread and occurs as often among the upper middle class as among the lower.

These facts demonstrate unequivocally the reality of domestic violence. In California, we have only scratched the surface by allotting \$280,000 for the establishment of 4 to 6 pilot shelters. The need for long-range funding for the establishment of ongoing shelters for victims of domestic violence is paramount.

Daily, the California Commission hears about women whose alternatives are to stay in all-night restaurants, in bus stations, or at home where they are exposing themselves to further battering and abuse. The very few shelters existing in California provide safe refuge, but are not able to meet the need for services.

Federal legislation is now pending that addresses the needs of domestic violence victims. Companion bills S 1728 (Anderson, D-Minnesota; Kennedy, D-Massachusetts) and HR 7927 (Boggs, D-Louisiana; Steers, R-Maryland) provide that sixty percent of the appropriated funds be spent for studies on the causes of domestic violence, developing and implementing means for prevention and treatment of domestic violence, developing and establishing training programs for professional, paraprofessional and volunteer personnel engaged in areas related to the problems of domestic violence, and demonstration projects relating to self-help programs, emergency shelter programs, and telephone systems to provide emergency assistance. Additionally, the legislation directs the Secretary of the Department of Health, Education, and Welfare to coordinate an "effectiveness study" of State and local laws dealing with domestic violence and directs the National Institute of Mental Health to make recommendations to Congress.

Another bill, HR 8948 (Nikulski, D-Maryland) provides for establishment of an inter-departmental network of federal agencies to coordinate all programs dealing with family violence, a reporting system to collect data on family violence, an evaluation by the Department of Health, Education and Welfare of federal programs dealing with family violence, and stipends so that local volunteers can work in their neighborhoods.

The volunteers, trained by ACTION professionals, would establish and operate programs for battered spouses through the use of shelter, hotlines, and support services.

The Abused Women's Aid in Crisis has gathered data on domestic violence derived from a Hotline intake questionnaire followed by on-site, in-depth interviews with women calling the organization for assistance and information. One hundred and fifty cases were selected at random from among one thousand of AWAIC's case samples. The sampling indicated a high incidence of alcoholism associated with domestic violence.

Ninety percent of the men involved in relationships exceeding seven years duration were reported to have alcoholic and not other drug problems.

About 85% of the violent husbands had either an alcoholic and/or other drug problems. These men were inclined to beat their wives at a higher frequency, either when under the influence of drugs (including alcohol) or when sober; and their violence was usually characterized by physical assault with or without a weapon, usually leading to serious injuries, and including sexual assault.

More than 80% of the men who drank occasionally were inclined to beat their wives only when under the influence of alcohol.

In relationships of less than 3 1/2 years duration, a very high percentage of concurrent alcohol and hard drug use, was reported, usually leading to constant violence.

At last our society is aware of domestic violence, an issue that deserves the attention of all who are interested in preserving human dignity. Substantial, on-going funding must be available

- to provide emergency shelter to victims of domestic violence;
- to increase our knowledge of the causes of violence in the home;
- to use our improved understanding to develop programs to prevent domestic violence.

Betty Stephens, Chairperson

Senator CRANSTON. Is Alyce Dales here?

Ms. Dales, we appreciate very much your presence.

STATEMENT OF ALYCE M. DALES, FORMER VICTIM OF SPOUSE ABUSE, LAGUNA BEACH, CALIF.

Ms. DALES. I am here in support of Federal legislation to make funds available for facilities for battered women and their children.

The lives of women who are battered are in jeopardy because they have no where to escape the violence in their homes.

This problem is one that crosses all class lines, and is not specific to any one socioeconomic group.

Even though money may not appear to be a problem for some women, they often have no one to turn to if their lives are in danger. For this reason I feel it is imperative that shelters and other support services be made available.

I have been a victim of spouse abuse, and I would like to relate to you some of my experiences and why I feel shelters and other support services are so desperately needed.

My former husband is a professional man who during the period of time to which I am referring, earned in excess of \$90,000 a year.

The physical violence started approximately 2 months after the marriage and continued until after the divorce proceedings were initiated.

I became pregnant soon after the marriage and at intervals throughout the pregnancy, I was choked, beaten with his fists in the head and face. I was also thrown across the room on many occasions.

During one particularly bad incident, I sought help from my parents. They felt it was my problem to solve and none of their concern.

I have found since then, after talking with other victims of spouse abuse, that this is not a rare occurrence. If one's own family is unwilling to accept this problem, to whom can one turn?

I was pregnant and felt that the only option I had was to return to my husband. I came from a traditional background of anti-divorce and antiabortion.

After my daughter Megan was born, the violence increased. It ranged from pushing and shoving to being kicked and choked. My head was beaten on a tile floor, I was beaten about the head and face with the telephone receiver, and I had a large cooking fork held to my throat. He told me he would kill me if I resisted his sexual advances or "talked back."

It was also during these times of terror that he would take away my car keys and money and credit cards.

On two different occasions he attacked me while I had my child in my arms and I dropped her. Only once did I try to leave. After being away for 3 days, I returned to my home for clothing for my daughter and myself. I took what I considered precautions. I telephoned the house to make sure that he was not there and checked the garage for his car. No one had answered the telephone and his car was nowhere in sight.

When I entered my bedroom, he attacked me. I received one of the worse beatings I had ever received from him. It was at this time he threatened to kill me if I left again and tried to divorce him.

It is because of these kinds of situations that support services are so desperately needed, to give a woman and her children an opportunity to be in a safe environment so that she can begin to get her life and her thoughts in order.

Another aspect of this social issue that I feel needs to be addressed is the lack of law enforcement. There are laws on the books, but the very system that enacted the laws, is not doing a responsible job of enforcement.

The police tell you there is nothing they can do because it is a civil matter. In reality it is a criminal offense to beat one's wife.

The district attorney does not move on these cases "because the women don't follow through." How apt would you be to follow through with a criminal complaint against your attacker if you had to live with him until it went to court?

Men will continue to abuse until law enforcement demonstrates that they cannot do this. At this time the system, by not responding in accordance with the law, is condoning the actions of the attacker:

I was never told of my rights; I was only intimidated and frightened.

Senator CRANSTON. Thank you very, very much.

I know how difficult it is to come and publicly give us a statement, but it is very helpful to us and to others, and you are great to be willing to do it.

Do you have any specific recommendations as to what the Federal Government could do to be of help in this regard?

Ms. DALES. I really don't. I know just the mere fact that there is an interest is positive. I think it will take a lot of people putting their heads together to come up with the right idea.

Senator CRANSTON. A show of concern by the Federal Government is the first offering of help, and we can of course do more and I trust we will find ways to do that.

Thank you very, very much.

Are either Maxine Waters or Steve Y'Barra here yet?

Steve, come on up.

Senator CRANSTON. I am glad you are here. I want to say to you what I said to the other witnesses before you arrived, that because of the tight schedule and my desire to hear many people, if you can limit your opening statement to about 5 minutes, I would appreciate it.

Mr. Y'BARRA. That will be fine, sir.

Senator CRANSTON. Your full statement will go in the record of course.

STATEMENT OF HON. STEVE Y'BARRA, ASSISTANT TO THE SECRETARY, DEPARTMENT OF HEALTH AND WELFARE, STATE OF CALIFORNIA, ACCOMPANIED BY BENTON CLARK, CHIEF, PROTECTIVE SERVICES SECTION, AND JOYCE PAOMER, CHILD PROTECTIVE SERVICES, DEPARTMENT OF HEALTH AND WELFARE

Mr. Y'BARRA. Naturally.

I do again want to apologize for being late, but the good Lord has decided to put in a 30-mile an hour crosswind this morning.

For the record, my name is Steve Y'Barra; I am the assistant to the secretary of the Health and Welfare Agency for the State of California.

To my immediate left is Benton Clark, the chief of protective services section, State department of health. To his immediate left is Doris Cole who is a social service consultant in the protective services section.

I am here this morning to talk on the issue to you, Senator, of domestic violence. I would like to talk just briefly, as you indicated the full remarks will be in the record, about the existing problem which I am sure you have heard quite a bit of testimony on, or will hear.

From a State perspective, our perspective is that we are viewing a problem in California that specifically relates to data that has come to our attention from the State assembly, that in 1978 indicates that 25 percent of couples in the United States use violence against each other, and 10 percent use extreme physical violence.

More importantly, it is estimated that a minimum of 10 percent of children who witness parental violence, use violence when they become adults.

Wife beating is considered by the FBI and other law enforcement experts to be the most under reported crime in the country. However, more police calls involve family violence than any other criminal incident. This apparent contradiction is because most law enforcement agencies do not keep separate statistics for wife beating. The crime is categorized under broader headings such as assault, battery, attempted homicide, or even murder.

The number of resources in California to serve the victims of domestic violence is totally inadequate. In 1977 there were about 14 facilities providing protective shelters, and these shelters were concentrated in only eight counties in the State. We have 58 counties and therefore 50 of the 58 have no shelter programs.

Let me describe in some detail just what kind of a shelter you might have to go to.

Existing shelters are overcrowded and do not have the space to accept all those victims of domestic violence in need of and requesting shelter. It is not atypical for two family groups unknown to each other and consisting of two mothers and four children to share a 20 by 20 room. When bunk beds are available, larger family groups can be accommodated in the same amount of space.

In at least nine counties where volunteer groups providing crisis line counseling haven't yet secured funds to establish a shelter temporary plans have been developed. To the extent possible, arrangements are made for victims of domestic violence and their children to stay temporarily in private homes with families who have volunteered their services.

This seems to be the most common way that volunteers are combatting the problem.

We do place a high priority for protecting the citizens and believe that victims of domestic violence are not receiving adequate protection.

To this end, Senate bill 91 which was introduced by Senator Presley who is a former undersheriff in Riverside County, I think he was

one of the more appropriate authors. I, myself, had some experience in legal assistance for a number of years in dealing with domestic violence and problems in the civil side, so I think it is very important that Senator Presley wrote the bill from a criminal prospective.

Senate bill 91 was passed in 1977 and became effective in January of this year. It appropriates a total of \$280,000 for 2 years—\$30,000 is for professional staff in the State department of health, and the other \$250,000 is to partially finance the establishment of four-to-six pilot projects to provide protective shelter and other support services to victims of domestic violence and their children.

In part the law found that victims of domestic violence come from all socioeconomic classes and ethnic groups, though it is the poor who suffer most from marital violence, since they have no immediate access to private counseling and shelter for themselves and for their children.

In response to legislation, incidentally, California has received about 200 requests for application. It is anticipated that between 50 and 100 proposals will be received. The law provides for a minimum of four and a maximum of six projects, may be funded. The unmet need is obvious.

California in other legislation enacted in 1977 included S.B. 92 which was enacted to require law enforcement agencies to report specified information to the California State attorney general concerning the incidence of marital violence. A.B. 1019 authorizes a court to grant a restraining order to prevent a recurrence of actual or threatened violence arising out of marital or other domestic relations, even if no proceedings are pending for divorce or dissolution of the marriage.

This is an important step forward. Previously, of course, if an individual wished to file, they had to go in for a temporary restraining order and dissolution order, request for separation would have to be on file with the court.

We find that the funding in the proposed legislation is not sufficient and I will be requesting Secretary Obledo to go forward to the Governor with a plan to spend a portion of H.R. 3387 moneys specifically for the purposes of increased funding in domestic violence areas.

Existing bills that have been introduced in the House and the Senate—S. 1728, H.R. 9053, 52, and 7927 are inadequate. We don't need study money. We know what the extent of the problem is. We know that it is a very, very large problem. We need in California the same kind of things that we found in S.B. 91. We need shelter on a 24-hour-a-day basis, 7 days a week. We need 24-hour-a-day 7-day switchboard for calls. We need temporary housing and food facilities. We need psychological support and peer counseling, referrals to existing agencies in the community and follow up on the outcome of the referral.

We need day programs and drop-in centers, arrangements for school age children to continue their education during their stay at the center, and emergency transportation to the shelter.

We need assistance in arranging for the following services for the victims of domestic violence: Medical care; legal assistance; psycho-

logical support and counseling; information regarding reeducation, marriage, and family counseling; job counseling and training programs; housing referrals; and other available social services.

We also need services to the batterer as well as to the battered spouse and their children. We believe this is extremely important. In many instances the families reunite. We find that even after services are given, the same incidents occur simply because the batterer is facing the problems; the problems haven't gone away—unemployment, psychological pressures.

We also need the provisions for assistance in arranging services to improve the well-being of the children who are suffering from the deep and emotional effects related to domestic violence.

I wish that we had a tremendous amount of time to go into the kinds of individual problems that children face. Having adopted two children myself who have come out of homes in which there was a tremendous amount of domestic violence, it is a psychological effect that will take years and years to go away. How you deal with those problems is very, very difficult.

Finally, proposed legislation has no provision to assure protection to children who are involved and damaged by situations of domestic violence.

When Mr. Wickes talked to me, he asked me, he said we want to be sure that California will tell us exactly what we think we might be able to do for us, so we have a few thoughts.

We think the block grants to the States should be the manner whereby moneys are distributed. If we are not going to increase the title XX spending which is fairly obvious the Senate and the House are not going to be able to come to some agreement, although Senator Long I understand met with the Governor when he was back and there was some discussions about possibly removing his objections to the increase in the cap. If that doesn't occur, then block grants ought to occur.

That ought to go directly to the Governor, and a single State agency designated by the Governor should be responsible for administration of domestic violence funds.

Applications from local agencies for domestic violence funds should be made to the single State agency.

Coordinated plans of expenditures with the title XX agency should be required for those funds block granted to the States.

Sufficient funds to impact on the problem should be made available in those block grants.

Federal reimbursement should be available for a wide variety of domestic violence services. LEAA money is restricted; title XX money is restricted; various and different other kinds of money as they come in are categorically limited so that we cannot put the appropriate need into the appropriate solution at any given point in time.

Administration, we believe, at the Federal level, should be by HEW as we believe domestic violence is primarily a social service program and should be so treated.

Strong monitoring and evaluation component should be provided to assure programs funding are able to justify costs and funding.

Common reporting requirements should be provided to assure the uniformity of data at the State and Federal level.

Consultation from the single State agency about the content of required reports would enhance their usefulness at Federal, State, and local levels and facilitate minimum paperwork for all parties concerned.

The morass of Federal bureaucracy is just unbelievable and we believe that at a minimum, absolutely at a minimum, that HEW should be required to issue the regulations no oftener than every quarter.

We found in the food stamp program for instance, that USDA sends out a regulation change every day. Actually we have 372 in that one program. This program should be required to have a specific limitation written in the Federal law so that regulations can be issued on in a reasonable and intelligent fashion.

We also believe in a strong advisory board component at the State level. It should be required for and provide that consumer services be at least 50 percent of that membership.

Identification and coordination of all resources for domestic violence should be done at the Federal as well as the State level.

Community-based agencies with strong volunteer components should be given a priority for funds.

Matching contributions, in kind or in cash, should be provided for by the State and/or local agency at a 25-75 basis.

I think this is basically the kind of program we would like to see. We think that it would be an appropriate program here in California and in the United States as well.

If there are any questions I will be happy to answer them, or members of my staff.

Senator CRANSTON. Thank you very much for a very thorough statement of the problem, and for giving us some insight into what you are doing or attempting to do in the State.

You said, at the outset of your testimony, that 10 percent of children who grow up in families where they experience or witness family violence then engage in it themselves. Do you have any comparable figures on those who do not grow up in such families?

Mr. Y'BARRA. No. I don't think there has really been any—again, you know, it is a matter of identification of the problem. There has been some recent studies that have come out in the last few years that indicate that in homes where you have violence, it does pass through and that just seems to be the most current reported statistic.

Senator CRANSTON. You note that "Most law enforcement agencies don't keep separate statistics for wife beating."

Do you think that such domestic violence data should be collected?

Mr. Y'BARRA. Well, in S.B. 92 in California we are actually requiring that the State keep that kind of statistic.

Senator CRANSTON. You think that ought to be done in every State?

Mr. Y'BARRA. I think it ought to be done. Yes, sir.

Senator CRANSTON. Are there uniform reporting requirements in the State?

Mr. Y'BARRA. Under S.B. 92 there will be.

Senator CRANSTON. In addition to programs developed as a result of the Presley bill, does the State have any other programs that affect or deal with domestic violence?

Mr. Y'BARRA. We have presently some programs that are running in conjunction with the Office of Criminal Justice planning domestic violence, and we will be writing various additions to that as more funds become available.

Senator CRANSTON. I want to ask you one question I asked Betty Stephens regarding the fact that the Federal Government grant processes obviously are rather expensive in that bureaucratic needs have to be met. There are many community-based programs that wouldn't be able to afford or even to apply for that assistance. If grants were made available through the States, it is likely that the application and approval cost could be reduced.

Do you think that is an appropriate way to proceed—to have the application process run through the State?

Mr. Y'BARRA. Absolutely, Senator. In fact that's what we will recommend, that block grants be given to the States.

Also I don't agree with the base premise that community-based organizations don't have sufficient funds to apply. What we have found in our funding processes in this administration is that when you utilize the office of economic opportunity of the local State agencies that deal with poor people through the CSA grantees, that you can provide sufficient technical assistance as long as you have an open mind about accepting applications that aren't always done properly.

Senator CRANSTON. Thank you very much. You have been most helpful. We look forward to working with you.

[The prepared statement of Mr. Y'Barra follows:]

SENATOR CRANSTON, MEMBERS OF THE COMMITTEE, I AM STEVE Y'BARRA, ASSISTANT TO MARIC OBLEDO, SECRETARY OF THE HEALTH AND WELFARE AGENCY OF THE STATE OF CALIFORNIA. ATTENDING THE HEARING WITH ME TODAY IS BENTON R. CLARK, CHIEF OF THE PROTECTIVE SERVICES SECTION, WHICH IS RESPONSIBLE FOR SERVICES TO VICTIMS OF DOMESTIC VIOLENCE. WE APPRECIATE THE OPPORTUNITY TO MEET WITH THE COMMITTEE ON THE SUBJECT OF DOMESTIC VIOLENCE. I WILL SPEAK TO THE ISSUES OF:

1. THE EXISTING PROBLEM
2. ACTION TAKEN BY CALIFORNIA TO COPE WITH THE PROBLEM
3. THE NEED FOR IMMEDIATE ACTION BY THE FEDERAL GOVERNMENT TO HELP STATES DEVELOP PROGRAMS TO DEAL WITH THIS PROBLEM.

I WILL ALSO DISCUSS SPECIAL PROVISIONS WHICH CALIFORNIA BELIEVES MUST BE INCLUDED IN FEDERAL LEGISLATION.

THE EXISTING PROBLEM

ALTHOUGH THE TOTAL CONTENT OF THE PROBLEM IS NOT KNOWN, THE SKETCHY DATA NOW AVAILABLE PRESENTS A FRIGHTENING PICTURE.

BETWEEN 1.8 AND 3.3 MILLION WOMEN ARE BEATEN BY THEIR HUSBANDS EACH YEAR IN THE UNITED STATES AND ABOUT 280,000 MEN ARE BEATEN BY THEIR WIVES ANNUALLY. 1/

A 1973 FBI REPORT INDICATES HOMICIDES WITHIN THE FAMILY ACCOUNTS FOR 1/4 OF ALL MURDERS. OVER 1/2 OF THESE INVOLVED ONE SPOUSE KILLING THE OTHER.^{2/}

(FBI REPORTS SHOW THAT IN SPOUSE MURDERS 52% ARE COMMITTED BY THE HUSBANDS AND 48% BY THE WIFE.)^{3/}

IN CALIFORNIA IN 1971 OVER 1/3 OF ALL FEMALE HOMICIDE VICTIMS WERE MURDERED BY THEIR HUSBANDS.^{4/}

ACCORDING TO THE BUREAU OF CRIMINAL STATISTICS OF THE CALIFORNIA STATE DEPARTMENT OF JUSTICE, IN 56 COUNTIES DURING 1973 THERE WERE 1,043 FELONY ARRESTS FOR WIFE OR CHILD BEATINGS. OF THESE ARRESTS THERE WERE 349 CONVICTIONS.^{5/}

DATA SECURED BY THE CALIFORNIA STATE ASSEMBLY IN 1978 INDICATES 25% OF COUPLES IN THE UNITED STATES USE VIOLENCE AGAINST EACH OTHER AND 10% USE EXTREME PHYSICAL ABUSE.

IT IS ESTIMATED THAT A MINIMUM OF 10% OF CHILDREN WHO WITNESS PARENTAL VIOLENCE USE VIOLENCE WHEN THEY BECOME ADULTS.

WIFE BEATING IS CONSIDERED BY THE FBI AND OTHER LAW ENFORCEMENT EXPERTS TO BE THE MOST UNDER REPORTED CRIME IN THE COUNTRY. HOWEVER, MORE POLICE CALLS INVOLVE FAMILY VIOLENCE THAN ANY OTHER CRIMINAL INCIDENT. THIS APPARENT CONTRADICTION IS BECAUSE MOST LAW ENFORCEMENT AGENCIES DO NOT KEEP SEPARATE STATISTICS FOR WIFE BEATING

THE CRIME IS CATEGORIZED UNDER BROADER HEADINGS SUCH AS: ASSAULT, BATTERY, ATTEMPTED HOMICIDE, OR EVEN MURDER.

THE NUMBER OF RESOURCES IN CALIFORNIA TO SERVE VICTIMS OF DOMESTIC VIOLENCE IS TOTALLY INADEQUATE. IN 1977 THERE WERE ABOUT 14 FACILITIES PROVIDING PROTECTIVE SHELTER AND THESE SHELTERS WERE CONCENTRATED IN ONLY 8 COUNTIES IN THE STATE. 50 OF CALIFORNIA'S 58 COUNTIES HAVE NO SHELTER PROGRAM, AND MANY OF THESE ARE CALIFORNIA'S MOST URBAN AREAS.

DESCRIPTION OF SHELTER

EXISTING SHELTERS ARE OVERCROWDED AND DO NOT HAVE THE SPACE TO ACCEPT ALL THOSE VICTIMS OF DOMESTIC VIOLENCE IN NEED OF AND REQUESTING SHELTER. IT IS NOT ATYPICAL FOR FAMILY GROUPS UNKNOWN TO EACH OTHER AND CONSISTING OF TWO MOTHERS AND FOUR CHILDREN TO SHARE A 20 X 20 ROOM. WHEN BUNK BEDS ARE AVAILABLE LARGER FAMILY GROUPS CAN BE ACCOMMODATED IN THE SAME AMOUNT OF SPACE.

IN AT LEAST NINE COUNTIES WHERE VOLUNTEER GROUPS PROVIDING CRISIS LINE COUNSELING HAVEN'T YET SECURED FUNDS TO ESTABLISH A SHELTER TEMPORARY PLANS HAVE BEEN DEVELOPED. TO THE EXTENT POSSIBLE ARRANGEMENTS ARE MADE FOR VICTIMS OF DOMESTIC VIOLENCE AND THEIR CHILDREN TO STAY TEMPORARILY IN PRIVATE HOMES WITH FAMILIES WHO HAVE VOLUNTEERED THEIR SERVICES.

CALIFORNIA'S EFFORTS TO COMBAT THE PROBLEM

CALIFORNIA PLACES HIGH PRIORITY ON PROTECTING ITS CITIZENS AND BELIEVES THAT VICTIMS OF DOMESTIC VIOLENCE ARE NOT RECEIVING ADEQUATE PROTECTION. TOWARD THIS END SENATE BILL 91 WAS PASSED IN 1977 AND BECAME EFFECTIVE IN JANUARY 1978. IT APPROPRIATES A TOTAL OF \$280,000 FOR TWO YEARS. \$30,000 IS FOR PROFESSIONAL STAFF IN THE STATE DEPARTMENT OF HEALTH AND THE OTHER \$250,000 IS TO PARTIALLY FINANCE THE ESTABLISHMENT OF 4 TO 6 PILOT PROJECTS TO PROVIDE PROTECTIVE SHELTER AND OTHER SUPPORT SERVICES TO VICTIMS OF DOMESTIC VIOLENCE AND THEIR CHILDREN. IN PART, THIS LAW STATES:

"VICTIMS OF DOMESTIC VIOLENCE COME FROM ALL SOCIOECONOMIC CLASSES AND ETHNIC GROUPS, THOUGH IT IS THE POOR WHO SUFFER MOST FROM MARITAL VIOLENCE, SINCE THEY HAVE NO IMMEDIATE ACCESS TO PRIVATE COUNSELING AND SHELTER FOR THEMSELVES AND THEIR CHILDREN. CHILDREN EVEN WHEN THEY ARE NOT PHYSICALLY ASSAULTED, VERY OFTEN SUFFER DEEP AND LASTING EMOTIONAL EFFECTS, AND IT IS MOST OFTEN THE CHILDREN OF THOSE PARENTS WHO COMMIT DOMESTIC VIOLENCE THAT CONTINUE THE CYCLE AND ABUSE THEIR SPOUSES.

"IT IS THE INTENTION OF THE LEGISLATURE TO BEGIN TO EXPLORE AND DETERMINE WAYS OF ACHIEVING REDUCTIONS IN SERIOUS AND FATAL INJURIES TO THE VICTIMS OF DOMESTIC VIOLENCE AND BEGIN TO CLARIFY THE PROBLEMS, CAUSES, AND CURES OF DOMESTIC VIOLENCE. IN ORDER TO ACHIEVE THESE RESULTS, IT IS THE INTENTION OF THE

LEGISLATURE THAT THE STATE SHALL INITIATE DEMONSTRATION PROJECTS IN SEVERAL AREAS THROUGHOUT THE STATE FOR THE PURPOSE OF AIDING VICTIMS OF DOMESTIC VIOLENCE BY PROVIDING THEM A PLACE TO ESCAPE THE DESTRUCTIVE ENVIRONMENT. IT IS FURTHER THE INTENT OF THE LEGISLATURE THAT THE PROJECTS RECEIVE SUFFICIENT STATE FUNDS TO SERVE AS SEED MONEY OR MATCHING MONEY TO ASSIST THE CENTERS IN OBTAINING FURTHER SUPPORT FROM OTHER PUBLIC OR PRIVATE SOURCES."

IN RESPONSE TO THIS LEGISLATION, CALIFORNIA HAS RECEIVED APPROXIMATELY 200 REQUESTS FOR APPLICATIONS FROM ORGANIZATIONS SEEKING FUNDING IN 36 OF THE 58 COUNTIES. OF THIS TOTAL IT IS ANTICIPATED THAT AT LEAST 50 TO 100 PROPOSALS WILL BE RECEIVED. THE LAW PROVIDES A MINIMUM OF FOUR OR A MAXIMUM OF SIX PROJECTS MAY BE FUNDED. THE UNMET NEED IS OBVIOUS.

IN ADDITION TO SB 91, CALIFORNIA ENACTED OTHER LAWS IN 1977 TO COMBAT DOMESTIC VIOLENCE. SB 92 WAS ENACTED WHICH REQUIRES LAW ENFORCEMENT AGENCIES TO REPORT SPECIFIED INFORMATION TO THE ATTORNEY GENERAL CONCERNING THE INCIDENCE OF MARITAL VIOLENCE. ASSEMBLY BILL 1019 AUTHORIZES A COURT TO GRANT A RESTRAINING ORDER TO PREVENT A RECURRENCE OF ACTUAL OR THREATENED VIOLENCE ARISING OUT OF MARITAL OR OTHER DOMESTIC RELATIONS, EVEN IF NO PROCEEDINGS ARE PENDING FOR DIVORCE OR DISSOLUTION OF THE MARRIAGE.

EFFORTS TO REDUCE THE INCIDENCE OF OR TRAUMA FROM DOMESTIC VIOLENCE REQUIRES A COORDINATED APPROACH. MORE THAN ONE SYSTEM IS INVOLVED IN THE DELIVERY OF THE NEEDED SERVICES. SOCIAL SERVICES, MEDICAL CARE,

MENTAL HEALTH, CRIMINAL JUSTICE, EDUCATION, AND FINANCIAL ASSISTANCE ARE ALL A PART OF THE OVERALL SERVICES DELIVERY SYSTEM.

WHILE THERE ARE SOME SMALL POCKETS OF MONEY AVAILABLE THROUGH SUCH SOURCES AS L.E.A.A., REVENUE SHARING, TITLE XX AND HUD, EACH OF THESE SOURCES HAS DEFINITE LIMITATIONS IN AMOUNT AND THE ITEMS FOR WHICH FUNDS MAY BE EXPENDED. FOR EXAMPLE, TITLE XX IS VERY LIMITED BOTH IN TERMS OF THE ACTUAL DOLLARS AVAILABLE AND THE PURPOSES FOR WHICH THESE FUNDS MAY BE SPENT. CALIFORNIA HAS NOT RECEIVED A SIGNIFICANT INCREASE IN ITS FEDERAL TITLE XX ALLOCATION FOR MANY YEARS AND CURRENT FEDERAL LAW PROHIBITS STATES FROM USING THESE MONIES FOR EMERGENCY HOUSING OR SHELTER COSTS. EMERGENCY PROTECTIVE SHELTER IS A MAJOR COMPONENT OF AN EFFECTIVE DOMESTIC VIOLENCE PROGRAM.

THE STATE OF CALIFORNIA FIRMLY BELIEVES IN AND STRONGLY URGES THAT FEDERAL LEGISLATION BE ENACTED THIS FISCAL YEAR.

WE ARE VERY ENCOURAGED BY THE RECENT INTRODUCTION OF FEDERAL LEGISLATION TO DEAL WITH THIS CRITICAL PROBLEM. HOWEVER, OUR REVIEW OF THE PENDING LEGISLATION POINTS OUT THAT IT IS INADEQUATE IN SEVERAL AREAS. SOME OF THESE ARE:

1. FUNDING IN PROPOSED LEGISLATION IS NOT SUFFICIENT.^{1/}
2. CALIFORNIA ALONE WOULD NEED ABOUT 5 MILLION DOLLARS ANNUALLY TO FUN. 20 NEW CENTERS.

^{1/} HR 7927, HR 9052, HR 9053, HR 8946, AND S 1728

3. TOO LARGE A PORTION OF THE LIMITED FUNDS IS DIVERTED FOR STUDY PURPOSES RATHER THAN FOR ACTION TO DELIVER SERVICES.

1977 HEARINGS IN CALIFORNIA LEGISLATURE ON SB 91 CLEARLY BROUGHT OUT ACTION. NOT STUDY, MONEY IS NEEDED FOR A VARIETY OF SERVICES INCLUDING:

- A. SHELTER ON A 24 HOUR-A-DAY, SEVEN DAYS A WEEK BASIS;
- B. 24 HOURS-A-DAY, SEVEN DAYS A WEEK SWITCHBOARD FOR CRISIS CALLS;
- C. TEMPORARY HOUSING AND FOOD FACILITIES;
- D. PSYCHOLOGICAL SUPPORT AND PEER COUNSELING;
- E. REFERRALS TO EXISTING SERVICES IN THE COMMUNITY AND FOLLOWUP ON THE OUTCOME OF THE REFERRALS;
- F. A DAY PROGRAM OR DROP-IN CENTER TO ASSIST VICTIMS OF DOMESTIC VIOLENCE WHO HAVE NOT YET MADE THE DECISION TO LEAVE THEIR HOMES, OR WHO HAVE FOUND OTHER SHELTER BUT WHO HAVE A NEED FOR SUPPORT SERVICES;
- G. ARRANGEMENTS FOR SCHOOL AGE CHILDREN TO CONTINUE THEIR EDUCATION DURING THEIR STAY AT THE CENTER; AND
- H. EMERGENCY TRANSPORTATION TO THE SHELTER;

I. ASSISTANCE IN ARRANGING FOR THE FOLLOWING SERVICES FOR THE VICTIMS OF DOMESTIC VIOLENCE:

(1) MEDICAL CARE;

(2) LEGAL ASSISTANCE;

(3) PSYCHOLOGICAL SUPPORT AND COUNSELING; AND

(4) INFORMATION REGARDING REEDUCATION, MARRIAGE AND FAMILY COUNSELING, JOB COUNSELING AND TRAINING PROGRAMS, HOUSING REFERRALS AND OTHER AVAILABLE SOCIAL SERVICES.

J. SERVICES TO THE BATTERER AS WELL AS TO THE BATTERED SPOUSE AND THEIR CHILDREN;

K. PROVISION FOR OR ASSISTANCE IN ARRANGING FOR SERVICES TO IMPROVE THE WELL BEING OF CHILDREN WHO ARE SUFFERING FROM DEEP AND EMOTIONAL EFFECTS RELATED TO DOMESTIC VIOLENCE.

4. PROPOSED LEGISLATION HAS NO PROVISIONS FOR REVIEW OF LOCAL APPLICATIONS AT A STATE LEVEL PRIOR TO FEDERAL APPROVAL;

5. AND, FINALLY, PROPOSED LEGISLATION HAS NO PROVISION TO ASSURE PROTECTION TO CHILDREN WHO ARE INVOLVED AND DAMAGED BY SITUATIONS OF DOMESTIC VIOLENCE.

THE HEALTH AND WELFARE AGENCY OF THE STATE OF CALIFORNIA WOULD SUPPORT AND URGES THE ENACTMENT OF FEDERAL LEGISLATION WHICH INCLUDES THE FOLLOWING COMP-NENTS:

1. BLOCK GRANTS TO STATES SHOULD BE THE MANNER WHEREBY MONIES AIMED AT DOMESTIC VIOLENCE ARE DISTRIBUTED BY THE FEDERAL GOVERNMENT.
2. SINGLE STATE AGENCY DESIGNATED BY THE GOVERNOR IS RESPONSIBLE FOR ADMINISTRATION OF DOMESTIC VIOLENCE FUNDS.
3. APPLICATIONS FROM LOCAL AGENCIES FOR DOMESTIC VIOLENCE FUNDS SHOULD BE MADE TO SINGLE STATE AGENCY.
4. COORDINATED PLAN OF EXPENDITURES WITH TITLE XX AGENCY SHOULD BE REQUIRED FOR THOSE FUNDS BLOCK GRANTED TO STATES.
5. SUFFICIENT FUNDS TO IMPACT ON PROBLEM SHOULD BE MADE AVAILABLE IN BLOCK GRANTS.
6. FEDERAL REIMBURSEMENT SHOULD BE AVAILABLE FOR A WIDE VARIETY OF DOMESTIC VIOLENCE SERVICES.
7. ADMINISTRATION AT FEDERAL LEVEL SHOULD BE BY HEW AS WE BELIEVE DOMESTIC VIOLENCE IS A SOCIAL SERVICE PROGRAM AND SHOULD BE SO TREATED.
8. STRONG MONITORING AND EVALUATION COMPONENT SHOULD BE PROVIDED TO ASSURE PROGRAMS FUNDED ARE ABLE TO JUSTIFY COSTS AND FUNDING.

9. COMMON REPORTING REQUIREMENTS SHOULD BE PROVIDED FOR TO ASSURE UNIFORMITY OF DATA AT THE STATE AND FEDERAL LEVEL.
10. CONSULTATION FROM SINGLE STATE AGENCY ABOUT CONTENT OF REQUIRED REPORTS WOULD ENHANCE THEIR USEFULNESS AT FEDERAL, STATE, AND LOCAL LEVELS AND FACILITATE MINIMUM PAPERWORK FOR ALL PARTIES CONCERNED.
11. ADVISORY BOARD AT STATE LEVEL SHOULD BE REQUIRED AND PROVIDE FOR CONSUMERS OF SERVICES TO COMPRISE 50% OF MEMBERSHIP.
12. IDENTIFICATION AND COORDINATION OF ALL RESOURCES FOR DOMESTIC VIOLENCE SHOULD BE DONE AT A FEDERAL AS WELL AS A STATE LEVEL.
13. COMMUNITY BASED AGENCIES WITH STRONG VOLUNTEER COMPONENT SHOULD BE GIVEN PRIORITY FOR FUNDS.
14. MATCHING CONTRIBUTIONS IN CASH OR IN KIND SHOULD BE PROVIDED BY STATE AND/OR LOCAL AGENCY ON 25-75 BASIS.
15. FEDERAL REGULATIONS SHOULD NOT BE ISSUED OFTENER THAN QUARTERLY.

THIS GIVES A BRIEF OVERVIEW OF SOME OF THE KEY COMPONENTS THAT COULD BE ADDRESSED IN FEDERAL LEGISLATION. WE WILL BE HAPPY TO WORK WITH YOU TO MORE FULLY DEVELOP PROPOSED LEGISLATION.

AGAIN, I THANK THE COMMITTEE FOR THE OPPORTUNITY OF SPEAKING WITH YOU TODAY. I WILL BE GLAD TO ANSWER ANY QUESTIONS OR TO FORWARD ANY ADDITIONAL WRITTEN MATERIAL THAT WILL BE USEFUL TO YOU IN EXAMINING THIS CRITICAL ISSUE.

1. JANUARY 28, 1978 AND FEBRUARY 28, 1978, SACRAMENTO BEE
2. JUNE 7, 1977 SENATE DEMOCRATIC CAUCUS, CALIFORNIA LEGISLATION REPORT
3. DECEMBER 1977 STATE GOVERNMENT NEWS
4. JUNE 7, 1977 SENATE DEMOCRATIC CAUCUS, CALIFORNIA LEGISLATIVE REPORT
5. JANUARY 24, 1978 HEALTH AND WELFARE AGENCY PRESS RELEASE

Senator CRANSTON. I understand Maxine Waters is now present.

**STATEMENT OF HON. MAXINE WATERS, ASSEMBLYWOMAN,
CALIFORNIA STATE LEGISLATURE**

Ms. WATERS. A spokesperson for the women's resources and research center at the University of California at Davis, estimates that at some point in her lifetime, one in every two California women will be seriously battered by her father, boyfriend, husband, or teenage son.

That one in every two statistics, translates into more than 5 million women, a whopping special interest group.

Richard C. Levy, co-author of "Wifebeating, the Silent Crisis," concurs with the center's estimate. His own study indicates that one-half of all married women in America suffer physical abuse at the hands of their husbands, ranging from an occasional slap to regular beatings.

Other researchers have published widely varying figures. Some say only one-fourth or one-tenth of all married women may be victims of domestic violence.

Even the conservative figures hint at a widespread, and until very recently, little known horror story.

If only 25 percent are victims of violence, that's nearly 3 million people in California alone. If the figures are only 10 percent, we are talking about nearly 1 million potential victims. California's total female population is approximately 11 million.

Because most law enforcement agencies do not keep specific statistics on domestic violence, and many women still hesitate to report violent husbands, we can only guess at how prevalent the problem is.

The State legislature discovered this lack of up to date information when it attempted to deal with the problem of domestic violence last year. Agencies from the State attorney general's office to local police departments, provided little aid in discovering the exact extent of the problem since they tend to lump statistics for battered women under a general heading of domestic disturbance calls.

The Federal Government could provide an invaluable service by directing its data collection agencies to separate episodes of wife beating from other general information categories.

For general background on domestic violence, I would like to refer to a recent issues booklet that was put together by the majority consultants office for the California State Assembly.

Although the subject has recently attracted the attention of the media, violence against women is not a new problem. Women have been the object of physical abuse throughout written history, but only in the past few years have discussions about violence against women taken place in State and Federal hearing rooms.

Representative Barbara Mikulski, Democrat from Maryland, author of Federal legislation on spouse beating, says women are raised to be subservient to men, and in some cases believe they deserve to be beaten.

And a woman's commission in one Eastern State recently turned down our proposal to aid battered women blaming their predicament on the rise of feminism. Those women libbers, they said, irritate the hell out of their husbands one Commissioner was quoted as saying. Groups like women against violence against women, believe the media sometimes encourage the current state of affairs.

The organization protested the use of pictures depicting battered women on record album covers produced by some rock groups.

Richard C. Levy, who coauthored "Wife Beating the Silent Crisis," describes a marriage license as a hunting license. He estimates that at least one-half of all married women in America suffer physical abuse at the hands of their husbands ranging from an occasional slap to regular beatings.

Other researchers placed the number closer to 25 percent. Because of women's reluctance to report violent husbands, the exact extent of the problem is unknown.

Homicides within families accounted for one-fourth of all murders in 1973. FBI statistics indicate that one-third of the females murdered in 1972 were victims of their husbands.

Recent research demonstrates that violence spawns violence. With children who witness violence between their parents, generally are more likely to physically abuse their own spouses. Domestic violence slices through social economic and racial lines. Ministers are numbered among the Nation's spouse beaters as are respectable businessmen and doctors.

Centers to provide shelter and assistance to victims of domestic violence, have sprung up around the country, and at least five are now operating in California.

Many people staffing the centers view them as band-aids, not the solution to the problem. They see a need to change attitudes especially among enforcement and prosecution agencies.

Author Levy reports that some police departments follow an unwritten stitch rule, refusing to arrest violent husbands unless a battered woman requires a certain number of stitches.

The Federal law enforcement assistance administration is sponsoring workshops in police stations around the country in an effort to train officers to respond better to family violence cause.

California legislation, I think it has been mentioned, A.B. 1019 by Fasio, authorizes the courts to grant temporary restraining orders to prevent recurrence of violence arising out of marital or other domestic relationships. And S.B. 91 by Presley you have heard.

Among services to be offered by the centers are shelters on a 24 hours basis, psychological support and peer counseling, referral to community social services, and to every possible extent, medical care and legal assistance. And of course you have heard of S.B. 92 which requires the attorney general's office to gather enough information regarding the incident of marital violence from law enforcement agencies, to develop a representative sample for the purpose of analysis.

And S.B. 1242 which I understand is in the Senate Committee on Judiciary, would revise current law making it a felony for a husband to beat his wife. If the bill passes, both men and women could

receive felony convictions for willfully inflicting injury on their spouses.

A number of conferences have been held throughout the State, and here in southern California around the whole question of domestic violence.

I would just like to cite to you some statistics from around the country about the incidence of battered wives.

A Cleveland study found that 6,500 couples applying for divorce, 37 percent of the women listed physical abuse as one of their complaints.

In Lincoln, Nebr., the police handled 2,000 cases of wife abuse in 1973 alone—an average of more than five a day.

In San Francisco, the police reported that 50 percent of the calls they received were family violence—were family disturbances.

In Dade County, Fla., 457 persons were homicide victims as a result of family disturbances in the 5-year period ending 1974.

In Atlanta, domestic disputes are the most troublesome area for police on the night shift, accounting for 60 percent of all calls.

At Boston City Hospital, approximately 70 percent of the assault victims received in the emergency room, are women who have been attacked in their homes. Where the assailant is specified, it is usually a husband or a boyfriend.

In San Francisco, a quarter of all murders in 1974 involved couples. In Kansas City, Mo., a third of all homicides are domestic cases. In Detroit and New York City, as many people have been killed each year for the past 3 years, by family members as have been killed in Northern Ireland.

To wrap this up, since I only have a minute here, to indicate that due to lack of funds, many centers cannot adequately pay their staffs, usually composed of women. Volunteers provide many essential services, but don't always have adequate training.

Educated women, experienced in the area of family violence, can find high paying jobs elsewhere.

When we get into the idea or area of domestic violence, we are talking about an unusual set of circumstances which render most of our legal penalties and remedies useless, and some State and Federal funded programs, meaningless.

We are talking about violence within the privacy of the family. We are not talking about strangers, and in the case of a husband beating his wife, a woman's main source of financial and emotional support, often children are present. Perhaps a national hot line for violent men, or for their victims, ought to be established. Crisis lines already are available to abusive parents.

Thank you very much, Senator.

Senator CRANSTON. Thank you very, very much, Maxine, for very helpful testimony.

I do have a couple of questions.

What about financing or funding of S.B. 92? What is the situation in regard to that?

Ms. WATERS. You mean S.B. 91, the Presley bill that establishes the centers?

Senator CRANSTON. I am referring to S.B. 92.

Ms. WATERS. As far as S.B. 92, I believe we have a very limited amount of money \$200,000 for some five or six centers throughout the State. But it is only seed money. And it is not enough money to actually establish centers as I see it; only those centers that have already been established and are doing things, can use this money to assist a little bit.

Senator CRANSTON. S.B. 92 is the one on data collection.

Ms. WATERS. I see. I am not familiar with how much money has been allocated for that. I am sorry. I was talking about S.B. 91.

Senator CRANSTON. In the written testimony submitted to us by Haven House, it is stated that there is only one shelter that we know of that is funded by a private foundation.

What do you think can be done to encourage more private foundations and private support of shelters?

Ms. WATERS. Well, I think continually publicizing the problem, and getting grants persons, dealing directly with possible private funding sources, might help.

I think most of the funding sources are establishment type foundations which do not recognize this as a serious problem yet, and many of the funding sources are established for specific reasons which would perhaps cut out a lot of people.

So I think just contact and lobbying and encouraging some of the possible private sources to come up with money might help.

Senator CRANSTON. Thank you very much, Maxine. Very good to see you. I appreciate your help.

We now come to our first panel consisting of JoAnn LeFils, executive director of the emergency shelter program of Hayward—I don't know if everyone is present on this list—Kerry Lobel, Ocean Park Community Center, Santa Monica; Beverly Monasmith, director, Rosasharon, North Hollywood; Susan Naples, Women's Transitional Living Center, Orange, Calif.; Annette Palmore, La Casa de las Madres, San Francisco, and Ruth Slaughter, director, Haven House, Pasadena.

Would those who are present from that panel please come forward?

Please identify yourselves from left to right for the record, and then proceed in whatever order you see fit. Holding your opening statements, please, to 5 minutes.

STATEMENTS OF JOANN LEFILS, EXECUTIVE DIRECTOR, EMERGENCY SHELTER PROGRAM, INC., HAYWARD, CALIF., BEVERLY MONASMITH, DIRECTOR, ROSASHARON, NORTH HOLLYWOOD, CALIF.; AND SUSAN NAPLES, WOMEN'S TRANSITIONAL LIVING CENTER, ORANGE, CALIF.

Ms. NAPLES. I am Susan Naples; I am the executive director of the Women's Transitional Living Center.

Ms. LEFILS. JoAnn LeFills, Hayward, Calif.

Ms. MONASMITH. Beverly Monasmith, Rosasharon.

Senator CRANSTON. Thank you very much.

Who is going to go first?

Ms. MONASMITH. I would like to say that Ms. Slaughter couldn't be here because there was flooding up in her area; she couldn't make it.

Senator CRANSTON. Thank you. Who is going first?

Ms. MONASMITH. I can.

A lot of my submitted written testimony has been covered previously, so what I would like to go to is the problem we find with law enforcement. When a woman is being beaten, she can try to call the police, but when the police do respond and I want to emphasize when they respond, many times they look at their roles as mediators and peacekeepers.

So they go into the house and separate the couple, have the man walk around the block and leave. This sets up a situation of approval for that kind of behavior in front of the children and the wife, and reinforces the belief that this is acceptable in our society.

Many policepeople are killed answering domestic violence calls and leads us to the belief that a lot of intensive training is needed between law enforcement and social service agencies. I would like to see that instituted very soon.

Detroit police commander James Bannon told his department in 1975, that the real reason that police avoid dealing with domestic violence is because they don't know how to cope with it.

Since that time I haven't seen a lot of action on the part of law enforcement to change that.

The lack of community response to battering is very troublesome. Domestic violence is a problem that requires a good deal of time, energy, knowledge, and money. Social services are overworked and understaffed already. The legal system's ignorance and apathy borders on criminal as far as I am concerned.

Fortunately, in Los Angeles, the city and district attorneys are beginning to sensitize their staff to deal more effectively with these problems and to help women to prosecute.

We need programs that are sensitive to the bilingual and multi-cultural needs of minority and ethnic women.

We need Federal legislation to protect the rights of battered women as well as it protects other rights.

Hospitals and doctors who see battered women for treatment do not spend time to find out what caused the injuries. They are there to treat the trauma and not the cause. No attempt is made to keep specific statistics either by the hospitals or law enforcement. This is really needed. I would like to see Federal legislation requiring the keeping of these battering statistics separately from other assaults.

Many women will turn to their churches for counseling and help and are told to return to their home, that it is their responsibility to see that their husband doesn't beat them any more, and they should stay and hold the family together.

Psychologists and psychiatrists too often place the responsibility for the violent situation on the woman. All of this adds up to the battered woman feeling isolated, frightened, helpless and worthless.

I think in order to deal effectively with domestic violence it is absolutely necessary that we all recognize that it is the major social problem that it is. By making domestic violence a priority, the Fed-

eral Government would be setting an example for States and local governments as well as for the general public.

As has been mentioned, lack of funding is the major problem for people working in battering.

I wanted to cover some portions of that. For example, we are told a lot of times that there are problems with cutting budgets and that kind of mood is within all levels of government. I say that's fine, cut your budgets, but let's change priorities. I am tired of being told that women's programs and women's issues are not at the top of the priority list. If you want to cut the budget, cut it somewhere else but don't cut women out of the Government.

As an example, under the sponsorship of Councilwoman Pat Russell, here in Los Angeles, has been recommended to the city council for funding through housing and community development. We have been given \$189,000 but none of that money can be used for the 24-hour portion of the shelter, so it obviously defeats the whole program.

In addition, HUD requires that we obtain the property in order to initiate the environmental impact report in order to qualify for the grant. In other words we need a grant to qualify for a grant. Then we have to raise additional money for the nighttime program. This all became a vicious cycle because of inflexible guidelines that are insensitive to the people and problems they are supposed to address.

Few public agencies understand the problems faced by battered women. They have been traced by their husbands through county DPSS records because the woman is required to give her present address. It is certainly unrealistic to ask a woman to go back to the violent home until she qualifies for that aid, because she could be dead by that time. And she may be denied the aid if she is still living with the abuser which is another catch-22.

I would like to bring up another point. Assemblywoman Waters brought up Representative Mikulski's bill. We have a problem with that bill in that it provides that money comes through ACTION, the volunteer agency. My feeling is that volunteerism, and economic dependence of women is exactly what has gotten the battered women where they are; trapped in the situation where they have no economic way out. I don't want to see this perpetuated by our programs.

LEAA money requires a lot of work and time that community-based organizations just don't have. We would like to see more action from the Department of Labor for women's reentry programs.

The Department of Agriculture. We would like to work with them in establishing food programs for shelters. It is expensive and difficult to get food to feed that number of people.

I also want to address the issue of the funds coming directly to the grass roots organizations. I support that viewpoint.

For example, here in the county of Los Angeles, many programs are administered through the county bureaucracy. We find this very unsatisfactory and not addressing the real needs. A lot of cost goes to the administration of the program, and very little to direct services. We would like to avoid that.

On S.B. 92 you ask about that. The statistical reporting was amended out of that bill and doesn't exist any more. So in the State

of California we have no requirement to keep statistics on battered women.

Senator CRANSTON. I thought we were told otherwise by an earlier witness, by Mr. Y'Barra.

Ms. REHWOLD. He did say that it was covered, but in actuality I am glad you brought it up, because in fact it has been deleted somehow under the process.

Ms. MONASMITH. Right. There was no money to put the program in service.

Another issue is aid to victims of violent crimes.

We understand in meeting with the district attorney or the attorney general's representative, that battered women may not qualify—for this aid—because the perpetrator of the crime is a family member. Even if she should qualify for this aid, it would take up to a year to receive it. It is not very realistic to deal with battered women under those circumstances.

Low-income housing, second stage housing when they leave the shelter, we need help from HUD. It is very difficult for a woman with children in any metropolitan area to find housing of any kind, but especially in a crisis situation where she needs the housing immediately, it is almost impossible. So we have women ready to leave the shelters that can't leave because there is no housing for them to go to.

I could go on and on, but I will quit and let you ask me some questions.

Senator CRANSTON. Thank you very much.

I will get to the questions after each of you has testified.

Ms. LEFILS. Good morning, Senator, my name is JoAnn LeFils. I am the director of the emergency shelter program in Hayward, Calif. It is one of the 30-32 shelters across the land that you have been hearing about this morning.

I am here in a two-fold purpose. One because I am the director of such a program, and also because a colleague of mine—Ken Merritt—who is a psychologist and the director of youth and family services bureau with the Hayward Police Department, was unable to attend but did send his written testimony.

We do have what I feel is a very effective working relationship with our local Hayward Police Department, and it sounds from what I have heard nationwide, that's fairly unique. So I would like to give you some of Ken's testimony and then I will support it with some of my own statistics from the shelter.

The problems and issues relating to domestic violence have been long standing acquaintances with law enforcement. Law enforcement agencies throughout the country respond to literally hundreds of calls for service regarding what is commonly known as family fights.

The Federal Bureau of Investigation national statistics consistently report annually that more law enforcement officers are killed and injured in responding to requests for intervention in domestic disturbances than any other single detail they receive. Many times, these interventions end in violent altercations between the intervening officials and the citizen.

Alarmed by this data, law enforcement agencies have over the years attempted to develop effective methods of intervention in domestic altercations of a violent nature.

The program to be presented in this paper was developed in Hayward, Calif., in 1973.

The city of Hayward is a suburban community located approximately 15 miles south of Oakland in Alameda County. The population numbers approximately 100,000 people consisting of largely middle class working people. This type of community has been traditionally referred to as a bedroom community.

The minority ethnic strata consists of approximately 25 percent Mexican-American, 12 percent Portuguese, and approximately 6 to 8 percent black. The median income per family is approximately \$12,500 per year. A considerable majority of the population residing in Hayward is affiliated with various types of labor unions.

In 1970 law enforcement agencies across the Nation became increasingly aware of the issues relating to domestic violence. The Hayward Police Department was not an exception.

As a consequence, a group of mental health professionals from the local university, colleges and social service agencies, met with the Hayward police chief in order to study the issue more carefully.

A pilot study was conducted by this voluntary group whereby a mental health professional observed police officers intervening in domestic altercations. The results of this study were somewhat surprising. By in large the mental health observers believed that the police officers were performing a superior job in their ability to respond appropriately in these crises situations. The police officers, however, felt that they were very inept and ill equipped to deal appropriately with the families requesting assistance. As a consequence, two individuals collaborated in writing a special grant proposal for the Hayward Police Department.

The grant was later to be titled Project Outreach, and called for the employment of two mental health professionals to assist police officers at the scene of a domestic disturbance detail.

Furthermore, the two mental health professionals were to provide training to all police officers and their first line supervisors in crisis intervention techniques.

Family counselors, as the mental health professionals were later called, were to provide free counseling to families contacted by the Hayward police department as a mechanism for alleviating these particular problems. The project was to be housed and managed in the Hayward Police Department.

In 1973 the program was funded by the California council on criminal justice in the amount of \$64,000 per year. An additional family counselor was acquired from special emergency employment act funding, thereby creating a counseling staff of three individuals.

Prior to the time that the program began, the Hayward police department was receiving approximately 100 calls for service per month specifically dealing with domestic violence. And of the 100, 50 were repeat calls in any one given month.

Therefore, the recidivism rate was approximately 50 percent.

In addition, police officers were spending an average of 45 minutes per call. Two officers must respond to every call of this nature be-

cause of a risk factor, and at this time the officers were spending jointly approximately 90 minutes per call. The monetary cost of each of these calls is considered to be very high—the approximate dollar figure for placing a police officer on the street considering supplemental equipment, supervision, communications system and auxiliary personnel, was approximately \$200 per hour.

The philosophical intent of the Project Outreach program was to bridge a chasm between law enforcement personnel and mental health professionals. We did not want to create conflicting roles within each professional domain; such as making a police officer a social worker, or vice versa.

The goals of the program were to be a joint effort between police officers and family counselors.

Specific objectives of the program were:

One: To reduce the total volume of domestic disturbance calls for service through the Hayward Police Department.

Two: To reduce the amount of time police officers were spending at domestic disturbance calls through training.

Three: Reduce the recidivism rate of domestic disturbance calls.

After 3 years of operation, the final results of the program were surprising. Each goal of the program was met and exceeded in the following manner:

One: The total number of calls to the Hayward police department for requests of crisis intervention by police officers was reduced from 100 average calls per month to approximately 40.

Two: The recidivism rate for domestic disturbance calls was reduced from 50 percent to approximately 19 percent.

Three: The amount of police officer time spent on domestic disturbance calls was reduced from 45 minutes to approximately 18 minutes per detail.

As a result of this data the city of Hayward picked up this program and is now fully supported by the city of Hayward through their general fund.

Ken goes on at length to give you more information and it has all been submitted.

The other side of this issue for us is the 24 hour a day emergency shelter program.

We are currently entering our sixth year of providing emergency and residential support services for women and children who are victims of domestic violence.

The need for services for victims of domestic violence can best be illustrated by telling you a brief history of ESP.

We began in 1972 with one volunteer housemother, a six bed donated house and voluntary contributions to keep us going.

We currently have 17 paid staff, a 35-bed facility and a budget exceeding a quarter of a million dollars.

This growth should be seen as an indication of our commitment to meeting the needs of the victims of domestic violence in our community. And yet last month we had to refuse 146 requests for service because our shelter was full and our funding does not permit further expansion.

I don't think it is necessary to go on at length about the problem; you have all heard about that.

I think Hayward and Alameda County are indeed fortunate that our enlightened local officials have responded to the needs of victims of domestic violence such as they have.

But what about these victims?

Well, I find I sometimes get so involved in statistics and writing for more grants, funding proposals, personnel and evaluation and monitoring, that I forget about the individual victims we serve. When that happens, I read a letter from Sandi. And I have attached that for you so that you will know the experience of one victim, and then to some degree realize that there are Sandi's all over this country who need the assistance and support of all of us.

I have included Sandi's letter; I have also included a statistical sheet that tells you that we served 437 women, 476 children for a total of 5,967 units of service last year.

Thank you, Senator.

Senator CRANSTON. Thank you very much.

Ms. NAPLES. The Women's Transitional Living Center is located in Orange County. We are the only shelter serving Orange County which has 26 cities and a population in excess of 1.8 million residents.

We opened in January of 1976 and since that time we have served over 700 clients and we have received over 2,700 logged requests for shelter and other services.

The services provided at our shelter include the lodging with a maximum stay of 30 days; food and clothing; individual and group counseling which is provided by both paraprofessionals and professionals, and a wide range of information and referral to meet needs that are social, legal, medical, housing, financial, and all kinds of other problems these women are facing.

On an average cost per client right now, is \$162 and that is for a 30-day stay.

We also have services provided onsite by a group of community agencies such as legal aid, the housing authority, Orange County child guidance, there is a women's reentry options program that comes and talks about job opportunities for women, and the welfare rights coalition.

And the reason that we have many of these agencies come and provide services on site, is that a large majority of our clients lack transportation.

We are currently operating under a \$100,000 Orange County revenue sharing grant, and this grant is offset by our client fees which are \$1 per day for women and 25 cents per day for each of their children.

The grant is supplemented by memberships, donations, and other fund-raising efforts and we are currently operating between a \$5,000 and \$8,000 projected deficit for the coming year.

The staff currently consists of seven full-time and five part-time positions; nine of these positions provide direct services to clients and the remaining three are responsible for administrative, clerical, and public relations duties.

We feel that the homelike setting of our shelter facility provides clients an ongoing opportunity to interact with staff and other clients. This communal living situation offers two major advantages.

No. 1, the clients share similar feelings and experiences and come to realize that their problems are not unique.

No. 2, the group process is facilitated by their daily interaction.

I think Mr. Y'Barra was talking about our shelter along with whatever other shelters he was talking about. We have three bedrooms in which we put 18 clients and that is the maximum we are supposed to have and at any given time we might have 21 to 24. So it is crowded at our place too.

Major emphasis is placed on a pre-self-awareness and improvement of self-esteem. These two things are included in all the individual and group counseling sessions, and we also feel at the time limited nature of the client's stay at the WTLC provides the added emphasis for personal growth.

When addressing this issue, we find that there are two major obstacles that we have encountered during our 2 years in the business. The first one is the availability of funding.

Our continuous search for operating funds is a time consuming effort, and one of the reasons is there is no single identified funding source for victims of domestic violence.

We went through Orange County revenue sharing which funds social programs and looking since that time for other agencies, there is no single source at this time.

The other problem is that there isn't a single referral source for funding.

Our deficit budget situation necessitates heavy reliance on the donated hours of both staff and volunteers. Adequate funding would solve a variety of problems including insufficient numbers of staff, their low salaries and the current inadequacy in the area of children services and services to the batterers.

Another obstacle that we have encountered is the lack of awareness on the part of the general public as to the prevalence and severity and of domestic violence within their community.

This lack extends to social service agencies and law enforcement agencies. Until these agencies begin to see domestic violence as a widespread social problem, and become comfortable with their role in it, client advocacy by agencies such as ours, is often obviated.

In response to the question you have been asking this morning, what should the Federal Government do, I made a few notes on that.

We believe that funding should be allocated to shelter programs both existing and new programs. At this time we feel that is of utmost importance because victims are currently forced to flee their homes due to lack of enforcement of the existing laws.

We don't agree that women should be forced to flee their homes but at this point they have no other choice.

Funding should also cover some additional program components such as children's services, to victims, some plan to deal with the batterer such as court mandated counseling, rehabilitation, or training in educational programs for these women. Many of them have not been employed outside the home for many years if they have been at all. Money for community education and especially police training.

We would also appreciate efforts to standardize reporting procedures among the different funding agencies so that programs could more effectively complete the required reports.

Thank you.

Senator CRANSTON. Thank you very much.

I appreciate very much the testimony from all three of you.

Do you know what happened to Kerry Lobel or Annette Palmore?

[No response.]

Senator CRANSTON. It does appear that public awareness is growing of the problem of domestic violence, but there is not adequate awareness yet.

What are each of your projects doing to promote public awareness in your community?

Ms. NAPLES. We have a CETA position which is expiring in June because unemployment in Orange County is not at a very high rate right now, and this person in—this person provides information to community groups that request it; also speaks to high school and college classes; does police inservice training. So we provide the information with that one staff person.

Ms. LEFELS. We have a similar situation. Our CETA person also runs out in June, and it is her job to do community relations, public awareness, go on speaking engagements. We have a speakers bureau made up of volunteers. We have a film and we take that out to PTA's and college groups. Any civic or community groups who are interested in having us be involved in their program.

We are also doing some training at our local emergency hospital and with the police department on ongoing awareness so that they will have a little more sensitivity with the problems of domestic violence.

Ms. MONASMITH. We have pretty much the same problem; I just wish I had a CETA position. Right now as I said, we are awaiting money so we have a volunteer group of about 125 volunteers and we have a speakers bureau that we are training. Two of us have been doing the speaking primarily up to this point. We go out with a film to speak.

One thing I would like to mention here is that we think is really important to get this into schools, and we find certain reluctance on the part of school administrators to deal with this problem. So I think this is a major focus that needs to be attended to.

Senator CRANSTON. If each one of you would respond a minute; any of you who disagree or want to add or subtract anything, don't hesitate to do so.

My next question that I want to address to each of you is. What do you feel should be done beyond your own projects to help create more awareness of the problem and of service or services that actually are available?

Ms. LEFELS. I am very pleased with the situation we have in Hayward so I don't know that it is appropriate for me to respond to that. Maybe more kinds of situations like we have in Hayward would be effective.

Senator CRANSTON. Any other comments?

Ms. NAPLES. Our shelter facility of 18 beds is not sufficient for the number of residents in Orange County; some expansion.

Senator CRANSTON. There have been a number of bills introduced in the current Congress dealing with programs for the prevention and

treatment of domestic violence; one approach would place responsibility for implementation of programs and projects related to domestic violence in the National Institute of Mental Health.

Another would use the ACTION agency, the Federal volunteer agency, as the lead agency for implementation of programs. Regardless of which Federal agency is given primary responsibility, it seems to me that any initiative undertaken by the Federal Government will have to basically depend on community and consumer support and involvement in the planning and operation of individual programs.

Would you agree that it is extremely important that local communities and grassroots organizations actually develop the local programs and commit resources to their operation, and that any Federal legislation should seek to encourage and utilize that sort of involvement of local support?

Ms. MONASMITH. I think we are certainly working in that area in organizing Los Angeles with the Southern California Coalition on Battered Women. That is one of our focuses; to involve all agencies.

Ms. NAPLES. One of the problems with the bill that we have that goes through ACTION, Mikulski's bill is apparently volunteers would be trained by ACTION to go out and work in these community programs, and many of us have established operational programs and we should be training our volunteers and not having another agency training people to come and work in our agency.

Senator CRANSTON. Maybe volunteers should be trained so they can go and try to stimulate in ACTION communities where there are no local programs. Would that be a sounder way in your view?

Ms. NAPLES. I wouldn't have problems with that one.

Senator CRANSTON. Go ahead.

Ms. LEFELS. I would prefer it to go through HEW for the main reasons which have already been articulated here.

Ms. MONASMITH. I have a problem—somewhat of a problem of a conflict to the mental health because I don't like to see the attitude that the woman is necessarily mentally ill or emotionally ill. I think that the battering has created a lot of problems, but she can come out of that on her own with some supportive counseling within the shelter, but if we label her as mentally ill, we've got a lot of problems. However, we do need to qualify for those kinds of funds because that's one of the few sources that may be usable. So it is kind of walking a thin line there.

Senator CRANSTON. I would like to ask if you would just think about the next question and, if you desire, submit in writing your thoughts within 2 weeks, please.

Do you have any suggestion on how best to shape legislation to stimulate local concern and commitment of local resources?

I think that it is unlikely that any Federal program developed with respect to domestic violence will provide very large blocks of money. Assuming there will be a limited number of Federal dollars available to deal with the geographically dispersed program problem, one approach would be to try to stimulate the involvement and activity of as many interested groups as possible rather than give a few groups whatever large amounts of money might be available.

Such an approach would be aimed at providing seed money and technical assistance to programs or groups seeking to tap other resources in both the private and the public sectors.

Do you have any thoughts on that?

Ms. LEFELS. We receive revenue sharing money, Senator, from our county and from our city, and every year when we go up for that money, we are told that it is seed money, and that we should not come back. Every year we come back because there is not money available from any other source. We have tried private foundations and so far have been modestly successful. We have tried out local CAP agencies who also gave us seed money with the idea that they would give us technical assistance to receive money from some other source, but we could never come back to them again. So we get very much caught into the kind of thing that said "We will be glad to give you a start, but once you get started, please go someplace else. Thank you, you know, but don't come back."

Senator CRANSTON. It sort of appears that the Federal Government is going to be limited to the seed money approach with a basic reliance on the State government to distribute them.

Do you think that will turn out to be a feasible approach?

Ms. LEFELS. We are one of the 100 applicants for the S.B. 91 money and I think probably we are going to hear the same thing there. This is a pilot project; this is seed money. For our purposes it would be helpful. We are established and so that's fine. I wonder about people across the State or across the country who do not have that track record and how difficult it is for them. I am sure Beverly can tell you more about that.

Ms. MONASMITH. I would like to say that it would simplify things. I think, so much, for all of us in shelters, if within a funding source that granted us money, we could have a position for a professional fundraiser. Because the reality of it is we are in a business and we have to stay in business after the seed money is gone. And we have to run the shelter; we have to be involved in direct services. We need a position that can raise that money from the community base.

Senator CRANSTON. Would it be valuable to stimulate through Federal efforts, the creation in each State of a citizens' panel, similar to that proposed in California, to act as a catalyst for State and local advocacy of action to assist with the domestic violence problem?

Ms. LEFELS. You are talking about a State advisory committee?

Senator CRANSTON. Yes. Set up in the State level.

Ms. LEFELS. I would expect that any assistance that was given to further investigation of the problem, monitoring, and evaluation of programs, you know, I can't imagine that people would not respond favorably to that.

Ms. MONASMITH. I think it would depend to a large degree on who was on that advisory council; from what sectors of the public they come from.

Ms. LEFELS. I would hope that we would have input from program operators as well as consumers.

Senator CRANSTON. Yes.

Ms. NAPLES. One of the problems that we see with that is if the advisory committee has anything to do with the funding, that the

program operators cannot then be on the advisory committee and who are the experts on the advisory committee. So that's the problem we find.

Senator CRANSTON. One task such a panel could undertake would be to evaluate State criminal and civil public laws affecting domestic violence and victims, and try to promote that where it is not done. I presume you think that would be helpful also?

[Three nods of affirmative.]

Senator CRANSTON. Has the State of California and the local governmental units generally been sympathetic toward your efforts to address the problem?

Ms. MONASMITH. It's been a lot of pushing and shoving and becoming an irritant to our government officials to let them know that we are not going to go away until they respond. That's the way it has been.

Ms. LEFELS. In Hayward, again, I think I mentioned earlier that we have some fairly enlightened local officials; a very sensitive woman mayor, Ilene Weinreb, who has made a priority social program within the city. So we really are very fortunate.

Senator CRANSTON. Are you getting city financing?

Ms. LEFELS. We are receiving revenue-sharing funding through the city. And some of our CETA positions.

Ms. NAPLES. I would say that the board of supervisors are supportive; the social service agencies; department of mental health and those types are supportive but our main problem comes with the police departments and district attorneys.

Senator CRANSTON. Do you feel that one role that the Federal Government might play would be to carry out an information clearinghouse operation so as to provide community-based programs with information about how to find and tap the various Federal and other resources that might be available?

Ms. LEFELS. I certainly could support that. My concern has to do with some money—so much money being put into research. We all know there is a problem; we all know what the problem is and the priority it would appear to me has to be more in line with direct services and less in terms of research.

Senator CRANSTON. It would seem that the Federal programs like revenue sharing and CETA, LEAA, VISTA, community mental health centers, title XX social services, and others, would be used or could be used by different groups for funding programs.

Would you give us for the record a list of all the sources of funding that you have managed to develop?

Ms. NAPLES. You are talking about public funding?

Senator CRANSTON. Yes, and others. If they are private groups, it would be of help if you could indicate them also. If you also indicate the problems you face in getting public support from different agencies when you sought it, and how you learned about the sources of support you have tried to tap.

Ms. MONASMITH. I would like to say here, Senator, that we have spent a lot of time looking for sources of funding, and we are finding out time and time again there is money available to the programs, but the problem is that battered women do not fit any of the cate-

gories for funding. The guidelines and regulations are so inflexible—as I mentioned, housing and community development won't fund a 24-hour portion, and yet expects us to obtain a facility before they give us any of the money. These kinds of things we have problems with in funding. They need to be changed—the guidelines.

Ms. LEFELS. Senator, would you like that information in writing?

Senator CRANSTON. Yes, if you would give us that in writing, it would be very helpful.

I am going to shortly introduce an amendment to the CETA legislation to provide special assistance for displaced homemakers. Have CETA prime sponsors been supportive of your efforts?

Ms. LEFELS. For the most part ours have. We have 11 CETA positions now. I am just not sure what in the world we are going to do if we ever lost any of them.

Senator CRANSTON. Have your experiences with CETA indicated a need for special legislative recognition or federal assistance for meeting the job training and placement and related needs of displaced homemakers and would it be helpful to get that in CETA legislation?

Ms. LEFELS. Well, again because of some enlightened local officials, we have an excellent displaced homemaker center at Mills College in Oakland, so we work with them very closely. I am certain that Milo Smith would be able to give you any information you might need.

Senator CRANSTON. What did you say?

Ms. LEFELS. The displaced homemaker center at Mills College in Oakland, Calif. Milo Smith is the director there and I am sure she would be very helpful as to the pending legislation you are discussing here.

Senator CRANSTON. Have the others of you had experience with CETA?

Ms. NAPLES. We have the one slot and that is all we have been able to get since we have been in operation, and I do believe including the displaced homemakers specifically is really a good idea.

Senator CRANSTON. What have you done with CETA?

Ms. MONASMITH. We have just met with CETA and found that there are no more CETA positions until September. I have heard from other shelters that the problem with CETA is that they make no provision for supervision of trainees within shelter programs such as ours. There is no provision in the other title that allows us to have those trainees for, I believe, 4 to 5 months. Some of those have changed now. And then they must go to permanent jobs outside the shelter and we need to be able to keep those people in the shelter because they are trained specifically within our program, and it seems like a waste of energy.

Senator CRANSTON. You said in your written testimony that "fortunately in Los Angeles the city and district attorneys are beginning to sensitize their staff to deal more effectively with domestic violence cases, and are attempting to make prosecution easier for the women."

What brought about that change? Has it been a result of local efforts on the part of groups like yours, or what?

Ms. MONASMITH. Pressure, you know, pressure. We have women coming to us and telling us tales of what happens to them in city and district attorney's offices and so we just go back with those.

Burt Pines, the city attorney, has just instituted a domestic violence unit and hopefully that will spread without the department and the district attorney has assigned a person to deal specifically with domestic violence. So things are happening; we will just have to keep the pressure on.

Senator CRANSTON. I would like each of you to just tell me briefly (a), what is the relationship of your operation to the local police department and give me your evaluation of how important it is to have support of the local police in your work, and (b) how have you gone about—Beverly has already answered this—changing the attitudes of the police?

Ms. LEFILS. Well, I think I mentioned before that I feel that our relationship with the police department is fairly effective. It's much more effective at the administration level than it is the cop-on-the-beat level, I must admit.

The administration of the chief, our city council, and our mayor are very supportive of our program; very supportive of any inroads we make into the problem of domestic violence. The cop on the beat may still have a little problem frankly, with response. "My goodness, it is not as bad as you say." And that's not only true in the victim's home, it is true when you come to the shelter. So it is something that we continue to work on; training and sensitizing of the beat officers. It is just something that we see as an ongoing process and part of our responsibility.

Senator CRANSTON. Do you have anything to add to that in your experiences?

Ms. NAPLES. Again we are dealing with 26 separate police departments and the county sheriff's department. So each department is different, and each officer within each department is different, and I couldn't give you a blanket all the cities are the same. They are all different.

As far as working with the district attorney, the legal aid society is now working on collecting statistics on the police departments and the courts on the Fazio bill because we are having some problems with those new restraining orders.

Senator CRANSTON. Thank you all very much. You have been very, very helpful, and I appreciate your testimony and your good work.

[The prepared statements of Ms. Lefils, Ms. Monasmith, and Mr. Merritt follows:]



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My name is JoAnne LeFils I am the Executive Director of the Emergency Shelter Program, (ESP) in Hayward, Calif.

We are currently entering our 6th year of providing emergency residential and support services for women and children who are victims of domestic violence.

The need for services for victims of domestic violence can best be illustrated by telling you a brief history of ESP. We began in 1972 with 1 volunteer house mother, a 6 bed donated house and voluntary contributions to keep us going.

ESP currently has 17 paid staff, a 35 bed facility and a budget exceeding a quarter of a million dollars.

This growth should be seen as an indication of our commitment to meeting the needs of the victims of domestic violence in our community. And yet last month we had to refuse 146 requests for service because our shelter was full and our funding does not permit further expansion.

I feel it is unnecessary to go on at length as to the seriousness of the problem that is the subject of this hearing. But it is necessary to document the fact that shelters such as ours must be given priority for funding across the nation.

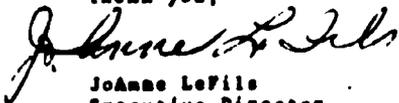
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Page Two

We in Hayward and Alameda County are indeed fortunate that our enlightened local officials have responded to the needs of victims of domestic violence.

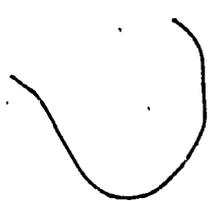
And what about these victims? I find I sometimes become so involved in statistics, funding proposals, personnel evaluation matters, I forget about the individual victims we serve. When that happens, I read again the letter from Sandi. I have attached the letter so you may hear the experience of one victim, and then to some degree realize there are Sandi's all over this country who need the assistance and support of all of us.

Thank you,



JoAnne LeFils
Executive Director
Emergency Shelter Program, Inc.
1303 "A" Street
Hayward, Ca 94541

JL/sd



EMERGENCY SHELTER PROGRAM, INC.

855 Kellogg Avenue
HAYWARD, CALIFORNIA 94544
(415) 881-1244

WRITTEN BY A FORMER RESIDENT OF THE SHELTER/JUNE 1977

RETURNING TO THE SCENE OF THE CRIME

WHY DOES A WOMAN WHO HAS BEEN BEAT UP SEVERAL TIMES BY HER HUSBAND OR BOYFRIEND GO BACK? THAT IS ONE QUESTION MANY PEOPLE INCLUDING THE WOMAN HERSELF ASKS. FIRST OF ALL IN MANY CASES SHE THINKS SHE IS GOING TO CHANGE HER MATE, BUT IN MOST CASES, LIKE IN 9 TIMES OUT OF 10, IT DOESN'T WORK, IN FACT IT WINDS UP GETTING WORSE EVERYTIME SHE GOES BACK. ALSO IN MOST CASES IF YOU GO BACK IN HER LIFE YOU WILL FIND SHE WAS BEATEN ALMOST ALL HER GROWING LIFE BY HER FATHER, MOST OF THE TIME SHE WAS BEING BEATEN FOR THE SMALLEST THING OR SOMETIMES FOR NOTHING AT ALL. YOU KNOW THERE'S AN OLD SAYING "I WILL BEAT YOU TIL YOU LIKE IT", THAT ISN'T ALWAYS TRUE, IT ISN'T TIL YOU LIKE IT, IT'S OFTEN YOU ARE PUNCHED, IT ALSO MAKES YOU VERY MEAN AND SUSPICIOUS, AND ALSO VERY HOSTILE. THE WORST THING OF ALL IT CAUSES YOU TO LOOSE YOURSELF AND THAT IS THE GREATEST DAMAGE OF ALL. IN MY OPINION IT SO TURNS YOU INTO AN ANIMAL, MORE LIKE A DOG... YOU KNOW SIT, HEEL, LAY DOWN, SPEAK, AND MOST OF THE WOMEN WHO GET BEAT UP ARE VERY GOOD WOMEN, ALSO THEY ARE USUALLY VERY SUBMISSIVE TOWARD THEIR MEN, MOST MEN TAKE THIS TYPE OF LOVING KINDNESS FOR FOOLISHNESS, AND THAT IS REALLY TO BAD. BUT THE QUESTION IS STILL WHY DOES SHE GO BACK? WELL IN MOST CASES SUCH AS MINE, I LOVED MY HUSBAND VERY MUCH AND STILL DO IN AWAY. THE OTHER FEELING IS GUILTY, WHY SHOULD I FEEL GUILTY BECAUSE YOU FEEL LIKE YOU LET THEM DOWN, BECAUSE HE HASN'T CHANGED. YOU ALSO FEEL LIKE A FAILURE. BUT I FINALLY LEARNED TO LOVE MYSELF A LITTLE MORE, USUALLY WOMEN SUCH AS MYSELF NEED HELP, AND NO MATTER WHAT ANYBODY THINKS A GOOD PSYCHIATRIST IS YOUR BEST BET, BECAUSE IT IS PRETTY HARD TO PUT YOURSELF BACK TOGETHER ONCE YOU LOOSE YOURSELF. THERE IS NOTHING TO BE ASHAMED OF WHEN YOU ARE HELPING YOURSELF

PAGE TWO

MENTALLY TO GAIN PEACE OF MIND AND ANYONE WHO MAKES FUN OF YOU FOR HELPING
GROUPS, NEEDS TWICE AS MUCH HELP AS YOU DO. SOME WOMEN GO BACK BECAUSE
OF THE CHILDREN AND THEY DON'T WANT TO SEE THEIR CHILDREN WITHOUT A FATHER,
BUT THINK ABOUT IT FOR JUST A MINUTE, IS ALL THAT YELLING AND FIGHTING
AND PAIN REALLY HELPING YOUR CHILDREN? WOULD IT BE BETTER FOR THEM MENTALLY
TO NOT HAVE TO GO THROUGH THAT SORT OF THING SO OFTEN. IF YOU THINK IT IS
HARD ON YOU MENTALLY, WHAT ABOUT THEM? THINK ABOUT THE EFFECT IT COULD HAVE ON
THEM LATER. WHY IS IT MANY KIDS GET HUNG-UP ON DRUGS SO YOUNG, OR JUST KEEP
RUNNING AWAY FROM HOME, ASK YOURSELF WHAT ARE THEY TRYING TO ESCAPE FROM, A
HOME FILLED WITH LOVE, COMPASSION, UNDERSTANDING, OR ARE THEY TRYING TO
ESCAPE FROM A HOME FILLED WITH HATE AND HOSTILITY? WHICH ONE WOULD YOU TRY
TO ESCAPE FROM?

Handwritten signature



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For the calendar Year January to December 1976 we
provided shelter for:

388	Women	Unable to provide services
402	Children	for 1,879 women and child-
3,149	Bednights	ren because of lack of
		funding.

For the calendar Year January to December 1977 we
provided shelter for:

437	Women	Unable to provide services
476	Children	for 1,776 women and child-
5,967	Bednights	ren because of lack of
		funding.

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THE PROBLEM — DOMESTIC VIOLENCE

Domestic Violence is a problem which until now has been mostly invisible because the attitude of authorities and the public has been one of indifference.

Who are the victims of domestic violence? Anyone can be a victim. Violence occurs at all levels of income, age, occupation, regardless of race or social standing. The victim can be a woman, man, or child, but the one currently in focus is the battered woman.

Who is the battered woman? She is any woman who has been physically or psychologically abused by her mate and who may be abused again.

How many battered women are there? Estimates vary. The Law Enforcement Assistance Administration reports there are 5 million victims annually. A study by one sociologist shows 15 million women are battered each year. A report by the National League of Cities stated half of all wives will experience some form of violence in their marriage.

GENERAL INFORMATION

History: The Emergency Shelter Program, Inc. (ESP) was begun in 1972 by a group of citizens who saw the need for a shelter for women and children in crisis. The first year, the program was operated through donations. Each year, ESP has expanded its services to meet the growing needs of the community. Currently the program receives revenue sharing grants from the City of Hayward, Alameda County, and the City of Fremont.

In 1977, ESP was allocated ten CETA positions and received a grant from ACAP/ACTES for further expansion of its services. ESP now operates shelters for women and children in crisis and victims of domestic violence, and a drop-in counseling center.

Goal: The goal of the program is to help women understand that they need not continue to be victims of domestic violence. Post crisis counseling focuses on preventing and deterring further incidents of abuse.

The organization: The Emergency Shelter Program, Inc. is a non-profit, charitable organization. It is governed by a Board of Directors made up of community members. General membership in the organization exceeds 200.

SERVICES OFFERED TO VICTIMS OF DOMESTIC VIOLENCE

- CRISIS HOTLINE:**
- 24 hour hotline (415) 881-1244
- SHELTER:**
- Residence for women and children (meals provided)
 - Crisis Counseling
 - Advocacy Services
 - Children's Program

Length of stay varies. Those under the influence of alcohol or drugs are not accepted.

- COUNSELING SERVICES:**
- Individual and group counseling for women, men, couples, and children.
 - Vocational counseling to facilitate care or life planning.

Available on a drop-in basis Monday through Friday, 8:00 a.m. to 5:00 p.m., and also by appointment (881-1244).

- COMMUNITY EDUCATION:**
- Speaking engagements to professional and civic groups, high school and university classes.
 - Seminars on working with victims of domestic violence.

Included in these presentations are a color film dealing with battered women and a slide program explaining ESP's services.

ALL SERVICES ARE FREE

WHAT YOU CAN DO

- IF YOU ARE A VICTIM OF DOMESTIC VIOLENCE, CALL THE EMERGENCY SHELTER PROGRAM.
- IF YOU KNOW SOMEONE WHO IS A VICTIM OF DOMESTIC VIOLENCE REFER HIM / HER TO THE EMERGENCY SHELTER PROGRAM.
- BECOME A MEMBER OF THE EMERGENCY SHELTER PROGRAM.
- BECOME A VOLUNTEER FOR THE EMERGENCY SHELTER PROGRAM.
- DONATIONS OF CASH, FOOD, AND USABLE HOUSEHOLD ITEMS ARE ALWAYS WELCOME.
- TO FIND OUT HOW TO GET INVOLVED CALL US AT 881-1244.
- ALL DONATIONS ARE TAX DEDUCTIBLE.

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Night-House Manager

AGNES REDMOND
Nutritionist

VILLA ROPER
Maintenance

Enclosed is my donation of \$ _____
I would like to volunteer _____ hours per week.

Please put my name on your mailing list.

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE () _____

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Senator Alan Cranston
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 Los Angeles, CA.

Dear Senator Cranston,

I want to thank you for holding hearings on battered on the West Coast. We sometimes feel neglected and appreciate the opportunity to be heard.

These hearings are so important to those of us involved with battered women. Hopefully this will prompt action at the federal level to help us get some of these programs in operation and continue those programs already under way.

Sincerely,

Beverly Monasmith
 Beverly Monasmith
 Director

A FOUNDATION FOR BATTERED WOMEN AND THEIR CHILDREN.

ROSASHARON INC. IS A CALIFORNIA NON-PROFIT ORGANIZATION
 ALL FUNDS WILL BE SPENT IN THIS STATE FOR THE WELFARE OF VICTIMS OF FAMILY VIOLENCE

A recent study reported by the Washington Star concludes that more than one-half of the country's married women are the victims of physical abuse to some degree by their husbands and at least 10% receive serious physical injuries as a result of this abuse. There are many myths associated with battered women. Unfortunately the above statistic is not one of those myths. Legal experts think that domestic violence is one of the most underreported crimes in the country--even more underreported than rape, which the FBI estimates is ten times more frequent than statistics indicate.

In order to understand battering it is first necessary to explode some of the myths. Two common misconceptions are (1) family violence only occurs in "those" neighborhoods i.e., low socio-economic, uneducated environments and (2) women enjoy being beaten; otherwise they would leave. The facts are that (1) battering occurs in all neighborhoods, among all classes, races, ages and occupations and (2) many women do not have options available to them. They may have no money of their own to feed themselves or their children if they leave the abuser who is the breadwinner; they may have limited education and no job skills or experience. Economic dependence is a major factor here. Friends and family are often reluctant to become involved.

Where does a battered woman and her children go for help in Los Angeles County? She can seek refuge in one of the short-term (1-2 night) emergency beds. There are 30 such beds for women and 4000 for men in this county. None are available to women with little boys over 4 years old. Unfortunately 1 or 2

nights does not give her time to make alternate plans.

She can seek refuge in one of the shelter programs but they are always full with long waiting lists. Haven House in Pasadena turned away 400 people in the month of October, 1977. Area hotlines are flooded with these types of calls. It is a source of great frustration and anger to have no options or referrals to offer the battered woman when she calls for help.

The need for emergency housing for women in general is obvious but it is especially important to victims of abuse. If a woman is turned away and has to return to the violence she or her children may not have another chance to ask for help.

It is important here to note that the abuser may sound like a monster but in most cases he is quite normal appearing, may be active in the community and considered a good citizen by his peers. Abusers are often doctors, lawyers, police and government officials. Consequently it is difficult for the wife to convince people of the daily terror she experiences. It is only when he arrives home that the mask is removed.

She may try calling the police. All too frequently law enforcement has not been sensitive to the problem. They see their role as mediator and peacekeeper, leaving the woman to her own devices to survive another assault--one that could be fatal. By mediating at the scene and then leaving, they are reinforcing, in the eyes of the children as well as the abuser, that it is at least somewhat acceptable for him to beat his wife and their mother. Studies have shown that children who witness violence between parents or between parents and children

often grow up to be abusers of their wives and/or children. It is a pattern that is passed from generation to generation. We can't break that cycle by turning our backs on battered women.

In California almost one-third of all female homicide victims were murdered by their husbands. In 85% of domestic homicides the police were there at least once before the murder. In 50% of the cases the police had been called five times or more before the murder. It is clear that police need intensive training, not only to aid the victims but to protect themselves. Twenty-eight percent of police officers assaulted nationwide in 1974 were attempting to stop family fights. Of 132 police officers killed in the line of duty throughout the United States in 1974, 29 (or more than one-fifth) died while responding to calls of a family disturbance. Detroit Police Commander James G. Bannon told his department in 1975: "The real reason that police avoid domestic violence situations to the greatest extent possible is because we do not know how to cope with them."

The lack of community response to battering is troublesome. Domestic violence is a problem that requires a good deal of time, energy, knowledge and money. Social services are overworked and understaffed already. The legal system's ignorance and apathy borders on criminal. Fortunately in Los Angeles, the City and District Attorneys are beginning to sensitize their staff to deal more effectively with domestic violence cases and are attempting to make prosecutions easier for the woman. We need legal services for battered women and prompt and effective enforcement of laws that protect the rights of battered women. We need programs sensitive to the bilingual and multi-cultural

needs of ethnic and minority women.

Hospitals and doctors who see battered women for treatment do not spend the time to find the real reasons for the injuries. They see their job as "treating the trauma", not the cause. No attempt is made to keep specific statistics on the numbers of battered women either by hospitals or law enforcement. We need legislation to require keeping these separate statistics.

Friends and family may be concerned but are understandably hesitant to be involved. If they do take in the woman and her children, we now have two families in crisis. Many women turn to their churches only to be told that they must change so their husbands won't beat them; they have a responsibility to hold the family together. Psychologists and psychiatrists too often place the responsibility for the violent situation on the woman. All of this adds up to the battered woman feeling isolated, frightened, helpless and worthless.

In order to deal effectively with domestic violence it is essential that it be recognized as the major social problem it is. By making domestic violence a priority, the federal government would be setting an example for state and local governments as well as for the general public.

Lack of funding for programs is the major concern now. At present battered women's programs do not fit into most funding agencies' guidelines and regulations. For example, under the sponsorship of Councilwoman Pat Russell, Rosasharon has been recommended for funding from the 4th year Community Block Grant Program through Housing and Community Development. However,

none of that money can be used for the 24-hour portion of the shelter. This defeats the purpose of the shelter. In addition, HUD requires that we obtain the property in order to initiate the environmental impact report in order to qualify for the grant. In other words we need a grant to qualify for a grant. Then we have to raise additional money for the night program. This all becomes a vicious cycle because of inflexible guidelines that are insensitive to the people and problems they are supposed to address.

Few public agencies understand the problems faced by battered women. They have been traced by their husbands through county DFSS records because the woman is required to provide her address in order to qualify for the aid she needs. It is certainly unrealistic to ask a woman to go back to the violent home until she qualifies for aid--she could be dead by then. And she may be denied the aid if she is still living with the abuser. Another catch-22.

Battered women do not necessarily qualify for aid to victims of violent crimes because the perpetrator of the crime is a family member. If she should qualify, it may take eight months to receive the compensation.

If a battered woman is fortunate enough to find space at a shelter, she will be provided a support system which includes 24-hour residence, freedom from fear, time to consider her options, counseling for herself and her children, referral to legal, medical, and welfare aid if needed, as well as to job training and employment.

Young children will be provided with structured day care and school age children will continue their education. Should the woman choose to return to the abuser, the shelter provides referral to family counseling with the husband and follow-up supportive services. This support has proven successful in averting further violence in the home. If she chooses to start a new life, another problem arises--second stage housing. Where in Los Angeles or any other metropolitan area can a woman with children find low-income housing? And how can she manage to get enough money together to cover move-in costs and furnishings? This is one of the problems we hope the federal government will address, possibly working through HUD. One possible solution is to stop forcing the victim of the violent crime to leave their home. Why do we expect the woman and children to leave the house and allow the abuser to remain where he is?

In looking for money to staff the shelter, we investigated CETA only to find that under one title there is no provision for staff supervision of trainees. In another, the trainees are available to the program for only a few months and then must be placed outside the shelter in permanent jobs. We need to be able to keep these people because they are being trained to work specifically with a shelter program.

We also suggest that the Department of Agriculture work with us in creating a food program for shelters. As long as funds are so limited to us, we need to utilize all available resources.

In closing I want to stress the importance of increasing

public awareness through programs designed to provide education about battering to schools, PTA, churches and other civic organizations. Once people begin to be aware of and understand the dynamics of battering, then necessary social change begins to take place and those of us who work in shelters can look forward to the day when shelters for battered women and their children are no longer necessary.

Beverly Monasmith, Director
Eosasharon, Inc.



CITY OF HAYWARD ★ POLICE DEPARTMENT

March 2, 1978

The Honorable Allen Cranston
 United States Senator
 California
 10969 Wilshire Blvd. #410
 Los Angeles, CA 90024

Attention: Mr. Jack Wickes

Dear Senator Cranston:

My apology for not being able to personally appear before the Senate Sub-Committee on Domestic Violence. I hope that the attached statement is sufficient for your committee's needs.

I have been in contact with your Aide, Mr. Wickes, and have forwarded to your office in Washington, D.C. documentation of Project Outreach for your perusal.

Please know that I am concerned about Domestic Violence as it presently exists in this country, and if I can be of any further service to you please call upon me at your convenience.

Sincerely yours,

[Handwritten Signature]
 KENNETH A. MERRITT
 Psychologist
 Director
 Youth and Family
 Services Bureau

KAM:tt

March, 1978

SENATE SUB-COMMITTEE ON DOMESTIC VIOLENCE

Problems and issues relating to domestic violence have been long standing acquaintances with Law Enforcement. Law Enforcement Agencies throughout the country respond to literally hundreds of calls for service regarding what is commonly known as "family fights". The Federal Bureau of Investigation national statistics consistently report annually that more Law Enforcement Officers are killed and injured in responding to requests for intervention in domestic disturbances than any other single detail they receive. Many times, these interventions end in violent altercations between the intervening official and the citizen.

Domestic violence is not associated with any particular economic or racial group. It crosses all economic classification, as well as racial groups. Domestic violence has been found to exist in lower class neighborhoods as well as middle class suburbs, to higher income geographical areas.

Alarmed by this data, Law Enforcement Agencies have over the years attempted to develop effective methods of intervention in domestic altercations of a violent nature. Many different training programs have been established from the New York City Police Department to the San Francisco Police Department thereby encompassing the entire nation. The program to be presented in this paper was developed in Hayward, California in 1973. For purposes of this presentation my approach will be brief and concise although there is considerable additional information that can be obtained upon request.

The City of Hayward is a suburban community located approximately 15 miles south of Oakland in Alameda County. The population numbers approximately 100,000 people consisting of largely middle class working people. This type of community has been traditionally referred to as a "bedroom" community. The minority ethnic strata consists of approximately 25% Mexican/American, 12% Portuguese, and approximately 6 to 8% Black. The median income per family is approximately \$12,500 per year. A considerable majority of the population residing in Hayward is affiliated with various types of labor unions.

In 1970 Law Enforcement Agencies across the nation became increasingly aware of the issues relating to domestic violence. The Hayward Police Department was not an exception. As a consequence, a group of Mental Health Professionals from the local University, Colleges and Social Service Agencies met with the Hayward Police Chief in order to study the issue more carefully. A pilot study was conducted by this voluntary group whereby a Mental Health Professional observed Police Officers intervening in domestic altercations. The results of this study were somewhat surprising. By in large the Mental Health Observers believed that the Police Officers were performing a superior job in their ability to respond appropriately in these crises situations. The Police Officers, however, felt that they were very inept and ill equipped to deal appropriately with the families requesting assistance. As a consequence, two individuals collaborated in writing a special grant proposal for the Hayward Police Department.

The Grant was later to be titled "Project Outreach" and called for the

employment of two Mental Health Professionals to assist Police Officers at the scene of a domestic disturbance detail. Furthermore, the two Mental Health Professionals were to provide training to all Police Officers and their first line Supervisors in crisis intervention techniques. Family Counselors, as the Mental Health Professionals were later called, were to provide free counseling to families contacted by the Hayward Police Department as a mechanism for alleviating these particular problems. The Project was to be housed and managed in the Hayward Police Department.

In 1973 the program was funded by the California Council on Criminal Justice in the amount of \$64,000 per year. An additional Family Counselor was acquired from special Emergency Employment Act Funding, thereby, creating a counseling staff of three individuals. Prior to the time that the program began, the Hayward Police Department was receiving approximately 100 calls for service per month specifically dealing with domestic disturbances. And of the 100, 50 were repeat calls in any one given month. Therefore, the recidivism rate was approximately 50%. In addition, Police Officers were spending an average of 48 minutes per detail. Two Officers must respond to every detail of this nature because of a risk factor and at this time the Officers were spending jointly approximately 90 minutes per detail. The monetary cost of each of these details is considered to be very high (the approximate dollar figure for placing a Police Officer on the street considering supplemental equipment, supervision, communications system and auxiliary personnel was approximately \$200 per hour).

Philosophical intent of the Project Outreach program was to bridge a chasm between Law Enforcement personnel and Mental Health Profession-

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als. We did not want to create conflicting roles within each professional domain; such as making a Police Officer a Social Worker or making a Social Worker a Police Officer. The goals of the program were to be a joint effort between Police Officers and Family Counselors.

Specific objectives of the program were:

1. To reduce the total volume of domestic disturbance calls for service through the Hayward Police Department.
2. To reduce the amount of time Police Officers were spending at domestic disturbance calls through training.
3. Reduce the recidivism rate of domestic disturbance calls.

After three years of operation the final results of the program were surprising. Each goal of the program was met and exceeded in the following manner:

1. The total volume calls to Hayward Police Department for requests of crisis intervention by Police Officers was reduced from 100 average calls per month to approximately 40 calls per month.
2. The recidivism rate for domestic disturbance calls was reduced from 50% to approximately 19%.
3. The amount of Police Officer time spent on the domestic disturbance calls was reduced from 45+ minutes to approximately 18 minutes per detail.

As a result of this data a cost effective study was performed and the program, not surprisingly, was found to be cost effective. As a consequence the City of Hayward has institutionalized the program and it is funded completely by City funds. Furthermore, the program has ex-

expanded to include a Juvenile Diversion Program as well as a Youthful Status Offender Program. In addition, the staff has expanded to include seven Clinical Psychologists (inclusive of the Director), four Police Officers, two Student Interns, and two Clerical Staff.

On a more subjective level of a complex subject, the Clinical Psychologists in this program were able to learn a considerable amount about family violence in the intervention services that they provided. As previously stated, the Family Counselors could provide free counseling services to the client population contacted through the Police Department to resolve some of the conflicts existing within those family systems. The Counselors were allowed to provide 10 free counseling hours per family and could extend that service provided there was a case review with the Director. Because of the nature of this program the counseling staff worked non-traditional hours which were inclusive of evenings and weekend evenings. The data revealed that the requests for crisis intervention services were more frequent on Sunday, Friday, and Saturday evenings in that sequential order. As a consequence, the project always had at least one Counselor on duty in the Police Department during these evenings with the ability to respond to a Police Officer request for Clinical intervention.

The Counselors experienced a variety of complex clinical cases ranging from a situation where a husband may have slapped his wife to a traumatic encounter where both husband and wife had to be hospitalized. The basic clinical intervention assumption is that arrest is not always productive in these cases simply because husbands usually bail themselves out of incarceration and the family problems are never resolved: if anything, the problem is expanded because of the

additional financial burden placed upon the family, and furthermore, if the case was ever litigated in court the wife would have to testify against her husband, which most often times is unlikely. Therefore, the initial clinical intervention was to attempt to find some immediate resolution of the violent altercation and essentially "put a bandaid on it". Often times both male as well as female felt that they were isolated from the main emotional bond with their spouse and as a consequence acted this behavior out in a violent manner. One particularly revealing theme that recurred in these families experiencing domestic violence was a clinical dynamic of deprivation. Often times, these individuals had been raised in families whereby they had been either physically or emotionally deprived. Consequentially, they have little tolerance for stress and the sometimes ambiguous nature of life. Unconsciously they seek each other out in a bond of marriage which years later erupts in violent altercations. The dynamic of this type of communication is one of verbal provocation leading to a culmination of violent behavior. While the male may use his physical strength in a violent manner, often times a woman's verbal provocation is just as emotionally harmful as a man's fist. As a group of Psychologists we feel that violence in a family is only the tip of the iceberg and as a result often suggest family pathology as well as psychopathology within each respective partner. These problems, of course, are very complex and vary depending upon the psychoemotional state of the family.

I cannot stress enough the need to deal more effectively with families experiencing violent altercations. Termination of the marital relationship often times is not the answer because without individual insight

into the nature of the problem the individual may rearry only to repeat the same pattern of behavior. Therefore, it is vitally important that both women and men become aware of how they equally contribute to a system of interaction which culminates in violent discord. The needs for effective psychotherapeutic crisis intervention, treatment of psychotherapeutic nature, and education are considerable considering the violence that may be going on behind closed doors which no one is aware of. Furthermore, without effective intervention children formed as a union of these marital relationships often times learn both consciously and unconsciously this type of behavior and later in life act it out with their own marital spouses.

If we are to label a villain, in the scene of violent marital discord, it might be society itself for not becoming cognizant at an earlier date of these issues. The need is for services for both men and women so that each can live to the fullest human potential and be happy as productive human beings rather than swallowed in a sea of mitigating guilt, anxiety, and fear of physical oppression. In the City of Hayward we believe that we have an approach that has built a bridge across a chasm long ignored and hope that other communities may someday follow this example.

KENNETH A. MERRITT
Psychologist
Director
Youth and Family
Services Bureau
Hayward Police Department
Hayward, California

KAM:tt

Senator CRANSTON. We will now hear briefly from an added witness, Sabrina Fili.

STATEMENT OF SABRINA FILI, BOARD OF DIRECTORS, YWCA

Ms. FILI. Good morning, Senator. Thank you very much first of all for being here listening to these problems. It is a serious problem and my statement will be brief.

As you know, last year I ran for the State senate.

One of the experiences consistently that occurred as I was walking more than 100 precincts that I walked, was the pouring out of the stories of women to me at the door.

I would say that of all the topics that were discussed on people's mind, of course there was busing, there were property taxes, there was gun control, and then the next most often discussed problem was that of wife battering.

In fact I had some serious problems one day in a community where a woman came running out of the house, near hysteria. She demanded of me what was I about to do about battered women. In fact her husband was standing at the hedge clipping and I could see that as soon as I left it was going to be even more serious.

I contacted a local city councilwoman and asked her to get involved in the problem and there was absolutely nothing the woman could do other than offer her personal hospitality because there was nothing available.

Because of the seriousness of the problem which constantly occurred, I have joined with other members of the board of directors of the YWCA, to attempt to establish a shelter here in Los Angeles City called Los Angeles Family Haven.

One of the efforts that we have made is to contact the police in a sensitivity training effort. We have discovered that as it was just mentioned, the cop on the beat is not sensitive to the problems of women. They are conditioned by the same experience that the general male role in society has assumed. We feel it is particularly critical due to the fact that they deal with these problems on a daily basis. It is imperative that money come down to train policemen—sensitivity training—to help people in this family—violent family situation.

We also feel that although we and other women are very interested in sensitivity training for police, that we are not capable of doing the job. We feel that it would be necessary for other police people, ex-police people perhaps, to get the money to have professional positions of training their fellow police officers. I think this would be more effective.

That's really what I wanted to say.

Thank you very much for listening.

Senator CRANSTON. Thank you very much. It is very helpful to hear from you and we appreciate your testimony.

We now go to the panel on law enforcement with Frederick H. Samuels, assistant unit supervisor, California Department of Correction, Parole and Community Services Division, Riverside; and Lina Soccio, deputy probation officer, adult probation, Riverside County.

You may proceed in whichever order you see fit.

Mr. SAMUELS. I am requesting that Ms. Soccio precede me, please.

**STATEMENTS OF LINA SOCCIO, DEPUTY PROBATION OFFICER,
ADULT PROBATION, RIVERSIDE COUNTY, RIVERSIDE, CALIF.;
AND FREDERICK H. SAMUELS, ASSISTANT UNIT SUPERVISOR,
CALIFORNIA DEPARTMENT OF CORRECTION, PAROLE AND
COMMUNITY SERVICES DIVISION, RIVERSIDE, CALIF.**

Ms. Soccio. Thank you, Fred.

Thank you, Senator, for allowing us to be here.

I have been a deputy probation officer for 5 years in Riverside County, and I supervise an average caseload of 90 women. I get directly involved in domestic violence many times and I haven't seen any adequate solutions to date.

Ideally our society offers protection against bodily harm and deprivation of freedom, but as pointed out today, the application of the law becomes ambiguous when the parties are husband and wife.

A man's home is viewed as his castle. Police, district attorneys, and judges hesitate to interfere with the sanctity of the home.

Our current criminal justice system is not designed to prevent, lessen or even discourage the practice of spouse abuse; in fact, at times abuse is encouraged by the lack of negative consequences the abuser experiences.

Once the abuser learns that without his wife's testimony, nothing will happen to him, he has a license to beat her. Once he makes this correlation, then he is free to do whatever he chooses.

Family violence is not going to be remedied by new law enforcement policies alone, or by the courts; however, there are some things that could be done to improve the system.

First, I would like to recommend that defense attorneys not be allowed to call the victim or witness, and intimidate her into not testifying.

Recently a victim informed me that she received a call from an aide in the public defender's office. That aide warned her that if she did testify against her husband, chances were good he would go to jail, and she would be left to fend for herself and have to apply for public assistance.

So she was being intimidated by the court system into not testifying. That practice should stop.

Law enforcement officers should not discourage victims who attempt to make a citizen's arrest. Inadvertently or knowingly, officers discourage victims. Another client related an incident to me in which she and her husband became involved in a fight. She is a feisty little character and she tried to fight back. However, being outweighed, and weaker, she lost the battle.

When sheriff's deputies were called out, the victim was told that if she filed a complaint against her husband, then he could also file a complaint against her. So she interpreted that to mean one complaint would cancel the other, and nothing could be done.

I was told by a police captain in our area, that "any woman who stays in a home with a violent husband, who repeatedly beats her, has to be masochistic and enjoys the beatings."

I think everybody here knows that is not true, but it is a common belief. Peace officers need to learn the reasons why a wife might stay with an abusive husband, fear, financial dependance, no place to go, low self-esteem, children needing their father, plus all the societal role concepts that keep a woman in the home, and her everlasting hope that this will never happen again.

In Riverside County, a man convicted of a crime related to spouse abuse, is usually placed on court probation, thus he has no probation officer. If he does abuse the wife again and she fails to call the police, this matter will not be brought back to the attention of the court and thus no action can be taken.

I think judges should adopt a policy of placing any convicted spouse abuser on formal probation so that a probation officer could provide surveillance of the defendant's behavior.

During the past 10 months, I have interviewed numerous law enforcement officers, including patrolmen, lieutenants, captains, district attorneys, judges, private attorneys, and social service workers. And the most common feeling is the frustration they feel. All these public service workers feel frustration; the woman always returns to the same situation, she changes her mind about following through with a complaint and nothing ever happens.

I think everybody here understands why she doesn't follow through.

This frustration tends to make public servants apathetic toward a woman in need. They assume nothing will happen, she won't press charges, and the case will never get to court, so why put out a lot of effort now. The police may be thinking they will save the system some money; this woman probably won't go to court; the case won't be won, so why get involved.

I believe that if shelters are available the woman will be able to regain her strength, she will be able to follow through with appropriate actions and follow through with court proceedings. Then things can change.

Frustration is experienced in the district attorney's office also. If they feel a woman will testify, they will be more willing to prosecute her case.

It has been mentioned and I will repeat once again, that statistics show that more police officers are killed as the result of domestic disturbance calls than any other single call. Both parties are extremely anxious at that point; they are both emotionally charged and anything is likely to happen. If the accused isn't hostile toward the police officers, then the victim may be. Thus it is a delicate matter for the police to handle.

Riverside County law enforcement agencies are in favor of establishing shelter. They believe a shelter could reduce homicides and police fatalities stemming from domestic disturbance calls. A shelter would provide a cooling off period, could avoid escalation of further violence and may even act as a preventative force.

Officers would be able to carry out their duties without the fear of immediate retaliation by the husband against the wife. Often officers feel if they do arrest the husband, the situation may deteriorate even further and could cause a subsequent beating. If the offi-

cer believes no court action will result, he may help her out by making light of the situation.

The district attorney's office would like to see a shelter. They see victims who are afraid to testify because they are still living with their attacker.

If the victim has a safe place to stay, has the support of other women, and can look at her other alternative, she may be more willing to come into court and testify.

A shelter, coupled with the positive effects of the newly organized victim/witness advocacy program such as separate waiting rooms out of the court building so victims don't need to be confronted in the corridors of the court with their attacker.

Currently in Riverside there is no facility that will house women with their children. The department of public social services is unable to offer anything to a woman in a crisis situation.

And as I understand it, the Federal Housing Authority has provisions to establish shelter homes in every area, however, local housing authorities are reluctant to get involved in the program. I would like to recommend that at the Federal level, the Federal Housing Administration beef up their enthusiasm and instruct local offices to get involved and start aiding new and/or established shelters.

That is one thing the Federal Government could do.

I am also a member of the Riverside County Coalition for Alternatives to Domestic Violence. We have been in operation for almost a year, and work on a volunteer basis.

Between July and February of this year we worked with over 75 women, with 117 children. We have provided shelter for women for over 90 nights in private homes. This is extremely risky and is only a stop-gap measure.

Once again, by providing the victims of spousal abuse, a shelter, they are able to look at all the alternatives available. They can then decide what action to take; whether it be prosecution, counseling, and/or divorce.

Being a probation officer, I have seen how the Pe 1000 drug diversion program works and I would like to see a similar program instituted for wife beaters.

Right now the district attorney can stop criminal proceedings against someone convicted of a drug offense, allow them to participate in a rehabilitation program. When the program is completed, then the charges may be dismissed. I think we need legislation to provide a similar law for wife beaters.

When I came in I provided you with a copy of the penal code section which relates to child abusers. There is a term now that will allow the prosecuting attorney to refer a child beater to a public social service agency for counseling in lieu of prosecution. I think we could do something like that for wife beaters. A law enforcement officer could refer a wife beater to a specific counseling program. If the offender followed through with the program, then no charges would be filed. If not, then the district attorney would prosecute.

I think educating the victims on how the criminal justice system works will be beneficial. If she understands how the police operate,

what policies they must abide by, what the laws are, and what their restrictions are, she will understand and hopefully won't feel the police are letting her down. I think most police are very eager to help; they don't like to see a woman who has been beaten by her husband, but officers repeatedly experience helpless frustration and get that burned out effect. Unless we can offer a shelter, and get the woman strong enough to carry the burden of solving the problem herself, not much will change. When she has shelter and support, she can then get through the system. The police will then feel their efforts are for a good case and will be able to carry out their duties of protecting its citizens.

Thank you.

[The material referred to, follows:]

EXCERPT FROM CALIFORNIA PENAL CODE

§ 273ab. [Person suspected of child abuse referred to county social services department for counseling in lieu of prosecution.] (a) It is the intent of the Legislature that nothing in this section is intended to deprive a prosecuting attorney of the ability to prosecute persons suspected of violating any section of this code in which a minor is a victim of an act of abuse or neglect to the fullest extent of the law if the prosecuting attorney so chooses.

(b) In lieu of prosecuting a person suspected of violating any section of this code in which a minor is a victim of an act of abuse or neglect when such person is referred to him or her by the local police or sheriff's department, the prosecuting attorney may refer that person to the county department in charge of public social services for counseling and such other services that the county department in charge of public social services deems necessary. The prosecuting attorney shall seek the advice of the county department in charge of public social services in determining whether or not to make the referral. [1977 ch 1130 § 3.]

Senator CRANSTON. Thank you very much.

Mr. SAMUELS. Well, Senator, I am not going to repeat all the information that I have written; I would rather make some other points. They probably will not be made in a nice smooth, flowing manner, because listening to what everyone is saying, there are some things I still think need to be said and about which I feel strongly.

No. 1, the family is the basic unit of this society, and I have to take issue when we start talking about not being able to spend money to protect it, considering what we can do with aid to foreign countries and American corporations that get into trouble. We cannot always take a look at cost when something must be done. The basic unit of this country—the family—is in trouble, in violent trouble.

Within this unit is where children are first handled. This is where they get their training, where they develop their ideas as to "right" and "wrong." Sometimes, somehow, we teach them that love is linked to violence. While this is a complete misunderstanding, children cannot help but arrive at this conclusion when they see mama and papa fighting ferociously and seriously, only to say later that they love each other. In such circumstances, among others, we perpetuate domestic violence generationally.

Somewhere along the line we need interdiction at three points. One, we must prevent or, at least, diminish violence as an acceptable means of frustration management. Two, we must avoid escalation of initial violence or minimal physical abuse into crimes of violence by

early intervention. Three, and perhaps most important in societal terms, we must stop the generational transmission of violence as an appropriate response to conflict, stress, and frustration. There is ample evidence that children who witness violence in their families of orientation often go on into their families of procreation to become either perpetrators or victims.

I think also that we spend large amounts of money treating the offender and protecting his rights. We must at least do the same thing for the victim.

Another major problem follows after the victim is moved out of a house into a shelter, and she then approaches welfare or any of the other social service agencies. The time limit for response is far too long, and the person applying for aid then gets disgusted and discouraged, especially where children are concerned. A woman cannot go into welfare and get food for her children, once she is out of the house, that day; and yet, the mother must solve the problem that day, not the 5, 6, or more days later that it takes for processing paperwork. The same applies to food stamps. She has an immediate problem, and so, many times she will elect to stay in a negative situation in order to protect her children. We need to do something about that.

My present research concerning incest focuses on childhood histories of female inmates of State penitentiaries, and my findings indicate a direct link between both incest and early exposure to domestic violence and subsequent adult criminal behavior. Perhaps some of the reasons these women get into trouble, commit crimes and end up in institutions can be traced directly back to family violence experienced at early ages. Both incest and physical violence are betrayals of trust and abuses of power relationships; both are experienced at the hands of persons children ought to be able to trust and who definitely are in superior power positions. When they experience or witness such things children learn that power determines what is right. They learn inadvertently that power means you do not have to manage your frustrations. For these reasons, even when they only witness physical abuse, children are the ultimate victims of domestic violence.

One figure from a midwestern women's penal institution, indicates that 70 percent of the inmates had experienced sexual abuse in their childhood. And I think that when we begin to have victims responding to such situations by producing more violence, apparently because no one protected them, then we must do something about that.

As to possible roles the Federal Government might take with respect to domestic violence, there are many, but I should like to mention only two or three. Certainly, if Federal assistance is made available to those involved in shelter or intervention efforts, either directly or through local governments, I think the level of violence should be reduced. Availability of a shelter not only provides direct respite, but its very existence acts as a symbolic deterrent; both offenders and victims know there is an alternative to enduring physical abuse.

Additionally, although victim assistance programs are developing at local levels, they are not enough and not adequate. The Federal

Government should develop more comprehensive victims' assistance programs, especially since the Constitution sees that we have an all-embracing offenders' assistance program. We regularly provide the offender with a lawyer to protect him and his rights if he cannot pay for one. We do not do this for the victim. We must become more victim-oriented and avoid "blaming the victim."

Finally, we must also become more alert to the effects of domestic violence, short and long range. In violent environments, along with any other person suffering direct physical abuse, children are also victims. Their psyches are being damaged: They are learning things we have no intention of teaching them, but because they are observing, they are learning.

Thank you.

Senator CRANSTON. Thank you, very, very much.

Mr. SAMUELS. One other point, sir. We will have a lot more democracy in the home when we take some of the violence out.

Senator CRANSTON. Yes.

Testimony submitted to us by Dr. Susan Back who is on the next panel, states that a program on spouse abuse should not be combined with one on child abuse.

She further states that the Director of the National Center on Child Abuse and Neglect, has said that the mere fact that spouse abuse and child abuse seem to be somewhat related problems, shouldn't lead to the assumption that they necessarily should be treated together or in the same way.

What are your comments on that?

Mr. SAMUELS. In my opinion, Senator, you cannot separate the two.

Children in the home watching their parents physically abuse each other or one parent, the other are going to be damaged and affected by such experiences. I think the child must learn what is happening and deserves an explanation. The parent accepting abuse must also take a look at what it is doing to the child if she stays in the situation. The two are interrelated and you cannot deal with one without dealing with the other.

Senator CRANSTON. Do you have any comment on that?

Ms. SOCCIO. No.

Senator CRANSTON. Who do you agree with?

Ms. SOCCIO. The experience that I have had with police officers, tells me it is a separate and different problem, however if it were going to cut us out of money, to say split the problems, I would say then put them together, but I do see marital abuse as a different kind of problem. I believe societal norms create wife abusers, the abuser needs to be reeducated about what is permissible in this society.

I have talked with abusers who have no concept that there is anything wrong with beating a woman. I had one man say—when asked about why he had beaten a woman, "I beat her because she wasn't keeping the house clean." I asked what he would do if the woman he started living with in the future didn't keep the house clean enough, or he suspected that she was going out with another man. His reply was, "well, I would find out whether it was really true, then I would beat her."

There was no concept in his mind that there was anything wrong with beating a woman. That's the kind of thing we have to address. I don't think it's totally a clinical problem; rather it's the upbringing had regarding attitudes toward women. Some men just don't see anything wrong with it.

Mr. SAMUELS. Senator, both Ms. Soccio and I deal with offenders after the fact. Most times when I get them, it has been murder. When I review the records, when I take a look at what happened to this type of offender in his childhood, he often has had the dual experience of his father beating him and seeing his mother being beaten, because frequently there is a spillover from spouse abuse to child abuse. And in every such case that I have reviewed or handled there were indications along the line that something could have been done before the murder occurred. When I encounter the person, he has been in prison and is now out on parole. One cannot help but feel that the final act of violence could have been avoided. There is a link somewhere along the line of what happens when he is young, and what occurs in that house, with what he is going to do to his own wife and children.

Senator CRANSTON. The statistics that have been referred to a number of times today indicate that police officers face a great deal of personal risk when they go to a home and seek to intervene in their domestic violence situation. Has it been your experience that law enforcement officials have generally encouraged development of programs designed to assist in reducing the incidence of domestic violence?

Ms. Soccio. It is in Riverside County. They have tried and they want to do something about their problems. The officers go out with a lot of enthusiasm and they are met with the reluctance of the victim to help them. The victim needs to help the police so the police can help her. Because she has no place to go, she can't help the police, thus the police can't help the district attorney and the whole thing just fizzles.

I have to be an advocate for the police department, yet I understand the frustration from everyone here about the inadequacies of what the police do. I don't believe the fault lies with the police departments.

Senator CRANSTON. What they really have to do, I guess, is to try to help; be one of those pushing programs that can be of help.

Ms. Soccio. We do have the support of our local chief of police and all of our law enforcement officers.

Senator CRANSTON. Did you have a comment?

Mr. SAMUELS. Yes. Ms. Hampton is going to be testifying, and she works directly with law enforcement agencies and will shed a little bit more light on this, Senator.

Senator CRANSTON. In the areas where shelters or other domestic violence programs have been operating, what has been the relationship as far as you know with the police department?

Ms. Soccio. I can't answer that because we have no shelter.

Senator CRANSTON. Do you have any experience in that?

Mr. SAMUELS. Relationships with law enforcement—sheriff's and police departments—varied, according to exchanges of information

with service providers. Yet, as a parole agent and, therefore, a peace officer, I know there are times when if there is a refuge of any kind the police officer has the option of not necessarily having to arrest one party in order to have the other person safe. If he can place the woman in a shelter, it may not be necessary to make an arrest, heighten hostility upon the offender's release, and start another chain reaction.

In this way shelters and domestic violence programs can offer police alternatives unavailable within the present criminal justice system. In turn, increased options can make law enforcement's task easier, and at the same time the known availability of shelters can provide an avenue of assistance that need not necessarily involve the police. This, then, should cut down the number of police calls for such problems, and considered in this light shelters and various other programs should be welcomed by the police. It is important to obtain some statistical confirmation of what would seem to be a logical consequence of these programs. Such documentation and a positive approach on the part of the service providers could do much to encourage good relationships with law enforcement.

Senator CRANSTON. I presume when there is a local program, support by the police would be very important?

Mr. SAMUELS. They must support it. It is essential.

Senator CRANSTON. How, in your experience, have efforts been made successfully to change the attitude of individual peace officers who may not understand the problem originally?

Ms. SOCCIO. I think the officers who remain in the field do have a sympathetic understanding of what's going on. It's the officer who has just gotten out of the academy and goes out on the street who doesn't understand it. The basic belief of people who aren't aware of the depth of the problem, is that the women who stay, must like to be beaten; why is she so stupid? Why does she stay? Look what the man has done to her; why doesn't she get out? The general public can't see past that.

I think with a limited amount of training the public could be sensitized to the problem. But then again if there isn't a shelter for the women, and they have no place to go, that same frustration is going to build within the people providing service. I know why a woman stays, but it still drives me crazy when I see someone whose had half of their hair pulled out, black eyes, bruises, they can't walk, and yet they stay.

Senator CRANSTON. What is your explanation of why the woman stays?

Ms. SOCCIO. The fear of the unknown world outside their home, having no money. The maternal instinct comes out. If a woman has children, she is not going to walk out of the house, without a place to stay. Women have been trained to be martyrs and sufferers, and will take a beating for the children's sake and thus she remains.

If we can give her a chance to look at the alternatives, I am sure more women would be able to change their situation.

Del Martin said in a speech about 2 weeks ago that every center she has come in contact with, has been filled as soon as they get operational, without advertising, and there is a waiting list. The women

do want to get out; they do want a place to stay. But if they don't have it they are going to stay in an abusive home; for the sake of the children, the fear, of the unknown, or not having the money to move.

Senator CRANSTON. Thank you both very much; you have been very helpful.

[The prepared statement of Ms. Soccio follows:]

I have been a Deputy Probation Officer in Riverside County for five years and supervise a caseload of about 90 women. I have been directly involved in domestic violence many times and have seen no adequate solutions.

Ideally our society offers protection against bodily harm and deprivation of freedom, but in reality the application of the law becomes ambiguous when the parties are husband and wife. A man's home is his castle. Police, district attorneys and judges hesitate to interfere with the sanctity of the home. Our current criminal justice system is not designed to prevent, lessen or even discourage the practice of spouse abuse; in fact, at times abuse is encouraged by the lack of negative consequences the abuser experiences. Once the abuser learns that nothing will happen to him if his wife refuses to testify, it becomes his license to continue his abuse. Family violence is not going to be remedied by new law enforcement policies alone or by the Courts; however some changes could improve the system:

Defense attorneys should not be allowed to call the victim/witness and intimidate her into not testifying. Recently a victim informed me that she received a call from an aide in the office of the public defender. The aide warned the victim that if she testified against her husband and he went to jail she would have to apply for Welfare assistance to survive. Law enforcement officers should not "discourage" victims who attempt to make a citizen's arrest. Inadvertently or knowingly officers discourage victims. A client related an incident in which she was beaten by her husband. The client tried to fight back, but being outweighed and weaker, she lost. The officers who were called to the scene told the victim that if she filed a complaint, her husband would also file a complaint. This

led the victim to believe that one complaint "cancelled" the other and that nothing could be done to help her.

I have been told by a police captain that "ANY WOMAN WHO STAYS IN A HOME WITH A VIOLENT HUSBAND, WHO REPEATEDLY BEATS HER, HAS TO BE MASOCHISTIC AND ENJOYS THE BEATINGS." This is a common belief, and I feel it should be mandatory that all peace officers be provided training to include the reasons a wife remains in a violent situation: fear, financial dependence, no place to go, very low self-esteem, children need their father, societal role concepts, promises from the abuser that he will never beat her again and the everlasting hope that it will never happen again.

In Riverside County a man convicted of a crime related to spouse abuse usually is placed on Court Probation, (without a probation officer). Judges should adopt a policy of placing convicted spouse abusers on formal probation so that a Probation Officer could provide surveillance of the defendant's behavior. During the past 10 months I have interviewed numerous law enforcement officers, including patrolmen, lieutenants, deputy district attorneys, judges, as well as private attorneys and social service workers. I have found that the most common feeling for those who work with the victims of domestic violence is FRUSTRATION. "THE WOMAN ALWAYS RETURNS TO THE SAME SITUATION! SHE CHANGES HER MIND ABOUT FOLLOWING THROUGH WITH A COMPLAINT, AND NOTHING CHANGES." This frustration tends to make public servants apathetic toward a woman in need. They assume that "nothing will happen, she won't press charges, the case will never get to court, so why put out a lot of effort now?" This attitude is also prevalent with private attorneys handling divorce cases. If officers and district attorneys believed there was a chance that the case would get to court they would probably be more effective in handling this delicate situation.

Statistics show that more police officers are killed as the result of domestic disturbance calls than any other single call. Both parties are extremely anxious and emotionally charged at the time. If the accused isn't hostile towards the officers, the victim may be.

Riverside County law enforcement agencies are in favor of establishing a shelter for domestic violence victims. They believe that it could reduce homicides and police fatalities stemming from domestic disturbance calls. A shelter could provide a cooling off period and avoid the escalation of further violence and even act as a preventative force. Officers could carry out their duties without fear of immediate retaliation by the husband against the wife. Officers often feel that if they arrest a husband the situation will deteriorate even further and may cause a subsequent beating.

The District Attorney's office in Riverside also sees a need for a shelter. Victims are often afraid to testify because they are still living with their attacker. If the victim has a safe place to stay and the support of others, she will be more willing to testify. A shelter, coupled with the positive effects of the newly organized victim/witness advocacy program, should ultimately bring more cases into Court.

Currently Riverside County has no facility that will house women with CHILDREN. The Department of Public Social Services is unable to offer adequate assistance to a woman in a crisis situation.

I am a member of the Riverside County Coalition for Alternatives to Domestic Violence. Our group was formed almost a year ago after Senator Robert Prasley spoke to our community about Senate Bill 91. This bill allows money to build four to six shelters that will be called Domestic Violence Project Centers. These Centers will provide shelter for women and their children, transportation, counseling, referrals for medical and legal help, a 24 hour switchboard and "Drop-in" Centers for those who do not wish to leave the home yet, but may just want information or someone skilled and sympathetic to talk to.

Two community meetings were held by the Riverside County Mental Health Advisory Board to assess the problem and to determine if there were existing solutions available within the County. Members present volunteered to investigate such areas as mental health services, law enforcement and legal services, community education, volunteer workers available, and research. It became immediately apparent that a shelter home was necessary. Volunteers were organized, and between July and October of 1977 we were contacted by over 30 women with over 39 children. We have sheltered women for over 72 nights in private homes of volunteer citizens who were willing to take women in for their safety from 1 or 2 nights, to 2 weeks. Obviously this is a great responsibility for the volunteers, time consuming and disruptive to their own family life. We know this is a temporary "stop-gap" measure and that most of these victims need a longer stay to calm down from the trauma, to examine their future alternatives and resources. By providing the victims of spousal abuse a temporary shelter, and emotional support, we enable her to look at ALL the alternatives available to her BEFORE she is forced to decide what action to take; e.g., family counseling, prosecution, dissolution or separation. With the support of a shelter the victim can regain her strength and decision making capabilities and thus "follow through with appropriate actions." Our Coalition has the support of the Riverside

County Board of Supervisors; in addition, over 15 agencies (both public and private) have expressed the need for a shelter home in our county and have given their unanimous support to our efforts to establish same.

I can not give you statistics on the number of domestic violence calls received by the Riverside County law enforcement agencies, however, an estimate from a deputy district attorney in charge of Riverside Municipal Court cases claims that NOT MORE THAN 25 CASES A YEAR GET TO TRIAL AND ARE CONVICTED OF 273(d) P.C., WIFE BEATING. Of those cases, most are NOT placed on supervised probation. It stands to reason that if the victim refuses to testify, the accused will not be convicted of a crime.

Being a Probation Officer, I have seen how the P.C. 1000 drug diversion program works and feel a similar program could be used with wife beaters. Section 1000 of the Penal Code allows the District Attorney to stop criminal proceedings against a person accused of certain drug offenses. By suspending criminal proceedings, the accused need not enter a guilty plea and there is no trial. Instead the accused is referred to an educational, rehabilitation or treatment program. Upon the successful completion of the designated program, the district attorney will dismiss criminal charges. I would like to see a similar LAW in California for the defendants accused of crimes related to domestic violence. This procedure would eliminate the need to have the victim testify against her husband; it would also give the offender the opportunity to alter his violent behavior by attending an educational or clinical program.

We believe that if the victim understands how the criminal justice system works, she will be more willing to proceed through it. Thus our Coalition has compiled a bi-lingual handbook for the victim, which includes:

- a. law enforcement arrest policies and procedures,
- b. how the district attorney's office operates, and how victim can help,
- c. steps the victim needs to take to aid the system,

- d. obstacles to be aware of and how to get around them,
- e. description of all court appearances and when she needs to be present,
- f. explanation on sentencing procedures and probation,
- g. where and how to get assistance with civil actions, and a description of same,
- h. where to go for counseling,
- i. how to apply for jobs, state aid, job training, etc.

In closing, I must strongly encourage all California and Federal legislators to take the problem of domestic violence seriously and to initiate appropriate actions necessary to alleviate the problem. First, allocate additional funds to establish shelter homes. Second, reevaluate existing laws related to spousal abuse, and submit appropriate changes.

I thank you for giving me the opportunity to speak.

Sincerely,

Mrs. Lina Soccio
Deputy Probation Officer
Riverside, Calif.

Senator CRANSTON. Now we have the panel on research—Dr. Susan Malone Back, director, HEW services to battered women project of Denver, Colo.; Marilynne Brandon Hampton, sociologist, UC Riverside, president of Riverside County Coalition for Alternatives to Domestic Violence; and Dr. Barbara Star, School of Social Work, USC.

STATEMENTS OF SUSAN MALONE BACK, PH.D., DIRECTOR, HEW SERVICES TO BATTERED WOMEN PROJECT, DENVER, COLO.; MARILYNNE BRANDON HAMPTON, SOCIOLOGIST, UNIVERSITY OF CALIFORNIA, RIVERSIDE, PRESIDENT, RIVERSIDE COUNTY COALITION FOR ALTERNATIVES TO DOMESTIC VIOLENCE, RIVERSIDE, CALIF.; AND BARBARA STAR, PH.D., SCHOOL OF SOCIAL WORK, UNIVERSITY OF SOUTHERN CALIFORNIA, LOS ANGELES, CALIF.

Dr. BACK. I am Dr. Susan Malone Back. I am employed by the Colorado Association for Aid to Battered Women—CAABW.

We have a grant from HEW to do a national study of services to battered women, and I welcome the opportunity to come to the State of California today to present a point of view from another State.

In our study we have located approximately 500 shelters or alternate services to battered women, and we have sent them all a questionnaire. From this questionnaire we are going to choose eight representative centers which we will study in depth.

What we are hoping to find are shelters that have alternative funding sources and alternative service delivery programs. And from this we are going to write a monograph which will be of use to projects getting started around the country. The monograph will provide ideas on funding, staffing, service delivery, and so forth.

As a result of doing this study I have come in contact with people all over the country, and have some recommendations that I would like to make today.

First of all, we hope that whatever program is established as a result of this legislation, will take into consideration the results of the study we are currently doing. It would be a waste for the study to be done and then to be forgotten and for research money to be appropriated to duplicate the services we have already done.

Second, I see a tremendous need for cooperation of services among government agencies and other programs. There are a number of programs that have expressed an interest in battered women. Primarily, of course, HEW has expressed an interest in funding our grant. But there are also people in HUD who are interested; CETA has provided some services in this area; LEAA has funded projects; Community Services Administration is looking into programs and so forth.

Legislation should mandate that all of these programs get together.

For example, LEAA can help by funding some training programs for the police. There are some training programs that are currently in use; however they are very stereotyped. They present the typical situation of the wife being the nagging female who precipitated the incident.

LEAA has already funded a project which will result in the publication of a national directory of services to battered women. I have cooperated with them in helping to eliminate any duplication of effort with the CAABW project.

Another source of cooperation is HUD, and I have noticed that several persons here today have mentioned HUD programs. I would like to clarify HUD's role in services for battered women.

There are a number of HUD programs that potentially are available to battered women, but the battered women are not receiving these programs. One reason for this is that the shelters and the women are not aware of all the programs; and second, the programs themselves are ambiguous. The regulations are written in such a way that they do not clearly specify battered women as recipients of services.

I recommend that HUD change its regulations to spell out that battered women are eligible.

One program that is appropriate is the community development block program whereby buildings can be renovated and used for emergency shelter purposes.

Right now we find that possibly two or three projects around the country have qualified for these services. As you know, the program goes through local governments, and the local governments interpret them in such a way that they will not provide the funds for battered women.

Another program is the rent subsidy program by which once women are out of the shelter, they can find housing on their own and be subsidized in the cost of that housing.

Here again the regulations do not consider the battered woman's plight. Eligibility for this program is based upon the family income, not on the woman's income. Of course, the husband is often making an adequate salary, while the woman is not. HUD has to be flexible in establishing eligibility for this program.

Another program is the housing program itself whereby Federal housing is available to families. Again, if the husband's income is considered, the woman very often will not be eligible.

Another program that could be incorporated, is FHA. When mortgages are foreclosed on FHA homes and the home goes back to the city, perhaps the city could donate the home to a local shelter program.

There is also room for cooperation with the Defense Department. The Pentagon has been able to refer me to only one shelter on a military base; that is located at Fort Campbell in Kentucky.

I understand that right now women who are on military bases who are being abused, have no alternative but to go to the chaplain. There is no specific service for battered women in most circumstances.

I recommend that military personnel be educated as to the needs for battered women. Also I recommend that the Defense Department funding be appropriated to set up shelters either on the base itself, or adjacent to the base. Right now there are some local programs that are serving the military population, but they are not getting any assistance from the military itself.

Veterans' Administration personnel should also be educated with regard to the needs of battered women. Some women go to VA programs seeking assistance and no one there knows how to help them.

The cooperative effort I am advocating should also include programs dealing with the treatment and prevention of alcoholism and drug abuse.

Many people claim that alcoholism is related to wife abuse and believe that, if we provide alcohol programs, this will help eliminate wife abuse. I would like to point out that in some cases these alcohol treatment programs actually may be causing domestic violence. When a person goes into this type of treatment program, they undergo some very frustrating experiences, of which aversive conditioning is one. We have some indication that some recipients of this treatment will go home and take out their frustration on the family.

I recommend that people, working in alcoholism and drug abuse, be educated as to the dynamics of the battering relationship and the effect of the treatment on the battering relationship.

I also recommend that people working in the shelters be aware of these alcohol programs and what the consequences of the alcohol programs might be to the families of persons undergoing treatment.

In order to accomplish this cooperation, I recommend that there be an advisory board established for the purpose of coordinating the efforts of all these different programs. On this board there should be representatives from the Community Services Administration, and from the Departments of Defense, Justice, Labor, Housing and Urban Development and Health, Education and Welfare, including the U.S. Commission on Civil Rights and the Alcohol, Drug Abuse, and Mental Health Administration.

My third recommendation is similar to that of Senator Presley's suggestion that moneys be provided to existing services to battered spouses rather than setting up demonstration projects for study.

I do think we need some demonstration projects in the areas that are not being presently served. For example, I know that in many of the rural areas there are no services available to women, so perhaps here we could set up some demonstration projects. Other than that, we should just fund shelters that are already in existence.

Another recommendation is that in funding these programs, let's not pull the rug out from under them after only 1 year. Many programs have to reapply year after year for funding. Even if they were told they could have the funding for 3 years, they would have to re-submit an application on a competitive basis each year, and I think this is unnecessary. Certainly we can evaluate them on a yearly basis, but they should not have to go through this competitive application process.

I also recommend that there be some ongoing research to determine the effectiveness of treatment alternatives and Government policies.

I understand that many people are opposed to research at this point and I am certainly opposed to academic, esoteric research being sponsored by this legislation. However, there are certain types of research that can be very useful right now.

For example, we need to find out what are the statutes in all 50 States pertaining to domestic violence and in what ways do these

statutes facilitate or inhibit the victim's rights. LEAA could possibly support this type of study.

I can tell you that in Colorado we hold up your California legislation as a model for what we would like to have in Colorado. The Colorado Association for Aid to Battered Women has written a bill which has been introduced into the State legislature. The bill, however, was totally watered down in committee. It is now practically useless and we are now going to have to kill it if possible.

I think an awareness needs to be developed of the statutes throughout the country and their effectiveness.

It is also clear that HEW appropriations are never going to be able to fund these programs forever and to an adequate extent. What we might have in the future are some health insurance programs which will be able to pay for services.

If shelters are going to qualify for some of those services, we have to show that the methods are beneficial. We need to do research to determine the effectiveness of the present services and to establish accreditation standards. It would be valuable to do this research now before health insurance legislation is passed and shelters are overlooked.

Research is also needed on the prevention of domestic violence. Related to this is the topic of child abuse. There are some people working in child abuse who say that if we eliminate child abuse, this will eventually solve the problem of wife beating. The preventive measures for wife beating must go beyond that. We cannot satisfy ourselves with simply relegating wife beating to the area of child abuse.

I think there is plenty of room for preventive techniques beyond the treatment of child abuse. For example, a media campaign is needed to educate the public with regard to the nature of wife abuse.

Finally I would like to recommend that a program for battered women be established within the Office of Human Development Services in HEW, under the condition that other agencies become involved in the cooperative effort. I do not necessarily think that the Administration for Children, Youth, and Families is the place to put the program right now. That program is really geared up for direct services that are already established. We are now in a phase where we are still trying to develop government policy and we are trying to evaluate these new programs that are being instituted.

It would therefore be advisable to place the program within Office of Human Development Services because that office provides the opportunity for cross cutting of services across agencies and for evaluative research.

Thank you.

Senator CRANSTON. Thanks for coming so far to our hearing.

Dr. STAR. Good morning, Senator. Thank you for inviting me here.

My name is Dr. Barbara Star. I am on faculty with the school of social work at the University of Southern California.

I am also a member of the board of directors of the Southern California Coalition on Battered Women.

For the past 2 years I have been conducting research in the area of family violence in general, and on wife battering in particular. The research involves using personality tests and interviews to un-

derstand the psychological and sociocultural factors affecting the victim, the spouse, the marital relationship and the children.

During the course of the research I have had an opportunity to test and/or to interview over 100 women and several husbands. Some of the research findings hold implications for social policy as well as human service development.

To summarize briefly, some of the findings revealed that first of all, neither the assaulter nor the victim tended to be mentally ill. Violence is not an act of a psychotic mind, rather it is an integral part of family interaction, and is perceived as a legitimate means for discharging frustrations or resolving conflicts.

Less than a third of the women, but close to 60 percent of the men, grew up in a family environment where they witnessed or experienced violence. Violence is transmitted from generation to generation, but it tends to be more of a function of the men's upbringing, than of the women's.

Psychologically, the women are not masochistic, or excessively dependent. Personality tests reveal they are passive, and interviews reveal they possess very low self-esteem. Together, these factors create the ideal victim. The women do not enter the relationship expecting or believing they deserve punishment. Their low sense of self-esteem leads them to assume the responsibility for problems in the marriage. And their passivity prevents them from taking action on their own behalf.

As a marital unit, men and women tend to be socially isolated. Most do not belong to clubs or organizations. They have few friends and maintain limited ties with relatives. They have no social or community support system from which to learn alternate ways of dealing with problems or feelings.

Another finding that I want to bring out is that men and women both remain in violent situations because there are so few alternatives available that promote change. As we have heard here, there are not many shelters where victims and children can find refuge. Financial and legal support for victims are limited. Many agency workers do not understand the fears and emotional needs of the victims or the marital unit. There are no programs for the assaulters.

Several types of changes of both the macro and micro level are indicated if we hope to combat the effects of domestic violence. Some of the solutions that I advocate would include:

1. Nationwide reporting laws similar to the ones developed for child abuse.
2. Laws that permit alternatives other than divorce or jail. Women want protection; not necessarily permanent separation. We need an intermediary step that bridges the gap between no legal action and pressing criminal charges which result in imprisonment.
3. Public education to make people aware of the problem, its causes and solution. In-service training programs for police and mental health professionals.
4. Reading the victims their rights. Clearly telling the women the legal alternatives available to them; providing an advocate, usually a paraprofessional person, who will help them through the criminal justice process if they choose to press charges.

5. Toll-free hotline services to offer information and crisis counseling for both the victims and the assaulters.

6. Mandatory treatment for assaulters including medical and emotional counseling that produces better impulse control.

7. Housing; more shelters for women and their children during times of crisis, and safe places to live once they leave the shelter, if they decide not to return to the spouse.

8. A community support network of agencies who are concerned with various aspects of domestic violence to insure continuity of care for the victims.

9. And finally, I think that we need a coalition of community agencies and interested lay persons to offer a base for sharing ideas, conducting research, disseminating information, providing community education, and supporting needed legislation.

Obviously these changes require more than verbal affirmation. Any system of viable service must rest on a foundation of financial security. The first step then involves appropriating adequate funding to ensure physical as well as moral commitment.

Thank you.

Senator CRANSTON. Thank you, very, very, much. It was very interesting.

Ms. HAMPTON. My presentation will be somewhat disjointed because several points have arisen during this testimony that warrant some comment. As in many instances these are responses or supplementary remarks, they will not form a coherent whole.

At the outset I should note, that I am a doctoral candidate and sociologist at the University of California at Riverside, as well as president of the Riverside County Coalition for Alternatives to Domestic Violence. This dual role has provided an advantageous position from which to research and from which to observe the interaction of service-providers with the community and its various elements.

First of all, with respect to the felony wife-beating law we have in the State of California, often cited as a model, the law itself simply does not solve many of the problems. Most often, even if it can be demonstrated that an arrest should be made under 273(d) P.C.—felony wife-beating—police have booked the case as a misdemeanor because it is easier to obtain a conviction on a misdemeanor.

Next, I feel an obligation to say that while the literature is replete with references to antagonistic law enforcement responses in the area of domestic violence, we have had extremely good fortune with law enforcement in Riverside County. This is not to say that this historically has always been the case or even that we do not now encounter occasional hostility on the part of individuals. What requires emphasis is that a positive relationship has been developed by the coalition with all facets of the criminal justice system, that negative responses generally reflect only individual biases and not departmental policies, and that by cooperative community effort where necessary we have been able to effect policy change.

Riverside County has just instituted a new system for gathering statistics, and this promises to deliver far more refined information in the area of domestic violence than has previously been available. The

county has 17 cities with 11 police departments; the sheriff is responsible for unincorporated areas and six contract cities. As of January 1 this year, all police and sheriff's report forms have been standardized, and all reports are being fed into a central reporting terminal. With all law enforcement utilizing the same forms and the same codes, the statistical potential is remarkable. Not only will this result in both more comprehensive and specific figures, but refined statistical distinctions are being made in all the various categories of domestic violence. If projected results are even half of the indicated potential, I would strongly recommend this as a national model.

Prior to this centralized, standardized gathering of statistics, however, both the city and county of Riverside have done exceedingly well in their compilations of statistical data. For example, both have broken down police disturbance calls—the 415's about which so much has been written—into five categories: One, family disturbance; two, juveniles in the streets; three, loud residential parties; four, bars and taverns; and five, others. In both cases, the largest single category has been the family disturbance calls, with "others" making up the second largest category.

Because so much has been written about police hostility in answering 415's, with the justification being that police are at greater risk in answering these calls than any others, there needs to be some clarification. If the danger is great for all police disturbance calls, unless the categories are broken down into some typology that permits the distinction of family disturbance from general disturbance calls, then, we may well have exaggerated and overemphasized the danger to law enforcement in such situations. This is not to minimize the very real danger in such volatile situations in particular instances, but simply to emphasize the need to document the overall danger that has been quoted and assumed rather widely.

In New York City recently, 40 percent of the police calls were estimated to be family disturbances. In responding to such calls, however, police must spend much of their time essentially doing social work. Yet they are trained specifically to handle very different sorts of things, the most violent, aggressive on-the-street behaviors. This seems a gigantic waste of manpower, even a misuse, and no one seriously can suggest that more police would provide a solution to the problem of domestic violence.

Data from the city of Riverside for 1977 point to the need for alternatives outside of the criminal justice system. Out of 278 actual cases of family disturbances, including some family-related misdemeanors and felonies, while excluding others and homicides, 34 arrests resulted in an arrest rate of 12.2 percent. The interesting fact is that the police could have cleared an additional 183 cases, or increased their arrest rate by 65.8 percent for a total rate of 78 percent. In these cases they clearly knew what the circumstances were, who the perpetrators were, but no complaints were forthcoming. This brings me to another recommendation.

We seriously need shelters and domestic violence programs, but we need them funded in a way that makes them stable, viable entities, not the cliff-hanging operations which exhaust the spirits and resources of those involved. Shelters not only can help law enforce-

ment in a variety of ways; they also can reduce the police workload. It is much simpler to take someone to a shelter than to make an arrest and take that person to jail.

Touching upon research briefly, I have grave reservations about funding it and shelter programs solely through NIMH. As an illustration, in our county, crisis and referral is listed in the local newspaper's services column under Riverside County Mental Health Department. They rarely get a call from that listing. Like it or not, there is still a stigma involved when mental illness is implied. It would be far better were they listed simply as crisis and referral, and I am still trying to understand what regulations preclude this.

I should also like to recommend against having wife-abuse put in with child abuse. While they often are related problems, it is imperative that adult women and children be treated differently. One of the things that is agreed upon is that women who have been battered generally suffer from low self-esteem and appear to be quite passive. One of the main goals of shelter programs is to return to the community women whose sense of dignity has been restored, women who are capable of taking care of themselves and their children without or within marriage. To lump women and children together is to risk similarity of treatment and to continue the "infantilization of women," as pointed out by Richette.

The last thing I would say if there is time—I haven't timed myself—

Senator CRANSTON. You are just about out.

Ms. HAMPTON. Just then, to finish, in Riverside County we clearly could not operate with one shelter. We have attempted therefore to coordinate all known agencies so that we can provide several alternatives and crisis shelters.

It is very good of you to have come here today. I should like to thank you for your concern in this area, and we hope that we may receive your legislation fairly soon.

Senator CRANSTON. Thank you, very, very much.

I am impressed by the great attention to the progress in Riverside County; there seems to be a lot happening there.

One witness, JoAnn LeFils had some reservations about funding research in this matter. Do you feel that there is adequate funding; is there more needed to get to the basics in problems or roots?

Dr. STAR. There are different kinds of research that I think need to be funded. I would like very much to avoid duplication of research efforts. There is a lot of information that has already come up through general surveys. What we need to know now are some of the interrelationships between family violence or between wife battering and other problems in the community.

For example, one that we brought up today has to do with understanding the relationship between child battering and wife battering because there are obviously some similarities and differences. We don't yet know what the differences are and how best to intervene in them. But that is one type of research that needs to be conducted.

Some research involves gathering data about the laws that are available.

We also don't know anything about program evaluation. We have no idea at this point about which women do best in which type of

shelters, but we know that there are dozens of different models that are being used. We need to be able to evaluate some of that also. So that I would think that there is a lot of room for research. There is also obviously much more room for needed services.

Dr. BACK. I would like to point out that in many of these shelters they have been collecting demographic data on the women who have been seeking services, and perhaps what we can do is take this data, tabulate it uniformly—and make it available to the public.

Ms. HAMPTON. I should like to add one thing about research—at some peril to myself as an academician. I am opposed to esoteric research in which problems are studied and careers are made by people who never come into direct contact with victims, offenders, or the women who are doing the grassroots work and providing the services.

We need to do community research wherever possible. That is where the information is. We do not yet have enough information from which to generalize. It therefore is imperative that we study many different kinds of communities, in various regions, with differing racial and ethnic mixes before we can begin to discern the commonalities. I believe that in this way through the process of analytic induction we can then begin to generalize.

Finally, community research serves another purpose. It helps educate the persons participating in the research effort and generally heightens community awareness. We have found this to be a beneficial byproduct of our research.

Senator CRANSTON. Thank you very much.

[The prepared statements of Dr. Black and Dr. Star follow.]

TESTIMONY

OF

SUSAN MALONE BACK, Ph.D.

DIRECTOR, NEW SERVICES TO BATTERED WOMEN PROJECT

COLORADO ASSOCIATION FOR AID TO BATTERED WOMEN

BEFORE THE

SUBCOMMITTEE ON CHILD AND HUMAN DEVELOPMENT

COMMITTEE ON HUMAN RESOURCES

U. S. SENATE

Saturday, March 4, 1978

Los Angeles, California

We already know that safehouses, hot lines and a national clearing-house of information are needed to reduce domestic violence. I refer you to the testimony provided to the U.S. Commission on Civil Rights on January 30 and 31, 1978, to that provided before the House Subcommittee on Domestic and International Scientific Planning, Analysis and Cooperation, in February, 1978, and to the testimony presented here today. I would therefore like to address myself to the mechanics of a comprehensive program for services to battered spouses, siblings and parents. While I advocate a program to provide services to all victims of battering, I think we should keep in mind that the majority of domestic violence victims are women beaten by men with whom they are having an intimate relationship. Statistics from New York City hospitals for six months in 1977, show that there were 490 cases of battered wives and 2 cases of battered husbands. Dr. Richard Gelles, a sociologist at the University of Rhode Island, reports that 47% of the husbands in his sample hit their wives regularly, while only 11% of the wives hit their husbands regularly. The battered man case is the "man bites dog" type of story picked up by the press. For years women have been beaten as a matter of routine and, as such, did not attract the attention of the press.

I am employed by the Colorado Association for Aid to Battered Women as Project Director of a national study of services to battered women. The Project, entitled "Services to Battered Women: A Study of Diverse Models, Rationale for Development, and a Strategy to Determine Effectiveness of Services", has located approximately 500 shelters and alternate services for battered women. We have sent them a questionnaire (a copy of which I have submitted with my testimony, Appendix A) and from the returns on this instrument we will select 8 representative programs. These programs and their

community support systems will be studied intensively in site-visits. We will choose the representative programs on the basis of geography, population served, services provided and funding sources, among other criteria. The result of our nine-month grant will be a monograph which will propose future procedures for evaluation. I have submitted a more detailed description of the objectives and activities of the Project. (See Appendix B.) We are particularly interested in studying programs that have made use of existing federal funds. For example, a few centers have managed to secure HUD funding through their local Community Development Block Program. Several shelters have obtained staffing money through the Department of Labor's (CETA) program. Others have been able to make use of Law Enforcement Assistance Administration (LEAA) and Community Services Administration (CSA) funds. The results of our study will be valuable in helping programs conceptualize plans for securing funds and providing treatment alternatives. It is my belief that the results will prove useful to any agency formed by the legislation currently pending in Congress.

In working on this project I have corresponded and met with battered women, services providers, researchers, government employees, governors, and commissions on the status of women. I have learned much and would like to make recommendations to you today on the basis of the information I have gathered from them.

First, I recommend that the results of our research project should be considered by whatever agency is mandated as a result of the current legislation. Too often, research projects are conducted and yield valuable information which is not utilized in program development. Let us not re-invent the wheel by duplicating our efforts.

Second, the problem of battered women is not something that can be

solved with a temporary, volunteer program. The combined effort of various professions and government agencies will be required to tackle this most distressing form of violence.

It is generally agreed that the proposed program should be placed within HEW. However, interest in battered women has been expressed by persons in HUD, LEAA, CETA and CSA. For example, there was the possibility that our project would publish a directory of services to battered women. However, directories were already being published by Betsy Warrior of the National Coalition Network, and the Center for Women Policy Studies which has been funded by LEAA. I contacted these people and we worked out an arrangement whereby we would share names and addresses and they would be responsible for the directory. I am now able to devote more of our resources to in-depth site visits and publication of a monograph.

Another source of cooperation is HUD. I have learned that there is a potential source of assistance to programs for battered women within HUD's programs. Many shelters are not receiving these services either because (a) they don't know about them or (b) they have applied for them and have been turned down due to a misinterpretation of HUD's regulations. At present, a number of HUD's programs have regulations which do not clearly specify battered women as recipients of the services. First, the regulations for the Community Block Development Program should be re-written to specify the rehabilitation of buildings for the purpose of supplying local emergency shelters for battered women. Secondly, the rent subsidy program, which creates a balance between one-fourth of a person's income and the fair market price for an apartment should clearly state that a woman's eligibility for the program should be based upon her income, not her husband's. Eligibility for housing through local housing authorities should likewise be based upon the woman's income.

Finally, homes for which FHA mortgages have been foreclosed often become city property. HUD should be making an attempt to use these abandoned buildings for emergency shelter for battered women. If necessary, Community Development Block Grants should be awarded to rehabilitate the buildings.

There is also room for co-operation with the Defense Department. To my knowledge, the only existing services for battered spouses on the military bases are the Chaplains. Military personnel should be educated with regard to treatment alternatives for battering couples. Funds for the establishment of safe houses either on or adjacent to military bases should be provided by the Defense Department.

The co-operative effort I am advocating should include programs dealing with the treatment and prevention of alcoholism and drug abuse. There is evidence that in many cases alcoholism and spouse abuse are related (Grambs, 1977). However, there are also cases in which the treatment program itself leads to domestic violence. Persons involved in such treatment programs undergo frustrating experiences, one example of which is aversive conditioning. These frustrations can result in the person's lashing out at a family member. Thus, the dynamics of the battering relationship need to be made known to service providers. There is a definite cycle to the battering relationship (Walker, in press, a, b). For a comprehensive description of treatment alternatives for battered women and batterers, I refer you to Dr. Lenore Walker's testimony before the House Subcommittee on Domestic and International Scientific Planning, Analysis and Cooperation (Appendix C). We cannot assume that alcohol and drug rehabilitation people know the antecedents and dynamics of spouse abuse. Likewise, safe house personnel should become more knowledgeable of the consequences of drug and alcohol abuse treatment programs.

I recommend that an Advisory Board be established for the purpose of co-ordinating the efforts of all the agencies concerned with spouse abuse. This Board should consist of representatives from the Community Services Administration and the Departments of Defense, Justice, Labor, Housing and Urban Development, and Health, Education and Welfare, including the U. S. Commission on Civil Rights, and the Alcohol, Drug Abuse and Mental Health Administration.

My third recommendation is that monies be provided to existing services to battered spouses, rather than setting up demonstration projects for study. There already exist a diversity of services, including some shelters with creative administrative and staffing procedures, and comprehensive services such as psychological and legal counseling, welfare advocacy, job training, counseling and placement, counseling of the batterer, couples counseling, child care, Parent Effectiveness Training, Parent's Anonymous and on and on. If we want to study the effect of these services, let's look at programs presently in existence. If there aren't enough programs providing comprehensive services, then let's fund existing shelters that have limited services and help them along. This would certainly be more cost-effective than setting up demonstration projects which will not necessarily have the community backing that the present shelters have.

Naturally, it would be useful to set up programs in areas that are not currently being served. A balance should be struck between creating new programs where needed and supporting present programs.

Recommendation number four is that in funding these programs, let's not pull the rug out from under them after only one year. Yes, a program should be accountable from year to year, but it should not have to re-apply on a competitive basis each year for a 3-year funding period. The stability of

a 3-year contract (even if the percentage of funding decreases from year to year) allows the shelter to devote time and effort to the establishment of a more permanent funding source.

My 5th recommendation is that there be an on-going research program to determine the effectiveness of treatment alternatives and government policies. Let me make it clear that I am not advocating research of an esoteric or purely academic nature. That type of study has its place but it is not in this legislation. We need the type of research that will answer practical questions. I offer a few examples:

a. What are the existing statutes in the 50 states which pertain to domestic violence and in what ways do these statutes facilitate and/or inhibit individuals' rights? What is the effect of these statutes on the provision of services to battered spouses, siblings and parents?

b. It is clear that HEW appropriations will never be able to provide all the services needed to battered victims and batterers. In the not too distant future we may find that federal and private health insurance programs will be able to pick up part of the tab for mental health-related services. For this to occur, however, we must be able to show that the programs are beneficial. Likewise, we will have to set standards for accreditation of programs. Research is needed to validate procedures now in use and to determine what quality standards are appropriate. The time for this research is now. We cannot afford to lose this opportunity for validation.

c. I see a need for on-going research sponsored by NIMH. The Center for the Study of Crime and Delinquency has demonstrated a long-standing commitment to answering questions about battering and battered spouses. Long before this topic received national recognition, the

Center was sponsoring research on violence in the family. I would like the new legislation to ensure that the Center for the Study of Crime and Delinquency will be able to continue this type of research.

d. Technical assistance should be given to help consolidate and analyze the demographic and evaluation data currently being collected by service providers.

e. Research is needed on the prevention of domestic violence. Individuals working in the area of child abuse have speculated that child abuse lays the groundwork for violent behavior and eventual spouse abuse. This is really a chicken or egg type of question. It is just as likely the spouse abuse teaches violence which will eventually lead to child abuse. Actually many child abuse workers report children to be accidental victims of intended spouse abuse or that they are used by the wives as shields from attacks by husbands. Preventive measures must be researched so that they can then be utilized in schools, media, and community organizations.

My 6th recommendation is that technical assistance be given to shelters that are fairly new and/or are experiencing difficulties. Government employees can aid the shelters in grant-writing skills and to a certain extent in implementing programs. But let's not legislate out the expertise of the grass roots women who have been providing services and have been learning from that experience. I encourage the employment of a significant number of these women as technical assistants to the federal program.

Once again I would like to stress the fact that most cases of spouse abuse are cases of battered women. While it is true that some men are beaten by women, the incidence, frequency and severity of the beatings are less than that of men beating women. Dr. Suzanne Steinmetz's data, which has

received much media attention, indicates that husband beating is just as common as wife beating. However, her data analyses have met with considerable scientific criticism. For a complete criticism of her statistical procedures, I refer you to the Winter, 1978 issue of Victimology.

My final recommendation is that this program be placed within the Office of Human Development Services in HEW. This office has demonstrated its concern with battered women in the funding of The Colorado Association's grant. One advantage of placing the program in this agency is that it will provide a smooth transition from our preliminary study to an extensive program. Another advantage is that OHDS oversees the Administration for Children, Youth and Families as well as other programs. As such, it allows for the cross-cutting of services provided by different agencies and departments. Also, OHDS is responsible for the research that takes place in its subagencies, while the individual agencies are more geared up to provide direct services. By placing the program in OHDS there will be the flexibility to formulate new program-delivery procedures. Once a program on domestic violence is established, it can then be placed into an agency such as ACYF. I caution you not to combine a program on Spouse Abuse with one on Child Abuse. The battered spouse is in need of unique psychological, legal and housing services. Much still needs to be learned specifically about the dynamics of the battering couple and the success of various treatment approaches. As Mr. Besharov, Director of the National Center on Child Abuse and Neglect has said, the mere fact that spouse abuse and child abuse seem to be somewhat related problems should not lead to the assumption that they necessarily be treated together or in the same way.

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APPENDIX A

to

Testimony By

SUSAN MALONE BACK, Ph.D.

DIRECTOR, HEW SERVICES TO BATTERED WOMEN PROJECT

Before the

Subcommittee on Child and Human Development

U. S. Senate

SERVICES TO BATTERED WOMEN STUDY

The U. S. Department of Health, Education, and Welfare is sponsoring a nationwide study of services to battered women. With this questionnaire, we invite you to participate in the study to help us identify all existing models of service.

THIS WILL NOT BE AN EVALUATION OF YOUR PROGRAM.

Our findings will be incomplete should even a small program not be represented in our study. Those who deliver services often feel the time required to complete questionnaires might be better spent on more immediate concerns. Accordingly, we have designed the questionnaire for rapid response to the minimal number of questions necessary for our study.

We will appreciate your director being responsible for overall completion of the questionnaire. If different persons complete different sections, please indicate their names and extensions at the ends of those sections.

We ask that you provide information for the time period beginning January 1, 1977 AND ENDING DECEMBER 31, 1977. If you have been in operation less than a year, please report on the length of time you have been in existence.

We will appreciate your answering our questions in NUMBERS of persons falling into each category (unless percentages are requested). If exact figures are unavailable, please give us your best estimate.

For this study "battered woman" is defined as A WOMAN WHO IS REPEATEDLY SUBJECTED TO FORCEFUL PHYSICAL INJURY BY A MAN TO WHOM SHE IS MARRIED OR WITH WHOM SHE IS HAVING AN INTIMATE RELATIONSHIP. Cases of child or parent abuse are not included in this definition of "battered woman."

Based on the results of the survey, we will select eight programs which are representative of different service orientations. These programs and their communities will be studied by project site visitors in April. Representatives of the eight programs will be invited to a June workshop in Denver to participate in developing a research and demonstration methodology for future programs for battered women.

PLEASE RETURN THIS QUESTIONNAIRE IN THE ENVELOPE PROVIDED BY MARCH 13, 1978, when we will begin to review the responses. Those received later than March 24, 1978 will be included in the data analysis but cannot be considered for selection as representative programs.

If you provide counseling, referral and other services to battered women, but do not have a shelter, please complete pertinent parts of the questionnaire. The information will be extremely useful, and your program may be selected as a representative program.

If, however, you do not provide any services specifically for battered women, please indicate your name and address, and check "no" on question #1, and return the questionnaire as soon as possible.

We appreciate your efforts on the questionnaire and thank you for your cooperation.

THE COLORADO ASSOCIATION FOR AID TO BATTERED WOMEN
SERVICES TO BATTERED WOMEN PROJECT.

NAME OF PROGRAM OR AGENCY: _____

ADDRESS: _____

street

city

county

state

zip

PHONE #: () DO YOU WISH TO KEEP YOUR ADDRESS CONFIDENTIAL? YES NO

DIRECTOR: _____ area code _____ ext.# _____

FACILITY

1. Do you provide any services for battered women? YES NO

2. Do you have a shelter/refuge?

3. a. Do you have an alternative service to a refuge?
b. If YES, describe _____

4. How long have you been in operation? _____

5. What is the total number of women you served between January 1, 1977 and Dec. 31, 1977? _____

6. What is the number you housed during that period? _____

7. What is the number you served on a nonresidential basis? _____

8. Do you need to comply with any of the following licences?

Zoning		
Fire		
Health		
Building		
Rooming house		
Day Care		
Protective Services		
Hotel		
Hospital Accreditation		
Residential child care		
Group home		
Residential care		

Other (SPECIFY): _____

9. Do you have any of the following security measures?

Guards		
Alarm system		
Peephole in door		
Dogs		
Special lock		
Special arrangement with police		

Other (SPECIFY): _____

Name of program _____ -3-

12. We have noted in our research that many safe houses were established through action by various women's groups. We are interested in knowing which of the following groups, if any, were instrumental in crafting your program: (Check all that apply.)

Women's Clubs (SPECIFY): _____
 Church Societies _____
 YWCA's _____
 N.O.W. Chapters _____
 National Coalition _____
 Women's Resource Centers _____
 Women's Support Groups _____
 Consciousness-Raising Groups _____
 Women's Political Groups _____
 Professional Women's Associations (SPECIFY): _____
 Other Women's Group (SPECIFY): _____

13. What factors and/or objectives were significant in the initiation and development of your program?

14. Would you be interested in being selected for a site visit? YES _____ NO _____

15. If YES, what characteristics do you have that are unique?

16. In surveying women's resource centers, it has been noted that different levels of cooperation exist among groups concerned with common issues. Do you find that the women's "grass roots" groups (if any) and the professional service network interact in your community in anyway? YES _____ NO _____

17. Please describe specific areas of cooperation or conflict:

WE WISH TO LEARN HOW HELPFUL THE FOLLOWING PROFESSIONS AND AGENCIES ARE. Choices are on the following page for Question #18 and #19.

18. To the left of each choice, rate it on the scale by circling 0, 1, or 2.

19. To the right please indicate which agency you receive referrals from, and to which agency you refer clients.

Name of Program _____ -4-

(Q. 18 - Circle the best description for each)

(Q. 19 - Check all that apply)

NO HELP	MODERATE HELP	VERY HELPFUL		REFER IN	REFER OUT
0	1	2	General Public		
0	1	2	Police Departments		
0	1	2	Place of Employment		
0	1	2	Private Physicians		
0	1	2	Hospital Emergency Rooms		
0	1	2	Social Service Departments		
0	1	2	Mental Health Centers		
0	1	2	Legal Aid		
0	1	2	Welfare		
0	1	2	District Attorney's Office		
0	1	2	Church Groups/Clergy Counseling		
0	1	2	Women's Support Groups		
0	1	2	Psychiatric Hospitals		
0	1	2	Private Psychologists/Psychiatrists		
0	1	2	Detoxification Groups		
0	1	2	Parents Anonymous		
0	1	2	Private Lawyers		
0	1	2	Other (SPECIFY):		

20. From the above selection, please list in order of usefulness, those professions/agencies which have been the most cooperative:

1. _____
2. _____
3. _____

Name of Program _____ -5-

21. What are the major difficulties you have encountered with those agencies/professions which you have rated as 0?

22. What are the key positive points of those agencies/professions you have rated as 2?

PERSON COMPLETING THIS SECTION _____ ext: _____

CHILDREN

23. Do you house (or treat) children? YES _____ NO _____

If YES, answer questions 24 to 36.
If NO, go on to question 37.

24. How many children have you served between Jan. 1 and Dec. 31, 1977? _____

25. Do you have an age limit for the children? YES _____ NO _____

26. If YES, what is the upper limit? _____ lower limit? _____

27. What facilities do you provide for children? (Check all that apply.)

- Playground. _____
- Day Care. _____
- Supervised Recreation activities. _____
- Counseling. _____
- Medical needs _____
- Tutoring. _____
- Transportation to school. _____

Other (SPECIFY): _____

28. What difficulties do you have with children? (Check all that apply.)

- Housing _____
- Discipline. _____
- Legal. _____
- Social/Emotional. _____
- Supervision _____
- Abuse by mother while in the home _____
- Transportation to home school _____

Other (SPECIFY): _____

Name of Program _____ -6-

29. Are there any school age children not attending school regularly? YES _____ NO _____
30. If YES, Why? _____
31. Do you have difficulty placing preschool children in nearby day-care centers? YES _____ NO _____
32. Do women leave their children behind when they come to the shelter? YES _____ NO _____
33. If YES, with whom do they leave them? _____
34. Do you employ people to work with children? YES _____ NO _____
35. If YES, are they men? YES _____ NO _____
36. " " are they women? YES _____ NO _____

PERSON COMPLETING THIS SECTION _____ ext. _____

STAFF

37. Please describe your staffing pattern: (Indicate the number of individuals in each of the following categories)

CATEGORY OF STAFF	Paid Staff	Volunteer	Females	Males
Ex-Battered women				
Para professionals				
Degreed professionals				
TOTALS				

38. Who in your program provide the following services? (Check all that apply.)

All Programs	Clients Collectively	Clients Individually	Ex-B Woman	Paraprof. Staff	Degreed Prof.	Other
Counseling						
Medical Assis.						
Job Assis.						
Legal Advocacy						
Welfare Advocacy						
Self-Improv. trng.						
Special Activ. Coord.						
Fund raising						
Transportation						
Clerical work						
Administration						
SHELTERS						
Food buying						
Food preparation						
Cleaning						
Laundry						
Child care						

Name of Program _____

	YES	NO
39. Does your staff work in shifts?		
40. Do you cover nights?		
41. Do you cover weekends?		
42. Do you cover holidays?		
43. Do you provide training for your staff?		
44. Do you provide training for volunteers?		
45. Do you provide inservice training for staff?		
46. Do you provide inservice training for volunteers?		
47. Do you have regular staff meetings?		
48. Do you have regular meetings of staff and battered women?		

IF YOU PROVIDE TRAINING ANSWER QUESTION 50 TO 52. IF YOU DO NOT PROVIDE TRAINING, SKIP TO QUESTION 53.

50. How long does the initial training period last? _____

51. Describe the training procedure: _____

52. How often do you provide inservice training? _____
Describe the inservice training program: _____

PERSON COMPLETING THIS SECTION _____ ext. _____

GOVERNANCE

53. Do you have a Board of Directors? YES _____ NO _____

54. If YES, please indicate categories represented

- Ex-battered women. _____
- Law Enforcement personnel. _____
- Clergy. _____
- Business people _____
- Corporation executives _____
- Human Service Professionals. _____
- Politicians. _____

Other (SPECIFY): _____

55. Which of the following are included in your organizational structure? (Check all that apply.)

- Board of Directors _____
- Program Director _____
- House Leader _____
- Staff Coordinating Council _____
- Battered women govern program through elected officers _____
- Battered women elect representative to staff or board management councils. _____

Other (SPECIFY): _____

Name of Program _____ -8-

56. Please indicate how decisions are made:

- Board of Directors makes all decisions. _____
- Staff hierarchy of responsibility/lines of authority. _____
- Council of staff and elected representatives of battered women make decisions. _____
- Democratic, i.e., one woman/one vote. Staff and sheltered women have equal authority. _____
- Other (SPECIFY): _____

57. What would be your ideal conception of a governing procedure?

PERSON COMPLETING THIS SECTION _____ ext. _____

FUNDING

- 58. Do you have a fee? YES _____ NO _____
- 59. If YES, indicate fee: _____
- 60. Do you have a sliding fee scale? YES _____ NO _____
- 61. What is your high fee? _____
- 62. What is your low fee? _____
- 63. What is the most common fee? _____
- 64. What percentage of your income is generated from fund-raising activities such as rummage sales, dinner dances, bake sales, etc.? _____

65. Please indicate your status with regard to the following programs:

	Applied N/A (Indicate date)	Received Fund- ing (Indicate amount)	Rejected (Indicate reason)	Pending
HUD Community Development block program.		}		
HUD Rent subsidy program for women seeking permanent housing Community Service.				
GETA				
ACTION				
LEAA				
Economic Development Administration				
Displaced Homemakers				

Name of Program _____

66. Please describe the 1977 funding sources for your program for battered women. Be as specific as possible and break out amounts for the year's operation. (Use additional pages, if necessary). If you were not in existence for the full year, then indicate the amount of time for which you are reporting.

1977 (or part thereof: _____)

	SOURCE (Name of Company, agency)	AMOUNT
a. Private foundations SPECIFY:	_____	\$ _____
b. Business donations SPECIFY:	_____	\$ _____
c. Private donations SPECIFY:	_____	\$ _____
d. City funding SPECIFY:	_____	\$ _____
e. County funding SPECIFY:	_____	\$ _____
f. State funding SPECIFY:	_____	\$ _____
g. Federal funding SPECIFY:	_____	\$ _____
h. Donated goods and supplies SPECIFY:	_____	\$ _____
i. Donated services SPECIFY:	_____	\$ _____

67. What new funding programs will you have for 1978?

	SOURCE	AMOUNT
1.	_____	_____
2.	_____	_____
3.	_____	_____

Name of Program _____ -10-

YES NO

- 68. Is funding a major problem for your program?

--	--
- 69. Does your program want funding from federal agencies?

--	--
- 70. Does your program want funding from state agencies?

--	--
- 71. Does your program want funding from local government agencies?

--	--

(NOTE: NUMBERS 69, 70 and 71 ARE NOT MUTUALLY EXCLUSIVE.)

72. Give brief rationale for your answers to questions 69, 70 and 71.

73. Who owns the building out of which your operate? _____

PERSON COMPLETING THIS SECTION _____ ext. _____

BUDGET

74. Please attach a breakdown of your operating budget for 1977 (or any part of that year if you are a new program).

PERSON COMPLETING THIS SECTION _____ ext. _____

PROGRAM POLICIES/PROCEDURES

75. How many women can you house at any one time? _____

76. How many children can you house at any one time? _____

77. Do you have a maximum amount of time that a woman is allowed to remain with your program? YES _____ NO _____

78. If so, what is it? _____

79. What is the average length of stay? _____

80. Do you have a maximum number of times that you permit a woman to return to your program? YES _____ NO _____

81. If so, what is it? _____

82. What is the average number of times a woman returns? _____

83a. Are there any conditions under which you refuse service to battered women? YES _____ NO _____

83b. If YES, what are the conditions? _____

84. Do you allow the batterer on your premises? YES _____ NO _____

Name of Program _____ -11-

85. If YES to Q. 84, for which of the following reasons?

- Counseling. _____
- Visiting. _____
- Other (SPECIFY): _____

86. Which of the following services do you provide to the batterer? (Check all that apply)

- Counseling. _____
- Detoxification Program. _____
- Legal Assistance. _____
- Job Counseling. _____
- Job Placement _____
- Support group _____
- Other (SPECIFY): _____

87. Does your program emphasize crisis intervention or on-going treatment? Please indicate and explain:

88. Have the police been of any help in your security operation? YES _____ NO _____

89. If YES, in what ways? (Check all that apply.)

- Guards. _____
- Arrests _____
- Community Education _____
- Special Alarms. _____

Other (SPECIFY): _____

PERSON COMPLETING THIS SECTION _____ ext. _____

CASE CHARACTERISTICS

FOR QUESTIONS 90 to 99 PLEASE GIVE YOUR BEST ESTIMATE IN NUMBERS.

90. How many of the cases have alcoholism involved in the violence? _____

91. How many of the cases involve battered/abused children? _____

92. How many of the cases involve rape? _____

93. How many women return to the battering relationship? _____

94. How many women leave the relationship permanently? _____

95. How many women achieve a satisfactory resolution in the relationship? _____

96. How many women receive the following legal services:

- Divorce. _____
- Child Support. _____
- Property Settlement. _____
- Restraining Order. _____
- Arrest of batterer _____
- Prosecution of batterer. _____
- Other (SPECIFY): _____

Name of Program _____ -12-

- 97. How many of the women you serve qualify for Medicare? _____
- 98. How many of the women you serve qualify for Medicaid? _____
- 99. How many of the women qualify for an Alternative Medical Program for the needy? _____

THE FOLLOWING SECTION WILL ATTEMPT TO DRAW A PROFILE OF THE BATTERED WOMEN THAT YOU SEE AND THEIR HUSBANDS/BOYFRIENDS. PLEASE PUT NUMBERS IN THE APPROPRIATE BLOCKS, USING BEST APPROXIMATIONS OR STATISTICS YOU HAVE COMPILED.

		BATTERED WOMEN	BATTERING HUSBANDS/BOYFRIENDS
100.	<u>AGE</u>		
	18-25	_____	_____
	26-35	_____	_____
	36-45	_____	_____
	46-55	_____	_____
	56-65	_____	_____
	Over 65	_____	_____
101.	<u>EDUCATION</u>		
	Doctoral degree	_____	_____
	Masters degree or over	_____	_____
	College degree	_____	_____
	Some college	_____	_____
	12th grade or GEO	_____	_____
	Under 12th grade	_____	_____
102.	<u>INCOME PER ANNUM</u>		
	Poverty/Welfare-Under \$5,000	_____	_____
	\$5,000 to \$9,999	_____	_____
	\$10,000 to \$14,999	_____	_____
	\$15,000 to \$19,999	_____	_____
	\$20,000 to \$29,999	_____	_____
	\$30,000 to \$39,999	_____	_____
	Over \$40,000	_____	_____
103.	<u>OCCUPATION</u>		
	a. Executives and proprietors of large concerns and major professionals. Physicians, Lawyers, Professors, Corporate/Bank Presidents)	_____	_____
	b. Managers and proprietors of medium-sized businesses and lesser professionals. (Ex., R.N.'s, Ministers, Librarians, Accountants, Regional Managers, Large Farmowners)	_____	_____
	c. Owners of small businesses, and sem. professionals (Ex., Social Workers, Teachers)	_____	_____
	d. Clerical and Sales Workers and Technicians (Ex., Factory Supervisors, Owners of Small Farms, Electricians, Plumbers & Carpenters who own their businesses)	_____	_____

CONTINUED ON FOLLOWING PAGE

Name of Program _____ -13-

103. OCCUPATION	BATTERED WOMEN	BATTERING HUSBANDS/BOYFRIENDS
e. Skilled workers (Ex., Telephone operators, Beauticians, Barbers, Police, Firemen/women, Practical nurses, Bartenders, Bank Tellers).	_____	_____
f. Semiskilled workers (Ex., Nurses Aides, Taxi and Truck drivers, Waitresses, Gas Station Attendants).	_____	_____
g. Unskilled workers (Ex., Janitors, Migrant farmers).	_____	_____

104. ETHNIC BACKGROUND		
	White	_____
	Black	_____
	Chicana/o	_____
	Other Hispanic	_____
	Native American	_____
	Asian	_____
	Other (Specify):	_____

PERSON COMPLETING THIS SECTION _____ ext. _____

105. COMMUNITY DESCRIPTION
 The community catchment area that you are describing is: (fill in one)
- a. a small town population _____
 - b. a small city population _____
 - c. a larger city population _____
 - d. a major city population _____
 - e. a county population _____
 - f. other _____

106. Please indicate the number of people in your community/catchment area: _____

107. The approximate racial composition of this community is:
- White _____ %
 - Black _____ %
 - Chicana/o _____ %
 - Other Hispanic _____ %
 - Native American _____ %
 - Asian _____ %
 - Other (Specify): _____ %

108. The approximate residence composition of this community is:

- Rural _____ %
- Urban _____ %

109. The approximate socio-economic composition of this community is:
- Upper (Over \$100,000 per annum) _____ %
 - Upper Middle (\$23,750-\$100,000) _____ %
 - Middle (\$10,000-\$23,750) _____ %
 - Lower Middle (\$5,500-\$10,000) _____ %
 - Poverty (under \$5,000) _____ %

PERSON COMPLETING THIS SECTION _____ ext. _____

Name of Program _____ -14-

FUTURE PLANS AND SELF ASSESSMENT

110. What changes do you anticipate in your program in the next 6 months?
111. What, if any, types of research projects do you think are needed on the topic of battered women?
112. What, if any, types of demonstration projects do you think are needed for battered women?

IN THIS SECTION WE WOULD LIKE YOU TO RATE YOUR PROGRAM ON ITS EFFECTIVENESS. FIRST, PLEASE LIST THE OBJECTIVES OF YOUR PROGRAM. THEN RATE EACH OBJECTIVE ON THE DEGREE TO WHICH YOU HAVE BEEN ABLE TO ACHIEVE IT.

113. OBJECTIVES: (Use additional pages if necessary.)

- 1.
- 2.
- 3.

114. RATING: For each of your objectives, circle the number that corresponds to the degree to which it has been achieved.

	Not Achieved	Moderate Achievement	High Achievement
#1:	0	1	2
#2:	0	1	2
#3:	0	1	2

(Use additional pages if necessary.)

PERSON COMPLETING THIS SECTION _____ ext. _____

THANK YOU VERY MUCH FOR YOUR COOPERATION IN FILLING OUT THIS FORM.
PLEASE ENCLOSE ANY BROCHURES, PAMPHLETS, ETC., WHICH CONTAIN INFORMATION ABOUT YOUR PROGRAM. WE WILL UTILIZE THE DATA RECEIVED FOR THE IMPROVEMENT AND EXPANSION OF SERVICES TO BATTERED WOMEN THROUGHOUT THE COUNTRY. YOUR HELP HAS BEEN INVALUABLE.

Are you interested in receiving the final result of this questionnaire?

YES _____ NO _____

APPENDIX B
to
Testimony By
SUSAN MALONE BACK, Ph.D.
DIRECTOR, HEW SERVICES TO BATTERED WOMEN PROJECT
Before the
Subcommittee on Child and Human Development
U. S. Senate

THE COLORADO ASSOCIATION FOR AID TO BATTERED WOMEN

I. PROJECT TITLE AND OBJECTIVES

"Services to Battered Women: A Study of diverse models, rationale for development, and a strategy to determine effectiveness of service."

The objectives of the proposed project focus upon the development of new knowledge concerning the identification of special service projects and needs. In this case, the topic of study is specifically the variety and subsequent categorization of services that currently exist throughout the country for battered spouses, and the development of a research and demonstration strategy both to determine the effectiveness and to contribute to the improvement of these services.

Specifically, the objectives of the program include:

- a) sending a broad survey-questionnaire to all known and contacted services specific to battered women that exist in the country;
- b) assessing the results of this questionnaire and grouping services into clusters based upon orientation and variety of service and structure, looking especially at the relationship with professional community services and women's advocate groups;
- c) visiting eight (8) sites to acquire in-depth knowledge of the services and especially to obtain data from and study other existing community services non-specific for battered women;
- d) convening a conference in June in which the essential cluster groups attend and further share information and describe their programs;
- e) preparing of a publication or monograph that describe the project's findings of different models, focusing upon the variety of service and structure, and suggesting rationale for the divergent evolution of services;
- f) proposing a research and demonstration strategy that would allow for experimental study of varieties of services paving the way for further research in which attention could be focused upon the levels of effectiveness that are found, and suggesting ways and means in which better service delivery concepts could be successfully implemented.

It is apparent from the above objectives that overall and far-reaching goals include not only the systematization and collation of existing services and their evaluation and categorization in terms of orientation, structure and kind of model; but also understanding why these different models of services. It is imperative that services specific to battered women be studied in relationship to their surrounding community services.

Thus, the final objective of this study is the improvement of existing services as well as the facilitation of new, comprehensive services based upon experimental research of these identified and studied models.

II. PROCEDURE

Activity I. Survey and Conference

Step 1. To send a broad-based survey/questionnaire to all known and to all contacted services specific to battered women that exist in the country.

This mailing will go to services specific to battered women-- including refuges, shelter-homes, specific advocacy groups and specific professional groups that work with battered women.

The questionnaire is structured so as to obtain data upon the following:

- a) kind of service offered
- b) relationship with and assessment of professional networks and women's groups
- c) structure, orientation of service and kind of activities offered
- d) specific demographic data upon size of community; racial composition, etc.
- e) specifics regarding the service such as kinds of women served; children's issues; staffing patterns; role of the male; funding sources; governing patterns; involvement with alcoholism; recidivism statistics; length of stay; kind of physical facility; size of program,
- f) subjective personality profiles of both the battered woman and the battering male;
- g) opinions about how the support of battered women's programs could be facilitated.

Step 2. To assess the results of the questionnaire and to group services into clusters based upon orientation and variety of service and structure, looking especially at the relationship with professional community and women's advocates involvement.

The kinds of models that are expected to emerge include, but are not restricted to, the following:

1. Detoxification model
2. Religious model
3. "Secret", fringe model
4. Mental health treatment model
5. LEAA/criminal justice model
6. Women's Advocate model--non-residential
7. Women's Advocate model--resident
8. Various combinations of the above

It is also anticipated that a wide geographical spread will be found among these specific battered women programs, lending additional scope and breadth to the project.

Step 3. To visit the sites that have been chosen as "cluster models" to acquire in-depth knowledge of the service and especially to obtain data from and study other existing community services non-specific for battered women.

This step is most important, specifically in that it will permit the project investigators to study from an objective and uninvolved perspective the kinds of services in the community that are non-specific for battered women. These agencies will be evaluated by the refuge, by themselves and by the project investigators on their site-visit. Items of investigation of the non-specific agencies are concentrated upon any peripheral contact they may have with battered women.

Step 4. To convene a conference in which the essential "model" groups attend, and share their program philosophy, services and structure with other "model" programs.

This conference will be attended by both model groups and by specialists in the field and will be held in Denver, Colorado, which is centrally located in the country. It is at this time that the final decisions will be made as to how to present "model" clusters; precisely what does a given model imply and what makes it different from other models; and what are the factors in services specific to battered women that can either be very diverse or very similar.

Much of the project's previous research will be compiled at this time, especially in the areas of evolutionary patterns between professional groups, women's groups and the emergence of services for battered women. Having these issues discussed by leading specialists in the field of wife abuse and in the area of shelter care facilities will be a major step in the improvement of services to battered women. At this time, also, questionnaires will have been tabulated and analyzed from the surrounding service agencies in the communities that do have services to battered women, and this information will be useful in helping determine the kinds of variety of services that exist. It can be expected that this will be a prominent and significant conference in which a great many major concerns pertinent to battered spouses and domestic violence can be discussed, and perhaps some unified conference strategies and objectives will emerge. It would be a great step in solidifying the knowledge, ideas and general stress of activity to derive from this conference either a national association of services to battered women or a programmatic set of goals or appeals that could help unify activities in the country.

Another major function of the conference will be to discuss and assess proposed research and demonstration strategies that have been

formulated. These ideas will have come from prior work by the principle investigators, in association with nationally known and expert consultants, and will be presented at the conference for evaluation and modification.

Step 3. The preparation and publication of a monograph, and/or source book, that describes the project's findings of models and focusing upon the variety and rationale for different services, structure and orientation.

This will be the final and most significant contribution of the project. The investigators plan to put together a comprehensive source-book of all the projects specific to battered women that were uncovered, along with a brief description. The major portion of the monograph will be devoted to an in-depth presentation of the "model" programs that emerged from the questionnaire analysis, and that attended the conference. These programs will represent different approaches and different models of services that can be both enlightening from a research and information-gathering position, as well as from a practical, instructive position. In the description of these models, the investigators will draw some conclusions regarding the model in terms of evolutionary development. Focus will be given to depicting the evolution of different kinds of services as a function of the roles of community services in general and of women's advocacy. Professionals and non-professionals alike can then perhaps draw some conclusions as to what models would best serve their communities, and how to avoid any problem areas that previous models have encountered.

ACTIVITY 2. RESEARCH AND DEMONSTRATION METHODOLOGY

The second portion involving project investigation is to develop a research and demonstration strategy that would allow for experimental study of varieties of services. The objective is to develop a strategy that could efficiently and empirically determine the level of effectiveness of those services. Ultimately, suggestions regarding ways and means in which better service delivery concepts could be successfully implemented should be a product of this research.

The variables to be studied in this research are in great part dependent upon and a function of the first portion of the study. Essential variables must be determined before any experimental design can appropriately be implemented. Potential variables that could be manipulated would be, for example, the a) counseling techniques utilized; b) role of the male on staff; c) relationship with the police; d) rules of the refuge; e) funding source; f) kind of government, etc. It remains to be seen from the survey and resulting analysis and conference which of these variables are the most important in creating a diversity of service and function. It is essential to obtain the input of national specialists, and to have ideas and suggestions discussed at the conference, in order to ensure both the theoretical soundness of the process and the practical implementation of the process.

APPENDIX C

to

Testimony By

SUSAN MALONE BACK, Ph.D.

DIRECTOR, HEW SERVICES TO BATTERED WOMEN PROJECT

Before the

Subcommittee on Child and Human Development

U. S. Senate

ANALYSIS AND COOPERATIONTREATMENT ALTERNATIVES FOR BATTERED SPOUSES

Lenore F. Walker, Ed.D.
 Chairperson and Associate
 Professor of Psychology
 Colorado Women's College

February 15, 1978

It has become clear that despite most people's desire to live in a peaceful family, that is a goal never reached by most. Although the history of spouse abuse is ancient, it has not been adequately studied. Even today, with all the national interest in battered women, men, children and other family members, governmental agencies concerned with allocating research funds have not specifically designated domestic violence research as top priority. Nor have monies to develop adequate treatment programs been widely dispersed. Spouse abuse has been considered an acceptable resolution to marital disagreement as long as the violence is confined to the home. Talking about such assaults, and reporting it to the police or others in the helping professions has been a taboo until the women's movement, using the technique of consciousness raising groups, was able to get women to share the pain and horror of living day by day in terror. Once battered women, who have typically lived in isolation, began to realize that they were not alone in their fear of being harmed by their men, they began to talk and from them I have learned what I share with you today. I am convinced that although we talk about spouse abuse, in 99 out of 100 situations, we are really talking about battered women. While it is no doubt true that some small percentage of men are being beaten by their women, the incidence, frequency and severity is nowhere near the magnitude of the societal problem of wife abuse. I shall try to describe how this is so as I discuss my research and treatment in this area. I include published accounts of this research as part of my testimony and attach them to this report.

In early 1975, when I was a practicing psychologist on the faculty of Rutgers Medical School in New Jersey several of my clients began to report physical and psychological abuse by the men with whom they had

intimate relationships. With a feminist psychotherapeutic approach, all women were able to stop being a victim of such assaults. This work was stimulated by curiosity and I began to ask my colleagues on the medical school and psychology faculties if they were also seeing women patients who were reporting similar psychological or physical abuse by their male partners. Slowly, these colleagues and my feminist network began to recognize and refer other such women to me so that I could interview them. When I moved to Denver, Colorado in late 1975 I continued my research. I began the round of government funding agencies to support this work and was unable to find funding despite writing grants until this January 1978. Thus, with my own money and the support of my college I have pursued my study of battered women so that to date I have interviewed 120 women in depth and about 300 more and their helpers in less detailed format. In 1976 I traveled to England and through efforts by several members of congress, I was given courtesies by the Commonwealth Office of Information as a special American guest and scientist. I met with Members of Parliament on the Select Committee on Violence in Marriage which held hearings such as this Committee and the recent U.S. Commission on Civil Rights Hearings held on January 30 and 31, 1978, which I also request become part of this testimony. I visited refuges (as they call our shelters or safe-houses) for battered women and their children throughout England and when I returned to this country have helped encourage their establishment in every major city or town. The availability of such shelters is not a panacea, but it stimulates development of other kinds of treatment programs while providing immediate safety for victims of domestic violence. I have lobbied for legislative change, assisted in development of shelters, and testified in many trials where battered women were defendants for killing or seriously harming their battering mates in self defense. I have developed mental health techniques that are useful for mental health professionals to use in working with battered women and then began training others in using them. My husband, Dr. Morton Flax, also a psychologist, and I have developed a technique for treating couples which is successful in reducing severity and frequency of their violent episodes. And together we have tried to develop programs for working with the offenders - the area which proves to be most resistive to successful intervention.

Development of treatment alternatives is definitely hampered by a paucity of data describing the men and women who live in violent relationships.

I applaud the efforts of Straus and his colleagues in describing incidence levels of violence from a cross section of families for whom violence is a way of life, his data is not useful for treatment efforts. We get lost in arguing over how many men and how many women are harmed rather than stressing our need to know what the characteristics are of violent men and women and clinical research to learn the efficacy of already established treatment programs. Straus estimates that as many as 50% of the population lives in violence and my data supports this estimate. The National Center for Child Abuse and Neglect estimate that when abused children live in a home where their parents fight violently, 70% of the men in that home abuse their children, too. This is contrasted with 40% of male child abusers in cases where there is no documented spouse abuse. My data confirms that a large number of men who abuse their women also beat their children. And furthermore, according to the women I've interviewed, men who abuse their women have been abused or neglected as children.

I am certain that living in a home where their father abuses their mother is a most insidious form of child abuse in itself. The spouse abuse is probably very related to child abuse, probably especially for the men. Interestingly, this does not seem to have such a generational effect for the women victims in about 80% of the cases. Instead, they report that they were raised according to sex role stereotypes that resulted in socializing them to believing that they were helpless to control their lives. These data suggest that such sex role stereotyping in childhood is a major factor in determining the power relationships between men and women which allows battering behavior to take place. Although I fully agree that when you discipline your children by hitting them you also teach them that the person who loves them has the right to hurt them in order to teach them a lesson, I also believe that the lessons little girls learn to be nurturing, compliant, and a good little passive wife and the lessons little boys learn to be strong, aggressive and the Husband-in-charge equally set the stage upon which later violence gets played out.

There is much to be learned from the stories of these battered women. From this research I have developed a psychological rationale for why the battered woman becomes a victim, how the process of victimization further entraps her and how the psychological paralysis which prevents her from leaving the relationship results. This psychological paralysis is the construct of 'learned helplessness' which I report in detail in a scientific article that is attached to this report. The maintenance of violent behavior, once it occurs, also became an imperative question in this research. While I knew it did not continue because either the men or women liked it, the old masochistic myth, the specifics of why a woman stayed in the relationship needed response. Discovery of the cycle theory of violence, which demonstrates that there are loving periods in such relationships too which bind each other, came through deduction from the empirical evidence. Further examination of empirical data is urgently needed in this area.

In my research, I have attempted to look at the battered women as victims of battering behavior rather than the cause of the violence. The stories the women have told make it imperative that we understand this victimization process if we are to apply adequate psychotherapy and counseling techniques. Ryan, in his book Blaming the Victim, applied the concept of blaming the victim to those experiencing racial discrimination. In his book, he discussed how such prejudicial attitudes affected both the perpetrator and the victim of discrimination. Such stereotypes prevent those who hold them from dealing adequately with the issues. They serve to maintain the status quo and prevent the kind of open dialogue necessary to eliminate racial prejudice. They also keep the victim in a carefully delineated role bounded by the stereotypical myths and allow the bigots to avoid changing their misconceptions.

So too for all the women who have been victims of violence committed by men against them, individually or collectively. By perpetuating the belief that it is rational to blame the victim for her abuse, we ultimately excuse the men for the crime. This goes deeper than violence if general but specifically affects violence against women. Society has permitted such prejudicial myths to exist in seven areas of violence against women, according to research being conducted at the University of Colorado by Dr. Marie Leidy. These seven areas are 1) battered women, 2) rape, 3) girl child incest, 4) pornography, 5) prostitution, 6) sexual harassment on the job, and 7) sexual harassment between clients.

Del Martin (1976) presents detailed evidence on how a sexist society actually facilitates if not encourages women to be beaten. Police, courts, hospitals, and social services all refuse to provide them protection. Even we, as psychologists, have learned to keep the family together at all costs - even the individual's mental health or life is at stake. Many of the battered women interviewed told of psychiatric hospitalization and treatment for diagnoses other than a generalized stress reaction from constantly being abused.

The interviews with over 100 battered women and several hundred others and their helpers indicated that many of the myths associated with battered women simply were not true. Most important, women do not like being beaten, they are not masochistic, and they do not leave because of complex psycho-social reasons. Many stay because of economics, dependency, children, terror, fears, and often they have no safe place to go. Their victimization often provides them with compelling psychological factors which bind them to their symbiotic relationships. Both the men and the women are frightened that they cannot survive alone.

One of the major social learning theories that can be applied to the psychological rationale for why the battered women become victims and how the process of victimization further entraps her is called learned helplessness. Psychologist, Martin Seligman (1974) first hypothesized that dogs who were subjected to non-contingent negative reinforcement could learn that their voluntary behavior had no effect on controlling what happened to them. If such an aversive stimulus were repeated, the dog's motivation to respond would be lessened. Furthermore, even if the dog should later perceive the connection between its voluntary response and the cessation of the shock, the motivational deficit will remain. The dog's emotional state would be depressed with anxiety occurring as a result. Within the last several years the theory of learned helplessness has also been tested with human subjects and found to be equally applicable. It is a useful theoretical construct from which to understand the cognitive, emotional and motivational deficits

so frequently observed and reported by battered women. The psychological paralysis that maintains the victims status as a battered woman is consistent with the theory. Battered women can reclaim the response-outcome contingencies by directly experiencing a sense of power and control over those events which are indeed under her voluntary and independent control (Walker, Submitted for publication). Probably the most important way to learn which events are under her voluntary and independent control is to analyze what occurs in battering relationships.

After analyzing the 120 battered women's versions of their battering relationships and using some batterers and others involved in working with such violence for comparisons, a cycle theory of battering has been isolated. Rather than constant or random occurrences of battering, there is a definite cycle which is repeated over a period of time. This cycle appears to have three distinct phases which vary in time and intensity both within the same couple and between different couples. The three phases are: the tension building phase, the explosion or acute battering incident, and the calm, loving respite. So far, it has been difficult to discern how long a couple will remain in any one phase. Predicting the length of any one cycle is also not yet possible. There is evidence that situational events can influence the timing. Relationships that have lasted 20 or more years indicate several different cycle patterns corresponding to different stages of life. There is also evidence that some interventions are more successful if they occur at one phase rather than another. The available data is still too limited to make any conclusions, but trends suggest the desirability of further investigation (Walker, In Press).

Phase one, or the tension building phase, is described as one in which the tension begins to rise and the woman can sense the man becoming somewhat edgy and more prone to react negatively to frustrations. There can be little episodes of violence which are quickly covered. He may begin to lash out at her for some real or imagined

wrongdoing and quickly apologize or become docile again. Many women have learned to catch these little outbursts and attempt to calm down the batterer through the use of techniques that have had previous success. She may become nurturing, compliant and anticipate his every whim; or, she may stay out of his way. She lets the batterer know she accepts his abusiveness as legitimately directed towards her. She believes that what she does will prevent his anger from escalating. If she does her job well, then the incident will be over; if he explodes, then she assumes the guilt. In order for her to maintain this role, the battered woman must not permit herself to get angry with the batterer. She denies her anger at unjustly being psychologically or physically abused. She reasons that perhaps she did deserve the abuse and often identifies with her aggressor's faulty reasoning. And this works for a while to postpone the second phase or acute battering incident.

Women who have been battered over a period of time know that these minor battering incidents will get worse. However, to help themselves cope, they deny this knowledge. They also deny their terror of the inevitable second phase by attempting to believe that they have some control over the batterer's behavior. During the initial stages of this first phase, they do indeed have some limited control. As the tension builds, they rapidly lose this control. Each time a minor battering incident occurs there are residual tension building effects. Her anger steadily increases even though she may not recognize nor express it. He is aware of the inappropriateness of his behavior even if he does not acknowledge it. He becomes more fearful that she may leave him which is reinforced by her further withdrawal from him in the hopes of not setting off the impending explosion. He becomes more oppressive, jealous, and possessive in the hopes his brutality and threats will keep her captive. Often, it does.

As the batterer and battered woman sense the escalating tension, it becomes more difficult for their coping mechanisms to continue to work. Each becomes more frantic. The man increases his possessive brooding and brutality. Psychological

her. She is unable to restore the equilibrium. She is unable to physically defend against the pain and hurt. The psychological torture is repeatedly the most difficult for her to handle. She usually withdraws further from him which causes her to move more oppressively towards her. There is a point towards the end of the tension building phase where the process ceases to respond to any controls. Once this point of inevitability is reached, the next phase, the acute battering incident, will occur. Sometimes, the battered woman cannot bear the tension any longer. She knows the explosion is inevitable but does not know how or when it will occur. These women will often provoke an incident. They do not do it in order to be hurt. Either, they know that they will be abused no matter and would prefer to get the incident over with. Somehow, these few women reason, if they can name the time and place of the explosion, they still have retained some controls. They also know that once the phase two is over, the batterer will move into the third phase of calm, loving behavior. Thus their reward is not the beating, the rage itself, but rather a kind of breathing period for even a short period of time.

During phase two the batterer fully accepts the fact that his rage is out of control. The batterer's behavior in phase one is usually noted out. The battering incident in phase two may start out with the man justifying his behavior to himself; however, it usually ends with him not understanding what has happened. In his blind rage, he usually starts out wanting to teach her a lesson and doesn't want to inflict any particular injury on her. He stops only when he feels she has learned her lesson. But victims report that to fight with in a phase two incident is only to invite more serious violence. Many women, however, have been darning up their anger during phase one and release it into letting it out during the second phase. They know that they will be hurt and so they may describe the violence that occurs during this period with great detail, almost as if they are dissociated from what is happening to them. In fact, the batterer cannot do with the details very well at all.

Phase two is the most violent of the cycle. It is also the most dangerous, with a high incidence of police fatalities when intervening at this time. It is important to acknowledge the self-propelling nature of the violence during this phase when helpers try to intervene. Since the women report that only the batterer can end this phase, the most important need they have is to find a safe place to hide from him. Why he stops is still unclear. Perhaps he becomes exhausted. Battered women describe incidents which have no ground in reason. It is not uncommon for the batterer to wake the woman from a deep sleep to begin his assault. Although most are severely beaten by the time phase two is over, they are usually grateful for its end. They consider themselves lucky it was not worse, no matter how serious their injuries. They often deny the seriousness of their injuries and refuse to seek immediate medical treatment. Sometimes this is done to appease the batterer and make certain phase two really is finished and not temporarily halted.

The ending of phase two and movement into phase three is welcomed by both parties. Just as brutality is associated with phase two, the third phase is characterized by extremely loving, kind and caring behavior. It is during this third phase of the cycle that the battered woman's victimization becomes completed. Her man is genuinely sorry for what he has done, even if he does not overtly tell her so, and tries with the same sense of overkill seen in the previous phases, to make it up to her. His worst fear is that she will leave him and he is charming enough to attempt everything to make sure this doesn't happen. He believes he can control himself and he never again will hurt this woman whom he loves. He manages to convince all concerned that this time he really means it - he will give up drinking, dating other women, visiting his mother, reducing the workload on the job, or whatever else affects his internal anxiety state. His sincerity is believable.

The battered woman vents to believe that she will no longer have to suffer abuse. Her reasonableness supports her belief that he really can change, as does his loving behavior during this phase. She convinces herself that he can do what he says.

wants to do. It is during phase three that the woman perceives the original dream of how wonderful he is. This is her reinforcement for staying in the relationship. The traditional notion that people who really love each other will overcome all kinds of odds against their pretails. She chooses to believe that the behavior she sees during phase three signifies what her man really is like. She identifies the "good" side of this dual personality with the man she loves. The "bad" or brutal side will disappear she hopes.

Since almost all of the records of being married or coupled occur during phase three for the woman, this is the time that is the most difficult for her to make a decision to end the relationship. It is also the time during which helpers usually see her. When she resists leaving the marriage and pleads that she really loves him, she bases her reference to the current loving phase rather than the previously painful phases. She hopes that if the other two cycles can be eliminated, the battering behavior will cease and her idealized relationship will magically remain. If she has already been through several cycles previously, the notion she has traded her psychological and physical safety (and maybe that of her children) for this temporary dream state adds to her own self-hatred and embarrassment. Her self-worth withers as she copes with the awareness that she is selling herself for the few moments of phase three kind of loving. She, in effect, becomes an accomplice to her own battering.

The length of time that this phase lasts is not yet known. It seems as if it is longer than phase two yet shorter than phase one. In some cases, it is so brief, it almost defies detection. There does not seem to be any distinct end and before they know it, the minor battering incidents and tension begin to build again and the cycle begins anew.

The implications for treatment alternatives for battered women and their families are profound when social learning theories are adopted as psychological constructs. Behavioral and cognitive changes are encouraged while motivation and emotion are expected to follow. Safety is the number one priority. Killing and being killed are real possibilities. Psychological assistance, however, can make the difference.

RECOMMENDATIONS TO COMPLETE
RESEARCH AND DETERMINE PRIORITIES

I. Research Needs

1. Specify the need for existing research funds to be spent on funding evaluation of basic scientific data that pertains to any form of violence in the family. Top priority must be given to learning the clinical descriptors of the victims of domestic violence first - the battered women and children. Precipitating factors, pre-existing conditions, and consequences of such violence must be studied. Complex psycho-social factors need to be examined by competent researchers in the field rather than the laboratory. Scientific methodology needs refinement. People perform more complex functions than do animals and our measurement techniques must reflect our sophistication. All government agencies which have research funds should shift some of their monies over to support this kind of research. For example, the National Institute of Health could shift some of the funds earmarked to study heart disease into projects specifically designed to learn how living in the stress of violence may affect the development or progression of heart disease. Monies allocated to study hormones could support a project to determine whether or not the hormones released during stress, particularly in violent episodes, cause further physiological or psychological damage. Or, National Institute of Health could designate funds to study the mental health needs of victims of domestic violence. Alcoholism research could be focused on the influence of alcohol on the commission of assaultive behavior. The National Science Foundation could make available mini grants to assist colleges and universities by training faculty and students in devising ways to study the complex factors involved in domestic violence. Office of Education training grants would stimulate development of competent researchers to deal with designing such complex research projects. Other agencies could do the same. Each agency should be required to submit a list of research projects currently being funded that deal with domestic violence. Such reporting techniques would stimulate their personnel to encourage researchers to develop such proposals. I know it works from my own experience. Without the encouragement and assistance from the people in the NIMH Center for the Study of Child and Delinquency I would have been too discouraged to continue the research. Finding research funds for my project. This kind of prioritization would result in already appropriated funds being shifted to study a particular

7) New methods of analysis must be researched. Simple statistical designs with a high level of control will not be sufficient to deal with domestic violence research. Experimental and control groups which match on every variable just cannot be found. This should not be a deterrent, however, but a stimulant to be creative. Our newer statistical methods of analysis can control for messy designs. We must encourage feminist agencies and their peer review committees to reflect this newer emphasis in social science research. Women researchers, free from previous biases and investment in the status quo must be supported. Feminist research, which looks at data from the women's point of view is needed to offset the years of male oriented data analysis. There have been years of inaccurate information about women which has caused untold damage to women's well being by male scientists who generalized from male, white, middle class populations. Our country must utilize and support the talent of well trained young women scientists to create important research projects by asking different questions and then fund those which have the greatest merit. For example, NIMH has appointed a high ranking woman scientist as a special assistant to the Director in charge of encouraging women's research projects throughout the agencies many divisions. This is in addition to her other duties but nevertheless she has been a great asset in encouraging young women to begin the tedious process of collecting files and then completing grant applications directed to the appropriate agencies in the area of their scientific research and to be sure to use one of the agencies to encourage women's research projects too.

8) Government agencies should encourage their researchers to begin to analyze the reams of unprocessed data that projects working with battered women have already gathered. New funds need to be dispersed to provide technical assistance to many of these groups which have capable evaluative specialists working with them but need money and some small amount of expertise to start. Although this is messy data in that it was not gathered in a systematic way, it can shed light on the nature of the problem we are dealing with without waiting for more years of data collection to begin. We must study how victims of violence were able to successfully overcome their batterers and break the psychotic bond with their batterers. From a practical standpoint we must learn what they did and what they do not.

The Colorado Association for Adult Education was a principal force and served on the board of the agency to do this kind of research. We utilized the skills of excellent grant writers in our community in Colorado and successfully competed for an HEW grant contract under Title XX Social Security funds. Our task is to study shelters for victims of domestic violence across the country and delineate different models which successfully provide such services. After identification, we are to develop a way to measure the effectiveness of such safe house and shelters. It is exciting that this contract bid was won by a local organization rather than one of the many consulting companies which make their living studying problems which they have never worked with. Our project staff includes the project director who in a way is a woman with a recent doctorate in psychology and a research assistant who is a woman with a masters degree in psychology and experience conducting evaluation research in a New Mexico community mental health center. I suspect we got the grant because we in our naivete promised too much for too little money and time and that new researchers are being trained and if such small projects were to be funded across the country we would multiply this talent pool.

Other research projects into the long term effects of sexual abuse need to be funded. There were a lot of small projects that were not funded. I suspect we did not win at least one because we were not doing research now in this area to learn what kinds of psychological damage is done when sexism is part of the child rearing process. The theory of learned helplessness and its producing women who are vulnerable to becoming victims of domestic violence is true, then we must research sexism first or the violence against women will not cease. Chronological long term studies are needed to support the data gained from the retrospective studies that I have been conducting.

5) We must learn how to measure the psychological effects of spouse abuse in addition to the physical damage. Measuring effects becomes difficult to do since what is cruelty to one person might not even be noticed by another. But the interviews with battered women all reveal that the psychological factors are as great or greater for them to cope with.

In my new NIMH funded research project, I am studying the relationship between the batterer and the wife. I am looking at both the psychological and physical abuse of a certain type of normal woman on the one hand, and the abuse hereafter in terms of psychological plus physical abuse of the other end. We have been looking at a comparison of people that we do not include research on, but we have been, too. We do not put down where the line will be drawn between what is normal and what is beyond a normal battering but we will be carefully evaluating as we collect our data. I must tell you that it has been a struggle to get this accepted into our research designs. We have colleagues who recommended we be funded only because we added a well known researcher with special expertise in this area would be difficult to get. Our funding agents must be convinced that we are two consecutive years ago, since the new study scientific creativity from which we are looking for many of our future problems.

II. RESEARCH NEEDS

1) It is important to establish a total model for conceptualizing batterer needs to domestic violence for a total model of the psychological, physical, and social problem. I recommend a total model with a focus on the batterer's needs with the goal of providing a program that is a result of two services in addition to the three levels of systematic approach are used to develop new services and strengthen existing ones for battered spouses. They are primary prevention, secondary intervention, and tertiary intervention. Under preventive services reeducation of individuals and society as a whole is encouraged and at the same time, consultation and education programs to existing agencies, institutions, and support groups needs to happen, too. Community mental health centers should be doing some of this as part of their legislative mandate. This includes providing appropriate services to established women's groups and shelters. A simple directive from the Regional NIMH offices which monitor the community mental health center national network could begin to get this into motion.

2) Secondary intervention is a good call for early intervention and should include hot lines, telephone hot lines, outpatient clinic visits, and intervention programs, and advice, financial assistance, and other services of help. We must remember that batterer's are not just a problem of the past, but a problem of the future.

to these people... the battered women who volunteered to be interviewed... a similar group, some of whom had never told anyone before that they were being abused, called the week following my appearance on an all night radio talk show. These women could only feel safe listening to outside news when their batterers were asleep. Visible source programs, hospital social service departments, and other groups in addition to the women's resource centers could also provide case visits and crisis counseling. Also well utilized are the law enforcement Administration's Victim Witness Advocate program that are funded in various parts of the country. York Street Center in New York, for which I participated in their advisory board last year, is a good example of such efforts. Unfortunately, they need more skilled case management supervision or a better link with other community mental health agencies for those indigent clients who need more services than they can offer. More staff should be hired to deal with the federal funding in order to provide adequate services to victims of violence. That important training and experience with such women victims is crucial rather than educational credentials. There are sufficient staff members of such centers who already have credentials but there is a paucity of agency funding which could be used to train the staff in help to victims of violence with the use of a staff in response to such violence. The staff should be trained to help the women support their own decisions and take her own actions.

In the tertiary intervention level, the battered women needs a safe and supportive environment temporarily before she can make decisions and act independently on her own. Safe-houses, immediate hospitalization and long term psychotherapy come in here, by providing such an environment. This is the area where most of the new homes must be appropriated. I am convinced that by supporting a network of safe-houses, run by grassroots and other women oriented groups, an entire spectrum of therapeutic services will develop. There is no doubt that these shelters will need the continuation of services of the medical, legal, psychological and criminal justice communities in order to help their clients. They will also need social services and vocational rehabilitation linkages. This is the next effort to provide education of those professionals about the nature of the violence reported at the shelters themselves. They will teach the professionals about their specialties while shelter personnel learn about what they can do and work so closely with the professionals.

plaints include... and others. Rather than... the first... violence. So too... women I have interviewed... for psychiatric disturbance rather than dealing with the... problem, the violence... them.

Long term... problems of domestic violence. Despite recent... psychotherapy techniques, the goal is still to keep... together no matter what... the very lives of the... treating victims of violence, or even the perpetrators, with... analysis; or... recognize the symptoms... judging by the number of... to participate in, I was... new techniques and... I recently attended a special... within the American Psychological Association which is... criminal competency standards... to provide good psychotherapy... psychotropic... process. I have... individually and in... groups seem to be most... One Veteran's... hospital is experimenting with an inpatient unit for... The treatment of choice for violent couples is to leave... To do this it is first necessary to break the symbiotic... between couples by strengthening their individual identity and self-esteem. Teaching violent couples fair fighting techniques is... They know how to fight well enough. What they need to learn is how to control their anger and their behavior. I applaud the need for... training for both. ... Dr. Morton Flax, ... I have been experimenting with a new type of couples therapy which... had some success in reducing the frequency and severity of... the experimentation is... Although... are still experimental, psychotherapists report... One... change is that batterers who attend... therapy sessions are less likely to become depressed, ...

(c) Collaboration between lawyers and psychotherapists is needed. Joint training efforts will be useful as I have learned from our experience. Lawyers, judges and psychotherapy colleagues must not leave it all to mental health to cure the offenders. We do not have the knowledge yet. Many of those who commit violence need to suffer the consequences of their criminal acts. For some who commit the most heinous of crimes, no one knows how to cure. Neither our prisons nor our psychiatric facilities suffice, but as imperfect as they are we must learn when to use each. I estimate that over 80% of all offenders do not commit any other crime other than beating their wives. I wonder how many of these men would cease such harassment if they knew they stood to lose their homes, children, women and freedom while in jail. At the last meeting of the American Psychological Association in August 1977, Marjory Fields, an attorney who will also testify before you today presented with her some ways lawyers and psychologists could collaborate. Her presentation was extremely well received and requests for her paper have still been arriving. We need more of this kind of comingling of professions in such a complex psycho-social area as domestic violence.

Title III of Social Security Insurance in this country needs to be amended to include battered women, children and men as a class of citizens so that they can be eligible for assistance immediately with regard for their income level. This is already possible with battered children. Middle class and upper class women are more reluctant to leave their spouses, even when they suffer severe abuse, because they fear abandonment and economic deprivation. Most of the women in this country hold wealth through their husbands, not independently. If they leave him, they fear he will not provide sufficient financial resources to keep their family solvent. Studies show that women who are receiving Aid to Dependent Children monies from Social Security are more likely to take concrete steps to end the domestic violence they suffer because they know that they will have a secure income, however limited it might be. Access to our social service system would provide job training and some crisis intervention counseling for those who need it on an emergency basis. My work with battered women leads me to believe that prompt help could help a woman become an independent functioning and self supporting citizen rapidly.

F) Finally, and most importantly, we must not allow ourselves to be overwhelmed by the enormity of the task. Too many judges, doctors, psychotherapists, lawyers, child protective workers, and politicians want their slice. Passing new laws outlawing behavior they themselves are guilty of is a most difficult sacrifice they are being asked to make. I believe that for most batterers the only way they can do this is to appeal to their own conscience. I am hopeful that their decency and morality will permit self-examination necessary to make such a decision to change or not. The protection we need for others is that we do not have a head-on collision with even greater levels of domestic violence that we are blind to. To that end, I urge your support of the legislative activity being considered in this regard. It has been introduced by Senators Kennedy, Hatch, and Mikulski and Senators Anderson and Harkin. Currently legislation is being considered by the Senate Human Resources Committee in the Cranston's subcommittee on Child and Human Development. Hearings are scheduled for March 8, 1978. The Select Education Subcommittee in the House has not yet scheduled a hearing date although I have been told I believe that it should be done soon. Hopefully, as amendments have been filed, the bill will move forward. We also need to develop the proper treatment and management of batterers. I have a bill on this subject which is being introduced in the House. It is designed to provide for a national network of shelters to provide low cost assistance to local communities. Local shelters that are locally controlled in programs over larger demonstration projects. We have to learn what shelters work from our own experience and that of the - faces in England. Evaluation research needs also to be developed so as to support lower cost and self-help techniques that are successful. Together, with the assistance of Congress I believe we will overcome the terrible consequences of domestic violence.

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To: U.S. Senate, Committee on Human Services, Subcommittee on Child and Human Development

From: Barbara Star, Ph.D.

Re: Testimony on Domestic Violence

Date: March 4, 1979

My name is Dr. Barbara Star. I am on faculty with the School of Social Work at the University of Southern California. I am also a member of the Board of Directors for the Southern California Coalition on Battered Women. For the past two years I have been conducting research concerning the area of family violence in general and of wife battering in particular. The research involves using personality tests and interviews to understand the psychological and socio-cultural factors affecting the victim, the spouse, their marital relationship, and the children. During the course of the research I have had an opportunity to test and/or interview over 100 women and several husbands. Some of the research findings hold implications for both social policy and human service delivery development. Summarized briefly the findings revealed that:

- a) Neither the assaulter nor the victims tended to be mentally ill. Violence is not an aberrant act of a psychotic mind, rather it is an integral part of family interaction and perceived as a legitimate means for discharging frustration or resolving conflicts.
- b) Less than a third of the women, but close to 60 percent of the men, grew up in a family environment where they witnessed or experienced violence. Violence is transmitted from generation to generation but it tends to be a function of the men's upbringing more so than the women's.

- c) Psychologically the women are not masochistic or excessively dependent. Personality tests reveal they are passive, and interviews reveal they possess very low self-esteem. Together these factors create the ideal victim. The women do not enter the relationship expecting or believing they deserve punishment. Their low sense of self-esteem leads them to assume the responsibility for problems in the marriage and their passivity prevents them from taking action on their own behalf.
- d) As a marital unit the men and women tend to be socially isolated. Most do not belong to clubs or organizations. They have few friends and maintain limited ties with relatives. They have no social or community support system from which to learn alternate ways of dealing with problems or feelings.
- e) Women (and men) remain in violent situations because there are so few alternatives available that promote change. There are not many shelters where victims and their children can find refuge. Financial and legal supports for victims are limited. Many agency workers do not understand the fears and emotional needs of the victims or the marital unit. There are no programs for the assaulters.

Several types of changes at both the macro and micro levels are indicated if we hope to combat the effects of domestic violence. The solutions I advocate include:

1. Nationwide reporting laws similar to the ones developed for child abuse.
2. Laws that permit alternatives other than divorce or jail. Women want protection not permanent separation. We need an intermediary step that bridges the gap between no legal action and pressing criminal charges that result in imprisonment.

3. Public education to make people aware of the problem, its causes, and its solutions.
4. In-service training programs for police and mental health professionals.
5. Reading the victims their rights. Clearly telling the women the legal alternatives available to them and providing an advocate who will help them through the criminal justice process if charges are pressed.
6. Toll-free hot line services to offer information and crisis counseling for both the victims and the assaulters.
7. Mandatory treatment for assaulters including the medical and emotional counseling that produces better impulse control.
8. Housing. More shelters for women and their children during times of crisis and safe places to live once they leave the shelter if they decide not to return to the spouse.
9. A community support network of agencies concerned with various aspects of domestic violence to insure continuity of care for the victims.
10. A coalition of community agencies and interested lay persons to offer a base for sharing ideas, conducting research, disseminating information, providing community education, and supporting needed legislation.

Obviously these changes require more than verbal affirmation. Any system of viable service must rest on a foundation of financial security. The first step involves appropriating adequate funding to insure fiscal as well as moral commitment.

Senator CRANSTON. Our final panel is one of interested groups—Nancy Clinch, California Coalition Against Domestic Violence, San Diego; Barrie Levy, Coordinator, Southern California Coalition on Battered Women; Sue Martin and Bea Robinson, Women's Alliance, San Jose; and Diapè Muniz, director, East Los Angeles Hotline, Inc.

STATEMENTS OF DIANE MUNIZ, DIRECTOR, EAST LOS ANGELES HOTLINE, INC., LOS ANGELES, CALIF.; SUE MARTIN AND BEA ROBINSON, WOMEN'S ALLIANCE (WOMA) SAN JOSE, CALIF.; BARRIE LEVY, COORDINATOR, SOUTHERN CALIFORNIA COALITION ON BATTERED WOMEN, SANTA MONICA, CALIF.; AND NANCY CLINCH, CALIFORNIA COALITION AGAINST DOMESTIC VIOLENCE, SAN DIEGO, CALIF., A PANEL

Ms. MUNIZ. Senator Cranston and members of the subcommittee on domestic violence, I am Diane Muniz; I am the director of the East Los Angeles Hotline. We are a member of the coalition on battered women. We have submitted a written statement to you.

However, I would like to present a brief summation and perhaps some recommendations, and focus on the Spanish-speaking population which exceeds 1,100,000, in L.A. County, and has been neglected in the area of domestic violence.

Domestic violence permeates throughout every level of the socio-economic strata as Mr. Y'Barra pointed out earlier.

The lower economic status of the Spanish-speaking population only exacerbates the stresses associated with domestic violence, namely unemployment, alcoholism, isolation, lack of awareness, and severity of the issue, lack of response from law enforcement agencies and a variety of others.

As the problem of services to these women is so severe, many Spanish-speaking women have called other unrelated services in the hopes of getting some type of assistance.

Since we are a rape hotline, the only bilingual hotline on the west coast or I should say southern California, we do not advertise or publicize the fact that we will speak to battered women. We have received an increased number of calls from these women in their desperation. Over a week's time we received approximately six calls, specifically from battered women.

To illustrate more the desperation involved and the lack of resources available to this woman, to this victim, I would like to cite one case that I personally dealt with, and it is kind of an emotional level, and I would like you to understand because it was within the past 2 weeks that the situation occurred. So if my voice cracks, please bear with me.

This woman called the line, and it wasn't a call checking out resources and finding out what was available, she called ready to leave her home. She called saying I am ready to get out; I was beaten very badly last night and proceeded to give me some history.

She said this was the second pregnancy for her. The first time was approximately a year ago. Her husband had beaten her so badly, and sexually abused her so badly, that she lost the baby.

She was extremely depressed; extremely emotional and very cheerful; wanted anything; just get me out of here, her need was so great, and I couldn't do anything for her. We had no resources available for her.

What I did, first of all I called Haven House who provides an excellent service as Beverly mentioned, cannot accommodate all of the needs in L.A. County; it isn't equipped to deal with the problems involved in helping bilingual and bicultural persons.

So, first off, they were full; not to mention that they couldn't speak with her, but not having any resource to tell her, yes, we can get you out of there. I proceeded to make a number of phone calls and I couldn't find anything for her that day.

So the following day again, I returned the call and spoke with her, again after her husband had left, and she had been beaten again very severely and it was raining and she was desperate and she was ready to stay in any hallway anywhere.

Fortunately, a person associated with the line allowed us to place this woman in her home and was so sympathetic and felt so bad about the situation, that she is still allowing her to stay here—stay there—until she has her baby and can then receive aid.

There is no shelter in the Greater Los Angeles area offering services for the Spanish speaking. I think it is an atrocity. I think it is something that does need attention as soon as possible.

I would like to stress a few points in making some brief recommendations; that money go directly to grassroot agencies.

It was mentioned that mental health still has a stigma attached to it; and that's the logic behind many of the grassroot agencies and hot lines which now exist and I think it is a very good one because many women are not prepared to go into a mental health facility even if it isn't a mental health problem so to speak. They are not mentally ill.

In any case, stressing that grassroot agencies get these moneys directly. I think it was mentioned that HUD also be encouraged to work with these agencies and I think that's a great idea. CETA is excellent for staffing and utilizing those positions for our hot line. I think these moneys if they are provided in a comparable—for instance, a lot of these positions are very low paid jobs. They can be paid adequately and can be in not a 6-month period, but a longer term; either annually or biannually would be an excellent idea.

I would also like to stress a catalyst as you mentioned, Senator Cranston, an advisory council of sorts or committee, to continue to financially seek funds to be directed to shelters as an excellent idea.

Another suggestion that I would like to make would be that more money go directly to the primary victims and by primary victims I mean women who are in this immediate need, and their children, and that perhaps mental health facilities be encouraged to have their staffs work with the latter because as Dr. Star mentioned and other people had mentioned before, it is difficult to work with one agency and not to work with all of the people involved in domestic violence.

And since the money is very limited, I would like to see it go to the ones who really need it most which in my opinion are those being battered.

I can not overemphasize the dire need for services to the large Spanish-speaking population in California. Shelters, outreach programs, day care services, public education, and research from the grass root agencies about all domestic violence victims, the batterer and their children.

We congratulate you for your interest and your strong continued support.

Senator CRANSTON. Thank you, very much.

Ms. MARTIN. My name is Sue Martin and I work as the program developer for WOMA—Woman's Alliance of San Jose.

WOMA is a multiethnic community based women's crisis and advocacy center that has serviced women and advocated for women's concern since its establishment in 1973.

In June of 1977, we expanded our services to include a battered women's program, and special services for these women whose needs are not being met—were not being met.

Since December of 1977—just recently, we have, in addition to the crisis center been operating a residential shelter program for battered women and their children.

Our total staff both crisis center staff, and shelter staff, consist of 16 paid persons. Three-fourths are full time. The closest shelter to us are the programs in Hayward, 40 miles away, and the program in San Francisco, 50 miles away.

What I would like to do today is to briefly describe the overwhelming need for our services. I know the need had been already expressed today but, I think we all must stress the need again and again. I would like also to talk briefly about shelters as a service model.

In the 6-month period from August 1977 through January 1978, WOMA has assisted 519 battered women with approximately 870 children being affected.

In addition, our 24 hour crisis line, which operates after office hours, has received 250 calls since September. The crisis center has furthermore assisted 348 nonbattered women who have contacted us with a wide range of services.

The battered women who contact us are from all age groups, ethnic groups, and economic backgrounds.

In addition, our client population encompasses a large Spanish-speaking population. We have assisted women with no economic resources; women with few economic resources; to women whose husbands make over \$20,000 a year but who have no access to that money—especially no immediate access to that money.

The primary need of the women contacting us is that of emergency shelter which I think you have heard again and again today. Over 150 of the battered women who contacted us in the past 6 months, were recently abused women in need of emergency refuge from recurrences of that violence.

We at present have a six bed shelter as well as 12 private homes which shelter women and their children on a voluntary basis. However, as our existence becomes more widely known, the number of women contacting us is increasing rapidly every month and we are having to turn away women and children who have no place to go and can only return to the danger that they have just left.

We are planning soon to move to a 25-bed facility, but even with that facility, we are only able to assist a small, small portion of the women who are victims of physical abuse in their homes.

To give you an example of the need in our local community of Santa Clara County—a survey was conducted by our staff which shows that an estimated 300 battered women are seen each month in hospital emergency rooms in our county. That's 300 battered women every month in emergency rooms. And I hope you will keep in mind that that 300 figure represents only the most severe cases and only the tip of the iceberg.

Any Federal legislation which attempts to address this major social problem which domestic violence is, must place a priority on the provision of direct services to the victims of that violence. This money should not go to extensive research by Government agencies, law enforcement efforts or other lower priority needs. Yes, we do need research; and we do need law enforcement coordination. But first and foremost, we need shelters and we need adequate money to operate those shelters.

I think, as you have stated, Senator Cranston, limited money is available. And I think if limited money is available, that we do have to set priorities and those of us in the field, feel very strongly that first priority should be direct services. After this priority would come funding for the program—the research and the coordination that they are actually doing and spearheading.

Shelter programs are the only service models that have succeeded in addressing the needs of victims of this abuse, and the needs of their children.

Locally it has been reinforced to us time and time again, that a shelter program is the most viable method of service.

In January of last year, a countywide ad hoc committee in our county, representing service providers, law enforcement agencies, community programs, was formed. Each of these groups stated that they were unable to meet the needs of these women. And after 3 months discussion and research, the committee unanimously recommended as its top priority, the establishment of shelters.

In addition, the sources from which our clients are referred, reinforces again that these other agencies are unable and probably inappropriate to service these women.

I think that victims of domestic violence deserve and have a right to some comprehensive services; specialized services.

We receive referrals from law enforcement; counseling programs; department of social services; attorneys, community legal aid, medical facilities, et cetera.

Likewise, it has been a shelter program and its staff, who have developed the expertise, knowledge and commitment to spearhead the institutional reform, the law enforcement training, and the service coordination in our county.

What is being done around the country in the area of coordination of services, police training, has been spearheaded by those people in the grass roots programs in the shelter programs.

So I am saying a shelter program is not only primarily addressing the need of the victims, but also vital in providing the needed focal

point for the institutional reform efforts, the agency coordination, and the program development that is needed.

Shelters are not just a bandaid; I think they are the beginning of the efforts to effectively address the problem and with the expertise acquired in shelter programs, they are expanding further into the variety of areas needed to comprehensively address the problem.

So briefly I have tried to share with you two basic facts which I hope will be taken into account in creating legislation.

First, is the overwhelming need for comprehensive direct services to the victim; and second, is the priority that legislation should place on utilizing the shelter model.

Thank you.

Senator CRANSTON. Thank you very much.

Ms. ROBINSON. Buenos dias.

My name is Bea Robinson and I am the director of Woman's Alliance in San Jose.

I am here today also to urge you to please place direct services to the victims of domestic violence; the top priority in any new Federal regulation development.

Our organization is presently operating a shelter for battered women in Santa Clara County. In addition I want to stress that we also provide bilingual services that is, Spanish.

So I guess we are the second program in the State doing that.

In a county of 1,200,000 people, and a city of 575,000 people, we operate the sole battered women shelter, and we can only house six women and children.

All the furnishings and appliances for this house, we have solicited by donations. Our shelter is small; it is understaffed, and at this moment we are facing a lawsuit by the homeowners in the neighborhood who do not want us there.

In addition to these problems we are continually facing enormous funding problems. If, in fact, money is made available to us, it carries ridiculous guidelines imposed by the funding agencies such as "money can be used for expansion purposes only," when the reality for us is that there is no food in the cupboard since we are not funded by anyone for food.

When that happens we do wonder what our legislators are thinking about; what, in fact, do they know about domestic violence.

We are one of the more fortunate organizations in that we have been able to obtain some short-term seed moneys that have enabled us to provide the shelter, the counseling, some transportation needs, the advocacy. We have a 24-hour hotline in English and Spanish. We have a free legal clinic with free supportive services that include assistance in obtaining housing and employment to our clients.

However, these moneys are only temporary and our future funding opportunities appear tenuous, given that there is no large sources of Federal money available specifically for this purpose.

It is not easy; the staff is overworked and underpaid, but faced with the reality of sometimes little or no support for the needs of these women, we shall continue to exist and continue to testify at hearings such as these, in the hope that somewhere, somehow, somebody is going to listen.

In addition I would like to point out that we are shocked and dismayed when we read of the pending Federal legislation that presumptuously says to us who are the experts, that a large amount of this money will be spent in research rather than investing this money in the projects where research is being done by us, the experts and not funded.

Victims of abuse do, in fact, need this type of research done, but not by another bureaucracy in Washington. This can and should be done at the local level by the service providers who know all aspects of the problem, are attempting to serve the needs and at the same time have worked unmercifully in order to keep our doors open, and to prevent further homicides.

LEAA is also supposedly doing their share in the war against domestic violence. How? By providing \$1 million for a new superagency to do some more paper shuffling. Where are the priorities in this type of logic? Is LEAA saying that you first give out the prescription, and then we take care of the wound?

If, in fact, the money cannot go directly to the shelters where it should go in the first place, it should definitely not go to the National Institute of Mental Health; it should not go to a law enforcement agency, therefore the only alternative we can see is that it go straight to the Governor but with the stipulation that a separate agency be established; a domestic violence agency so that we don't have a situation like what happened with SB 91 where the money was allocated and then went to an agency that certainly is not appropriate.

Thank you very much and I don't congratulate you for doing these hearings; I think it is your duty and I appreciate that you are doing it.

Senator CRANSTON. Thank you very much.

Ms. CLINCH. My name is Nancy Clinch. I am an attorney in private practice and a member of the California Coalition Against Domestic Violence.

CCADV was formed early in 1977, is a statewide coalition of shelter programs and other service providers whose work addresses the needs of victims of domestic violence.

The focus of the coalition is to advocate for the creation of, and monitor State and Federal legislation which relates to domestic violence.

Due to the short notice of this hearing, the statements presented today will be very brief. Limited to the concerns relating to the proposed Federal bills themselves, and the implementation process of any Federal legislation.

The first concern is which agency will administer the programs. We feel ACTION is not an acceptable agency for the following reasons.

First, we do not wish to relegate shelter programs to the realm of voluntarism, and at the very base salary for staff persons of a shelter program, should be at least \$850 per month.

Second, ACTION would not provide the administrative operational costs which are needed to run a shelter program.

We also feel that the National Institute of Mental Health must be further investigated before designated as the administering agency. Our concerns are the following:

First, we are not dealing solely with a mental health issue, but rather nature's social problem. Really a historical and continuing political, sexual, economic, and social injustice.

Second, the National Institute of Mental Health focus is that of a research institute. We question whether battered women's programs face the same barriers and problems presently being faced by the National Rape Crisis Center is--which is under NIMH.

These problems including inadequate staff know, or if at best, very bureaucratic mechanisms for distributing moneys to programs.

CCADV requests that the focus of Federal funding be earmarked for shelter programs, and the comprehensive programs they provide which include services such as counseling, job development, public education, legal assistance, children's programs, and personal self-esteem development.

Second, we request that adequate administrative and overhead moneys be allocated for the operation of these programs.

An agency search must be conducted which involves service providers in order to locate an agency whose focus is direct services and institutional and social reform.

Our second major concern is that throughout the legislative and implementation process, the experts in the field of domestic violence, the direct service providers such as shelter staff and service providers who assist shelter programs be utilized to the fullest extent as consultants, grant reviewers, and staff members.

It is vital that direct service providers be hired right now to provide consultation to legislators writing domestic violence legislation.

It is also imperative that any national coordinating committee, board of directors or administrative staff, hired to administer funding, contain direct service providers.

We further propose that a national council of service providers be established with regional coordinating counsel, and that these be federally funded.

Criteria that is established for program funding and selection hiring criteria for administering staff, must have input from shelter program staff who are the experts in this field if this attempt on the Federal level is to have any positive impact.

These concerns and stat. come from our experience in working with local State legislation. To date all input into State legislation and not legislation implementation, has been on a voluntary basis. We should be paid for the consulting work we are doing. Our input has been in many senses, solicited and welcomed here in California, however, this input has been insufficient and the present problems and ineffectiveness of the State legislation, is in part, the result of this insufficient participation.

In order for direct service providers input to occur, it must be written into original Federal legislation.

I would also briefly like to comment on one of your concerns--one of your legal concerns--and it involves police inaction.

The majority of my law practice is involved with helping battered women and their legal needs, about 70 percent of it.

I have found that when we do help in the prosecution of domestic violence, police inaction is not the only problem that we face. The district attorney or city attorney can prosecute, including have the witness testify, having photographs of her bruises and battering;

having medical reports, and it is the jury that decides the defendant is not guilty.

This is indicative of socialization of the jury as a mirror of the community, and their willingness to accept domestic violence, either as a generally accepted form of expression in a family situation, or, the reluctance on the part of the jury to label the defendant as a batterer, similar to the reluctance of a jury to label an alleged rapist, if they could find a less offensive label for that defendant.

I strongly believe that funding for legal assistance of battered women, that enough is not happening. A lot of my work involves them; I cannot turn a battered woman away, when legal aid and no agency will help her at all.

I request that funding for legal assistance be part of a shelter primary service program.

Thank you.

Senator CRANSTON. Thank you very much.

Dr. STAR. I am Barbara Star. I am sitting here on behalf of Barrie Levy who is representing the Southern California Coalition on Battered Women.

She asked me to make a statement for her; unfortunately she was unable to be here because of mudslides that closed roads in her area.

However, in the interest of saving time, I have been requested to ask her to submit, as she was planning to do, a written statement and forego the statement here today so that we may be able to answer additional questions.

Senator CRANSTON. Thank you very much.

I appreciate that very much, and I will be glad to have the statement in the record.

Let me address one question to those of you who are directly involved with shelters.

What happens to victims when they leave; what kind of followup is there? Do you maintain contact usually?

Ms. MARTIN. At our program in San Jose, we would like to expand our followup services, and we need to expand our followup services. However, because of our staff limitations we are unable to do that right now.

At present, we do some followup with the women mainly. They are free to call us and we often call them. We also have a support group which operates once a week where women can continue to come and get problem-solving assistance.

Because we are fortunate to have two facilities, the crisis center and the shelter, the women can continue to utilize the services at the crisis center.

However, I think that we need to do a lot more of this. We need to have staff and funding for that--for continued support.

Dr. STAR. On behalf of Haven House, they do provide ongoing service for people; they have an outreach group for the women as followup because 50 percent of the women do go back to the home situation, and they need continuing support as do the women who go into the community on their own.

They also offer treatment or outreach services to the men who are the spouses of the battered women.

Senator CRANSTON. Thank you.

Do you think it would be useful to have a Federal clearing house that could provide information on where you could get help in financing, and what works and what doesn't and so forth?

Ms. MARRIN. Well, this is my own feeling. Possibly a Federal clearing house might have some advantages, but I think you need a lot of work done on and should place priority on the local level and on the community level and the regional level where the information will be used.

I am not sure how much of the information would be used if it were on the Federal level, you know. It might be good to have some type of clearinghouse on the Federal level in terms of major agency funding sources and the areas relating to funding.

However, I think this type of service and coordination will be more utilized if it is regional.

Ms. ROBINSON. If I may, I would like to add to that.

I think that the major problems that shelters face is having funds to operate with. If there is money, we see it as imperative that the first moneys go to the shelters themselves, rather than adding another bureaucracy to—that may or may not help.

Ms. CLIXCH. If you decide to have a Federal clearinghouse, it should include people who have been actively involved in creating shelters and supporting shelters. You can't just have people at the Federal level that have had no practical experience to be able to tell people what to do and where to go.

Ms. MARRIN. Just one question or statement about the use of a Federal clearinghouse.

We don't have the money to make the phone calls to the Federal clearinghouse even to get the information. That's a reality. I think that it wouldn't be utilized. The priority for the money should go to funding the shelter programs. Luxuries come afterwards.

Dr. STAR. One of the important parts that we keep forgetting, I think, is that while there should be an essential place from which to disseminate information, there should also be regional and local bases where people can obtain information readily. One of the things that we absolutely have to have is some kind of an information system that immediately allows a daily update of the available services in any particular area.

Senator CRANSTON. What could the Federal Government do to promote greater awareness of the problem?

Ms. MARRIN. I think a lot of the shelter programs right now are doing work in that area. A lot of us do a lot of public speaking; we do a lot of radio work, we do a lot of TV work; we do a lot of agency training in other agencies. I personally would feel that if you fund the shelter programs to specifically do more public education, and more training, that would be the most effective way.

Dr. STAR. And, if you take wife battering from being an issue that is predominantly a woman's issue, and make it an example, as I believe it is, of one instance of family violence, I think that you will obtain the kind of backing and the support from the media and public foundations as well as private foundations that you are looking for.

Senator CRANSTON. Thank you very much. You have been very helpful. I appreciate your coming.

[The prepared statement of Ms. Muniz follows:]



24 HOUR
BILINGUAL COUNSELING
262-0944

EAST LOS ANGELES RAPE HOT LINE

676 E. FIFTH STREET
LOS ANGELES, CALIF. 90012

FOR INFORMATION PHONE 266 3950

March 1, 1977

Alan Cranston
United States Senate
Committee on Human Resources
Washington, D.C. 20540

Dear Senator Cranston,
According to a LAC census (which is limited because the population has increased substantially) there are approximately one million, one hundred thousand Spanish speaking people in Los Angeles County, not including the undocumented.

Ken Cahill, a state legislator for next year's funding in Los Angeles County recently stated that the Spanish speaking population is the most underserved population in the area of mental health.

The high percentage of the Spanish speaking population can exacerbate the stress associated with possible violence, unemployment, a condition, isolation, etc. This may indicate that the incidence of domestic violence in the Spanish speaking community is extremely high.

The problem of a very high percentage of the population not being able to read related to the high incidence of getting some assistance.

With the rapidly changing demographics of the population in the East Los Angeles area, it is difficult to keep up with the

FOR INFORMATION PHONE 266 3950



EAST LOS ANGELES RAPE HOT LINE

24 HOUR
BILINGUAL COUNSELING
262 0944

Until now women, who have been sexually abused or referred to
been established. The hot line is located in the greater Los Angeles
and offering a number of services. The staff of the hot line staff
is available to the public 24 hours a day.

The hot line is available to all women who are victims of
sexual assault. The hot line is available to all women who are
victims of sexual assault. The hot line is available to all women
who are victims of sexual assault. The hot line is available to all
women who are victims of sexual assault.

Senator CRANSTON. We have one other individual present who has asked to testify; and I will have to ask Margrit Chandler to limit herself to 3 minutes because I do have to meet another commitment.

STATEMENT OF MARGRIT CHANDLER, HUNTINGTON BEACH, CALIF.

Ms. CHANDLER. I am here to back up some of the statistics that we have just heard; with personal experiences.

I believe it is true when we say that the sins of the parents are going to be visited on our children to the third and fourth generation.

I am the mother of seven children now ranging in ages from 9 to 23.

I have been a battered woman. I came here as an alien approximately 25 years ago. I was isolated. I was alone without family. I was kept financially dependent even though my husband was making in the latter years, up to \$250,000 a year. I had no money to my ready use.

I was battered at times so badly that I nearly lost my last child, which in turn caused me to get a divorce.

My children, the way I see it now, if they don't take stock and look at themselves, could be faced with the same situation.

I feel that each of my daughters is going to have to stop before she gets married and look at the man she chose. I see my 2 older sons already now, choosing violence as their first reaction when something happens. They also will have to take stock. Not so, my youngest boy—who did not grow up in the same environment; where we consciously taught him alternative ways to deal with his frustrations.

I also feel that women that have been battered one time, as they go off into a second marriage, could be faced with the same problem as before, if the person that they are with, knows, that they have been battered. It is easier once the barrier has been broken down, for the same to happen again.

I am really very glad to see that some of the old stigmas are coming down because I think that's what we suffered very much, from. We were called masochistic, you know, "she's getting her kicks and everything;" by the police and others—which really wasn't true at all.

I am very glad to see that some of the help that was not available to me, is becoming available to my sisters today, and I thank you very much, Senator, for holding the hearing.

Senator CRANSTON. Thank you very, very much. I appreciate that and I appreciate your concluding in that brief but effective 3 minutes.

That concludes our hearing but let me say that I will be introducing legislation fairly soon on this subject. I will mail each of you who testified, a copy and if others want to get a copy, you may write to us for it. We invite your comments on that legislation and what it will contain because that of course will only be the beginning. We will go through it, mark it up, get comments, and rehash it.

The record for this hearing will remain open.
We will have another hearing in Washington next Wednesday and
we will try to move on.
Thank you all very much.
We stand adjourned.
[Whereupon, at 12:15 p.m., the hearing adjourned.]

DOMESTIC VIOLENCE, 1978

WEDNESDAY, MARCH 8, 1978

U. S. SENATE,
SUBCOMMITTEE ON CHILD AND HUMAN DEVELOPMENT
OF THE COMMITTEE ON HUMAN RESOURCES,
Washington, D.C.

The subcommittee met, pursuant to notice, at 8:30 a.m., in room 457, Russell Senate Office Building, Senator Alan Cranston, (chairman of the subcommittee) presiding.

OPENING STATEMENT OF SENATOR CRANSTON

Senator CRANSTON. The meeting will come to order.

This morning, the Subcommittee on Child and Human Development of the Committee on Human Resources will hear testimony on domestic violence.

Today is our second day of hearings on this matter.

Last Saturday, March 4, 1978, in Los Angeles, Calif., the subcommittee received some very helpful and informative testimony, and I am sure today's witnesses will be equally enlightening.

Recently, I have been working with a number of colleagues, Senators Kennedy, Anderson, Riegle, and Williams, on legislation with respect to domestic violence. I have also conferred with Representative Barbara Mikulski and the White House Staff.

We are pulling together different approaches that have been proposed thus far and developing some new ones. I plan to introduce that legislation later this week or early next week.

Today's testimony should prove helpful as we put the final touches on the legislation. I will be sending to each of the witnesses a copy of the bill we introduce and would appreciate receiving from you your written comments, as soon as possible, since we plan to move forward rapidly with this legislation in order to meet the May 15th reporting deadline.

I am keenly interested in hearing our witnesses's recommendations as to what role, if any, the Federal Government should play in establishing programs to assist victims of domestic violence, and aid in reducing the incidence of domestic violence.

When I speak of domestic violence, I am referring to any act or threatened act of violence—including a forceful detention, which results or threatens to result in physical injury, and is committed by and between adults. This definition does not include child abuse, an equally serious societal problem which is already being addressed through the Child Abuse Prevention and Treatment Act, although

these problems are sometimes related. Our legislation to extend the child abuse law is now pending a final House-Senate agreement and should be cleared for Presidential signature in the next several weeks.

Testimony received by the subcommittee on Saturday, reveals that domestic violence is widespread. For example, Betty Stephens, chair of the California Commission on the Status of Women, testified that in California, one of three female homicide victims is murdered by her spouse, and approximately one-quarter of all murders in the United States occur within the family.

Those projects providing assistance to victims of domestic violence, often, because of limited facilities, have to turn away victims seeking shelter. For example, Haven House, a shelter in Pasadena, Calif., turned away 400 people in the month of October 1977. And in Hayward, Calif., during the month of February, the emergency shelter program there, refused 146 requests for service, because the shelter was full and funding does not permit further expansion. During 1977, the Hayward Emergency Shelter Program provided shelter for 437 women and 476 children, a total of 5,967 bed nights—yet, the program was unable to provide services for far more who asked for it—1,776 women and children.

The testimony on Saturday clearly illustrated the need for Federal action. I expect that today's testimony will substantiate that need. We are interested in our witnesses' view on how society should respond when a victim of domestic violence seeks assistance. Most victims who have been provided assistance by ongoing efforts have been women, many of whom have special problems. For example, often, in those instances where the victim has decided not to return to the home, her many years as a housewife have left her unprepared to compete successfully in the job market.

In this regard, I want to note that I will be introducing today, with Senator Riegle, an amendment to the CETA legislation to provide special assistance for displaced homemakers.

The problems we face in the domestic violence area are, indeed, complex. There are no simple answers. To overcome the problem, to develop any type of successful program, commitment is necessary—and not just from the Federal Government. This is essentially a local problem, but all levels of government must be involved in seeking a solution and, most importantly, interested private citizens and groups themselves must continue to take the lead.

Thus, in addressing these issues, it seems to me that the Federal Government's role should be to serve as a catalyst for efforts by State, local, and private nonprofit groups.

The legislation we are preparing is geared to provide Federal stimulation and support for local efforts. Today's hearing should provide additional information necessary for us to develop an effective national approach to achieving the active involvement of States and local communities in grappling with this problem.

In order to allow as many people as possible to present testimony and to provide time for questions, I am asking each of you who are appearing as witnesses, to limit your oral remarks to 5 to 7 minutes. Of course, your entire written statement will be included in the record and will be carefully reviewed.

I welcome each and all of you to our hearing.

It is a pleasure to have Senator Kennedy here, who, along with Senator Anderson, our next witness, coauthored bill S. 1728, legislation which has served as the basis for our cooperative efforts with respect to domestic violence--S. 1728 has been a major focal point of interest and concern, for those deeply involved in ways to deal effectively with this kind of problem; Congresswoman Mikulski has helped bring national attention on this critical problem by her forceful and effective work on H.R. 8948; Congressman Steers' efforts in the House, along with Lindy Boggs, have brought attention to domestic violence.

And now, if Senator Kennedy will lead off.

**STATEMENT OF HON. EDWARD M. KENNEDY, A U.S. SENATOR,
FROM THE STATE OF MASSACHUSETTS**

Senator KENNEDY. Thank you very much, Mr. Chairman.

I think all Americans are very much in your debt for the leadership that you have been providing on this particular issue and the prospects of legislation; I think I look forward to working very closely with you as a member of the full committee, to expedite its consideration in the committee, and also on the floor of the U.S. Senate.

I think all of us in the Senate are very mindful of the work that Senator Anderson has initiated in this area over a long period of time. This has been a cause which he has been deeply interested in and concerned about. He has talked to me, as I know he has talked to you, about it, frequently, and has been a driving force in the U.S. Senate, and is pressing for appropriate Federal response.

Mr. Chairman, I am also looking forward to hearing witnesses that will appear before the committee this morning. I welcome the chance to be able to present them, because we have several very interesting programs in the Greater Boston area and we are going to hear from Curdina Hill of a very successful program in the South End of Boston, Mass., and I think those that can probably best add to our own understanding of this problem are those that are working in the frontlines of this particular issue.

One thing that I think all of us understand here on the Federal level is that there has not really been the kind of focus, the kind of direction, the kind of initiative at the Federal level, that we would hope to be achieved by legislation. The proliferation of different programs, diversified initiatives in a variety of Federal agencies, tied into bureaucracy, has made the availability for either technical help and assistance or funding, virtually impossible for local communities and for local leadership to be able to understand and to take advantage of it. And I think that one of the driving factors of legislation is to try and provide the sense of priority, which should be given. The Congress, I think, is beginning to respond, and indicating to the executive branch, that we think that this ought to be given a specialized attention and a categorical program that would give both authority and responsibility and identity, so that there can be some meaningful steps forward, not unlike some of the progress that has been made with child abuse, during the subsequent years from 1973.

Many of us who are working in different phases of this issue have been attempting to add our own small, but important changes in existing legislation to deal with this issue.

I am mindful, for example, that in the area of our criminal recodification, we eliminated the common law statutory provision on the issue of rape between spouses. Part of the aspect of domestic violence, some of the most cruel and vicious ways, have been the perpetration of rape on one spouse upon another, and it seemed only appropriate that in trying to bring the criminal recodification into the 20th century, that to recognize the severity of the criteria which has to be met by rape, and that is to be put in the threat of serious physical violence and even death—that that occurs even between spouses and a victim should not be—his defenses should not be eliminated by an archaic provision in the existing law.

We can work with the Judiciary Committee and the LEAA provisions to try to help and assist in addressing the opportunity which exists for providing training for police and counseling with the police and police agencies, which play such an important role in terms of local communities.

Recently, as the Senator knows, initiation of such a program has had about a million dollars in training program now, but in the reorganization of the LEAA Act, there are things that we can do and work on in this particular area.

So, I know that there are many opportunities, other than just the specific legislations, which I intend to support and fully support for those of us who are concerned about these issues, whether in the health area, in the NIMH budget, to insure the kinds of research that is going to be done in this area, and whether it is in these other programs, we can play a constructive and positive role, and I believe, with your legislation giving it the focus and attention, that we can really begin to make a march toward progress that this issue demands.

And so, Mr. Chairman, I say that I look forward to listening to our local representatives to inform us more effectively about the various efforts that have been taking place at the lower level, to which we can respond, and play a very active partnership to give this issue the kind of attention, the kind of priority, the kind of front burner attention that it deserves.

And I want to thank you for the opportunity of appearing here and I would like to ask you to enter my statement in the record.

Senator CRANSTON. Thank you very much.

Of course, your statement will be in the record, and again, I appreciate your being here.

[The prepared statement of Senator Kennedy follows:]

PREPARED STATEMENT OF SENATOR EDWARD M. KENNEDY

Mr. Chairman, the family is the basis and strength of our society. And yet, in many families there are problems that for too long have been hidden from the rest of society. In 1973, the Federal Government finally recognized the problems of child abuse and began to respond. And today we are addressing the problems of domestic violence. It is a sad fact that many women are physically abused by

their husbands. In many instances these women have no place to turn. They live with this situation for many years either believing that the situation will change or fearing the unknown if they leave and seek outside assistance.

Domestic violence is a problem that cuts across all socioeconomic lines. It is as much a problem in Milton, Mass. as it is in the South End. A recent study at the University of New Hampshire showed that 16 percent of students had witnessed one act of physical violence between their parents in the previous year. A Harris survey conducted for the National Commission on the Causes and Prevention of Violence said the "one-fifth of all Americans approve of slapping one's spouse on appropriate occasions. Surprisingly, approval of this practice increases with income and education * * *"

Victims of domestic violence suffer from a multitude of problems. Many of them are economic prisoners—how will they support themselves and raise children if they leave? Many lose their own sense of self-respect. They get little support from the legal system. Only three States have laws that make it an automatic felony for a husband to beat his wife. And yet assault is a crime in every State. Most States, however, treat wife beating not as a crime, but as a civil matter. In many instances the police are not adequately trained to handle this problem. The problems are multifaceted and certainly the Federal Government can't solve them all. But we can and must do more.

Last June, I joined Senator Anderson as a cosponsor of S. 1728, "The Domestic Violence Prevention and Treatment Act." This was the first bill introduced in the Senate to address this issue. Since the introduction of that bill we have heard from many organizations and individuals dealing at a grassroots level with this problem. Violence in the home was also a topic seriously discussed at the National Women's Conference in Houston last November. We have received excellent suggestions on the problem from all these groups. They have suggestions about what the Federal Government could and should do. Many of these suggestions have been incorporated into a bill which will be introduced later this week by Senator Cranston. I intend to be a cosponsor of this comprehensive bill.

In my own State of Massachusetts there are several groups already quite active. These include Casa Myrna Vazquez in the South End of Boston, Transition House in Cambridge, and RESPOND in Somerville. Throughout the Commonwealth there are other programs in early stages of development. Many of them need not only the money that could come from this bill, but also the technical assistance that this comprehensive bill would provide. There are, of course, a variety of services already available through Federal, State, and local efforts. These services are, however, quite fragmented. The bill that we will propose will do much to help coordinate these efforts.

The Federal Government has finally started to respond to this problem. The Office of Public Liaison at the White House has held a series of meetings on this issue. I know that Midge Costanza has a strong commitment to working with the Federal agencies in coordinating services. In fact, she held another meeting at the White

House just yesterday. I am sure many of you were there. In addition, the U.S. Commission on Civil Rights sponsored an excellent symposium on this issue in January. With a coordinated program within HEW the Federal Government can begin to do more than just address the issue. It can provide services and money to both private nonprofit organizations and local government programs addressing this need.

I look forward to the testimony being presented today. In particular, I am interested in hearing from the shelter representatives—how they work within the communities, how they can aid families, and how they work with police in the neighborhoods. I am very pleased that Curdina Hill, vice president of Casa Myrna Vazquez is with us. Casa Myrna Vazquez is in the South End of Boston—serving the whole city. Their house opened last February and its full time operation just began last July. It has served 290 people since then. This house is a great example of what can be done on a local level.

We live, unfortunately, in a violent society. Domestic violence is another manifestation of a society that has lost its respect for the individual. There are many examples of the prevalence of violence in our Nation. As a member of the Senate Judiciary Committee, I have seen efforts for more stringent gun control legislation thwarted year after year. We live in an imperfect world but each of us must learn to treat others with compassion and understanding.

I look forward to hearing the testimony. I want to particularly acknowledge Senator Anderson, Representatives Steers, Boggs, and Mikulski for the work they have done on this serious issue.

Senator CRANSTON. Senator Anderson, likewise, you have been a very dedicated worker and I appreciate your coming here today.

**STATEMENT OF HON. WENDELL R. ANDERSON, A U.S. SENATOR,
FROM THE STATE OF MINNESOTA**

Senator ANDERSON. Mr. Chairman, I have submitted a more detailed statement for the record, so if I could just highlight it for a few moments—

There is a form of violence, which for many years we have pretended did not exist and accepted as an occasional phenomena. That of course, is domestic violence—beating and abuse, and in some instances, murder of wives, husbands, and children by each other.

We denied it because it violated our view of the American home as a place of love and affection, of mutual respect and happiness. The home was, we seemed to say, a haven from the surrounding chaos.

It was easy to deny, because the victims and the perpetrators of the violence themselves, denied the abuse or disguised it where possible.

Society, in turn, through the law enforcement system, through the courts, through the social service agencies, treated the problem lightly or not at all or with hostility or at best, ambiguity.

We raised lots of questions—could we intrude into the home? Were the bonds of marriage not supreme? Was it not just the pat-

tern of some marriages and did not the victims invite the violence?

We ducked and dodged and never dealt with the reality any better than the victims themselves.

But, slowly, during the past several years, we have begun to recognize the social illness, and to some extent, we have begun to analyze and define it.

Today, the magnitude of the problem is no longer deniable. Encouraged by the women's movement, many of the victims themselves have come out from behind closed doors into public view.

We have learned from study after study that domestic violence is widespread, cuts across social and economic lines, and may be increasing. Certainly, it is not a decreasing phenomenon, which if left alone, will just go away.

There are some studies which would suggest that close to 5 million wives suffer extreme violence at some time in their marriages, some frequently and regularly. We know that nearly 2 million American couples have used a lethal weapon on one another during their marriages. We know that over a fourth of all murders and a far larger percentage of aggravated assaults occur between spouses. We know that the most common relationship between murderer and victim is membership in the same family.

Maybe one set of figures can demonstrate more clearly what I am saying. From 1967 to 1973, we lost over 39,000 lives in Vietnam. During those same years, with virtually no public attention, there were over 17,000 deaths due to domestic violence—the result of spouse and child abuse.

The Vietnam war is over. Domestic violence continues. The time is long overdue to Federal action that is coordinated, substantial, and humane. More victims want help, more people want to help them.

In recent years, shelters have begun to appear in various parts of our country. Those shelters are almost always themselves victims of inadequate funding, erratically given.

You will hear, later on today, from Cheryl Beardslee, a staff member of Women's Advocates in St. Paul, Minn., the oldest shelter for battered women in the United States. During 3½ years, this shelter has housed over 2,000 women and children. That is hopeful. They saved lives. What is sad, is that they turned away three times that many family members during the same period. What is sad is that there are countless more women, countless more families who would come forth if there were safe places for them. You will hear a formerly battered wife describe the need in personal terms, and how Women's Advocates Shelter was indeed a haven of love and support for her.

We have before us, S. 1728. This bill, is designed to support projects in the prevention and treatment of domestic violence, concentrating on family rehabilitation and support, as well as on emergency shelter for threatened family members.

It identified the need for examination of existing State domestic violence laws and programs and for coordination of Federal, State, and local efforts in prevention, identification, and treatment of domestic violence. The bill would provide \$60 million over a 3-year

period. It addresses the need to complement previous and ongoing domestic violence research by the National Institute of Mental Health, Law Enforcement Assistance Agency, and other Federal groups.

The response to this legislation has been enormous. Since June, when the bill was introduced, the sponsors have received a tremendous amount of valuable and constructive advice from people working to prevent and treat family violence. It has been a very special privilege to work with the subcommittee in translating those ideas to effective, responsive legislation to help battered women and their families, and I am pleased to join you as a cosponsor of a new bill which will be pending before the subcommittee very shortly.

Mr. Chairman, I am sure when these hearings are done, and you have heard the testimony of the people who have been victims of domestic violence and those who have been pioneers in solving this national problem, that you and your committee, will act very favorably.

Thank you very much.

Senator CRANSTON. Thank you very, very much, Wendell. I appreciate, again, your very fine work in this area.

[The prepared statement of Senator Anderson follows:]

STATEMENT OF SENATOR WENDELL ANDERSON
BEFORE THE SUBCOMMITTEE ON CHILD AND HUMAN DEVELOPMENT
ON
LEGISLATION TO PREVENT AND TREAT DOMESTIC VIOLENCE
WEDNESDAY, MARCH 8, 1978

MR. CHAIRMAN, THANK YOU FOR INVITING ME TO TESTIFY BEFORE THE SUBCOMMITTEE ON LEGISLATION TO PREVENT AND TREAT DOMESTIC VIOLENCE. I WANT TO COMMEND THE SUBCOMMITTEE FOR ITS PROMPT ATTENTION TO THIS URGENT PROBLEM. AS THE PRIMARY FORUM ON LEGISLATIVE ISSUES AFFECTING CHILDREN, YOUTH AND FAMILIES, YOUR SUBCOMMITTEE HAS RESPONDED ADMIRABLY TO A WIDE RANGE OF CONCERNS SUCH AS INADEQUACIES WITHIN THE ADOPTION AND FOSTER CARE SYSTEM AND THE EFFECTS OF GOVERNMENT POLICIES ON FAMILY LIFE. ALTHOUGH I AM NOT A MEMBER OF THE COMMITTEE, IT HAS BEEN A PLEASURE TO WORK WITH YOU AND SUPPORT YOUR EFFORTS ON SEVERAL OCCASIONS IN THE PAST.

TODAY WE ARE TURNING TO A PROBLEM WHICH IS PERHAPS THE MOST PERPLEXING AND SEVERE OF ALL IN ITS EFFECT ON CHILDREN AND FAMILIES.

VIOLENCE IN AMERICA HAS BECOME A MAJOR NATIONAL SOCIAL DISASTER AND SCANDAL. WE TOO FREQUENTLY ACCEPT IT AS INEVITABLE, GROW CALLOUS TO ITS PRESENCE, SEEM ALMOST INDIFFERENT OR OVERWHELMED BY ITS ENORMITY.

WE HAVE, INCREDIBLY, RAISED VIOLENCE TO A FORM OF ENTERTAINMENT, FILLING OUR HOMES WITH ENDLESS HOURS AND INCIDENTS OF TELEVISION VIOLENCE. THE BEACHES OF NORMANDY SEEM OCCASIONALLY LIKE A SUNDAY SCHOOL PICNIC COMPARED TO WHAT IS PROVIDED NIGHTLY TO THE AMERICAN PUBLIC. OUR CHILDREN SEE MORE VIOLENCE THAN LOVE, MORE DECEIT THAN DECENCY.

WHETHER THERE IS A CONNECTION OR NOT, I DO NOT KNOW, BUT OUR SCHOOLS IN THE PAST DECADE HAVE BECOME BATTLEFIELDS WITH TEACHERS AND STUDENTS VICTIMS OF AGGRESSION LEADING TO FEAR, PSYCHOLOGICAL BREAKDOWN, HOSPITALIZATION FOR INJURIES, AND EVEN DEATH.

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ON OUR STREETS, WE HAVE WITNESSED IMMENSE AMOUNTS OF CRIME -- NOT AGAINST PROPERTY ALONE, BUT AGAINST PEOPLE, CRIMES OF ASSAULT AND RAPE AND MURDER.

AND THERE IS YET ANOTHER FORM OF VIOLENCE WHICH FOR MANY YEARS WE PRETENDED DID NOT EXIST, EXCEPT AS AN ABERRANT AND OCCASIONAL PHENOMENON. THAT, OF COURSE, IS DOMESTIC VIOLENCE. . . THE BEATING AND ABUSE, AND IN SOME INSTANCES, MURDER OF WIVES, HUSBANDS AND CHILDREN BY EACH OTHER.

WE DENIED IT BECAUSE IT VIOLATED OUR VIEW OF THE AMERICAN HOME AS A PLACE OF LOVE AND AFFECTION, OF MUTUAL RESPECT AND HAPPINESS. THE HOME WAS, WE SEEMED TO SAY, A HAVEN FROM THE SURROUNDING CHAOS.

IT WAS EASY TO DENY BECAUSE THE VICTIMS AND THE PERPETRATORS OF THE VIOLENCE THEMSELVES DENIED THE ABUSE OR DISGUISED IT WHERE POSSIBLE.

SOCIETY, IN TURN, THROUGH THE LAW ENFORCEMENT SYSTEM, THROUGH THE COURTS, THROUGH THE SOCIAL SERVICE AGENCIES, TREATED THE PROBLEM LIGHTLY OR NOT AT ALL OR WITH HOSTILITY OR AT BEST AMBIGUITY.

WE RAISED LOTS OF QUESTIONS. COULD WE INTRUDE INTO THE HOME? WEREN'T THE BONDS OF MARRIAGE SUPREME? WASN'T IT JUST THE PATTERN OF SOME MARRIAGES AND DIDN'T THE VICTIMS INVITE THE VIOLENCE? WE DUCKED AND DODGED AND NEVER DEALT WITH THE REALITY ANY BETTER THAN THE VICTIMS THEMSELVES.

BUT, SLOWLY, DURING THE PAST SEVERAL YEARS, WE HAVE BEGUN TO RECOGNIZE THIS SOCIAL ILLNESS AND TO SOME EXTENT WE HAVE ALSO BEGUN TO ANALYZE AND DEFINE IT.

TODAY, THE MAGNITUDE OF THE PROBLEM IS NO LONGER DENIABLE.

ENCOURAGED BY THE WOMEN'S MOVEMENT, MANY OF THE VICTIMS THEMSELVES HAVE COME OUT FROM BEHIND CLOSED DOORS INTO PUBLIC VIEW.

WE HAVE LEARNED FROM STUDY AFTER STUDY THAT DOMESTIC VIOLENCE IS WIDESPREAD, CUTS ACROSS SOCIAL AND ECONOMIC LINES, AND MAY BE INCREASING. CERTAINLY IT IS NOT A DECREASING PHENOMENON WHICH, IF LEFT ALONE, WILL JUST GO AWAY.

THERE ARE SOME STUDIES WHICH WOULD SUGGEST THAT CLOSE TO FIVE MILLION WIVES SUFFER EXTREME VIOLENCE AT SOME TIME IN THEIR MARRIAGES, SOME FREQUENTLY AND REGULARLY. WE KNOW THAT NEARLY TWO MILLION AMERICAN COUPLES HAVE USED A LETHAL WEAPON ON ONE ANOTHER DURING THEIR MARRIAGES. WE KNOW THAT OVER A FOURTH OF ALL MURDERS AND A FAR LARGER PERCENTAGE OF AGGRAVATED ASSAULTS OCCUR BETWEEN SPOUSES. WE KNOW THAT THE MOST COMMON RELATIONSHIP BETWEEN MURDERER AND VICTIM IS MEMBERSHIP IN THE SAME FAMILY.

MAYBE ONE SET OF FIGURES CAN DEMONSTRATE MORE CLEARLY WHAT I AM SAYING. FROM 1967 TO 1973, THERE WERE 39,521 AMERICAN DEATHS IN VIETNAM. IT WAS A WAR WHICH TORE THIS COUNTRY APART.

DURING THOSE SAME YEARS, WITH VIRTUALLY NO PUBLIC ATTENTION, THERE WERE 17,570 DEATHS DUE TO DOMESTIC VIOLENCE -- THE RESULT OF SPOUSE AND CHILD ABUSE.

THE VIETNAM WAR IS OVER. DOMESTIC VIOLENCE CONTINUES. THE TIME IS LONG OVERDUE FOR FEDERAL ACTION THAT IS COORDINATED, SUBSTANTIAL AND HUMANE.

MORE VICTIMS WANT HELP, MORE PEOPLE WANT TO HELP THEM. IN RECENT YEARS, SHELTERS HAVE BEGUN TO APPEAR IN VARIOUS PARTS OF THE COUNTRY. THOSE SHELTERS ARE ALMOST ALWAYS THEMSELVES VICTIMS OF INADEQUATE FUNDING ERRATICALLY GIVEN. YOU WILL HEAR SHORTLY FROM CHERYL BEARDSLEE, A STAFF MEMBER OF WOMEN'S ADVOCATES IN ST. PAUL, MINNESOTA, THE OLDEST SHELTER FOR BATTERED WOMEN IN THE U.S.

DURING 3½ YEARS, THIS SHELTER HOUSED OVER 2,000 WOMEN AND CHILDREN. THAT IS HOPEFUL. THEY SAVED LIVES. WHAT IS SAD IS THAT THEY TURNED AWAY THREE TIMES THAT MANY FAMILY MEMBERS DURING THE SAME PERIOD. WHAT IS SAD IS THAT THERE ARE COUNTLESS MORE WOMEN, COUNTLESS MORE FAMILIES WHO WOULD COME FORTH IF THERE WERE SAFE PLACES FOR THEM. YOU WILL HEAR A FORMERLY BATTERED WIFE DESCRIBE THAT NEED IN PERSONAL TERMS AND HOW WOMEN'S ADVOCATES SHELTER WAS INDEED A HAVEN OF LOVE AND SUPPORT FOR HER.

WE HAVE BEFORE US S. 1728, WHICH I INTRODUCED WITH SENATOR KENNEDY, A COMPANION OF WHICH HAS BEEN INTRODUCED IN THE HOUSE OF REPRESENTATIVES BY REPRESENTATIVES NEWTON STEERS AND LINDY BOGGS.

THIS BILL WAS DESIGNED TO SUPPORT PROJECTS IN THE PREVENTION AND TREATMENT OF DOMESTIC VIOLENCE, CONCENTRATING ON FAMILY REHABILITATION AND SUPPORT, AS WELL AS ON EMERGENCY SHELTER FOR THREATENED FAMILY MEMBERS.

IT IDENTIFIED THE NEED FOR EXAMINATION OF EXISTING STATE DOMESTIC VIOLENCE LAWS AND PROGRAMS AND FOR COORDINATION OF FEDERAL, STATE AND LOCAL EFFORTS IN PREVENTION, IDENTIFICATION AND TREATMENT OF DOMESTIC VIOLENCE.

FINALLY, THE BILL, WHICH WOULD PROVIDE \$60 MILLION OVER A THREE-YEAR PERIOD, ADDRESSED THE NEED TO COMPLEMENT PREVIOUS AND ONGOING DOMESTIC VIOLENCE RESEARCH BY NATIONAL INSTITUTES OF MENTAL HEALTH, LAW ENFORCEMENT ASSISTANCE AGENCY AND OTHER FEDERAL AGENCIES.

THE RESPONSE TO THIS LEGISLATION HAS BEEN ENORMOUS. SINCE JUNE WHEN THE BILL WAS INTRODUCED, THE SPONSORS HAVE RECEIVED A TREMENDOUS AMOUNT OF VALUABLE, CONSTRUCTIVE ADVICE FROM PEOPLE WORKING TO PREVENT AND TREAT FAMILY VIOLENCE. IT HAS BEEN A SPECIAL PRIVILEGE TO WORK WITH THE SUBCOMMITTEE IN TRANSLATING THOSE IDEAS INTO EFFECTIVE, RESPONSIVE LEGISLATION TO HELP BATTERED WOMEN AND THEIR FAMILIES. AND I WAS PLEASED TO JOIN YOU AS A COSPONSOR OF THE NEW BILL NOW PENDING BEFORE THE SUBCOMMITTEE.

MIR. CHAIRMAN, I AM SURE WHEN THESE HEARINGS ARE DONE AND YOU HAVE HEARD THE TESTIMONY OF THE PEOPLE WHO HAVE BEEN THE VICTIMS OF DOMESTIC VIOLENCE AND THOSE WHO HAVE BEEN THE PIONEERS IN SOLVING THIS NATIONAL PROBLEM THAT YOU WILL MOVE FAVORABLY AHEAD.

I WANT TO CONCLUDE WITH ONE THOUGHT. DOMESTIC VIOLENCE IS LIKE A BAD GENE. ITS EFFECTS SHOW UP IN LATER GENERATIONS. CHILDREN ABUSED TODAY ARE THE PARENTS OF TOMORROW WHO ABUSE THEIR OWN CHILDREN. CHILDREN TODAY WHO WATCH A FATHER PUMMEL A MOTHER BECOME BULLIES IN THEIR OWN MARRIAGES. CLEARLY, NOT EVERY CHILD WHO IS ABUSED OR WITNESSES ABUSE WILL FOLLOW IN THE SAME PATH, BUT VIRTUALLY EVERYONE IN THE NEXT GENERATION WHO BECOMES AN ABUSER WILL BE ABLE TO LOOK BACK ON DOMESTIC VIOLENCE INVOLVING THEMSELVES. OUR INVESTMENT NOW PAYS OFF THIS YEAR AND NEXT, BUT IT IS ALSO AN INVESTMENT IN A HAPPIER GENERATION MANY YEARS FROM NOW.

Senator CRANSTON, Barbara. I would like to welcome you here and we are glad to hear what you have to say.

**STATEMENT OF HON. BARBARA A. MIKULSKI, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF MARYLAND**

Ms. MIKULSKI. Thank you, Senator Cranston and members of the committee and colleagues in Government.

I would like to thank you for taking such a vigorous advocacy position on this.

I am happy to be here and would like to submit a more detailed statement for the record and to highlight my experiences and recommendations for a response to family violence.

Senator Cranston, both the Boggs, Steers, and Mikulski bills will be heard—hearings will be held in the House next week, and hopefully, we too, will have a consensus position to move through the House of Representatives.

The issue of violence in our country is one that has concerned me greatly for a number of years, as a professionally trained social worker, as a Member of the U.S. Congress, and as a feminist.

In the House, I am a member of the Communications Subcommittee and I have spent a lot of time on the issue of violence on the television, and one of the things that emerged in our hearings, is that we know that for a little boy or girl being born this minute—by the time he or she is 18 years old, he or she will have witnessed several thousands of murders, countless acts of brutality, and he or she will have seen women portrayed particularly as victims, more, both quantitatively and qualitatively. Men may get a sock in the jaw in a TV cowboy series, whereas women are shown on TV as brutalized by rape, assault and a variety of other things.

What we have done through the television media alone, is to make violence a form of entertainment. We have even elevated violence to an art form, so that there is no wonder why currently in this country, there is a mood that "anything goes," when it comes to battering.

Second, I am a professionally trained social worker, who worked in the Baltimore community for more than 20 years before coming to Congress, both as a child welfare worker and as a neighborhood organizer. As a child welfare worker, I specialized in the area of child abuse and child neglect, and when we would go into the homes where children had been battered, burned, or beaten, we would also tend to see that the mother herself had also been brutalized; but the thinking at that time was to rescue the child and we felt that the mother would fend for herself. In many instances, the mother felt very guilty and did not even articulate her own problems. And I know that there will be other people who will speak to this.

But, one of the things we now see in my congressional office is that this issue has come to the fore, and it has become possible for women to talk about it, and to bring this out from the basement of the home, and out of the closet, where very often, women have been locked in. We have received calls—everything from the 17-year-old girl that got forced into a shotgun marriage, who now, in her third month of pregnancy is being regularly beaten and kicked in the belly by her husband, to a 72-year-old blind woman, who every time the social

security check comes, her husband goes out and buys whisky and ties her to a chair while he gets drunk and just continues to beat her and to abuse her, because she is blind and because she is old, there is no place for her to go.

So, these are the kinds of situations that came to my attention that encouraged me to introduce the Family Violence Prevention and Treatment Act.

That legislation had several components which I view essentially as discussion points. No. 1, what we saw was that the Federal agencies themselves, did not talk with each other. Senator Cranston, LEAA was running off and doing one thing; HEW was deciding what it could do, and through every agency, there was either a fragmented response, or they did not see how they could respond in a creative way.

So, I suggested that we have some type of national coordinating council at the White House level.

Second, there was a tremendous input to our various offices from groups who wanted to start programs, and one of the things that we found was that grassroots activists were in many ways "reinventing the wheel". There is no national clearinghouse where we can pool our resources, and determine the most effective ways to operate.

No. 3, we found out that very often, people did not know where to go for help, so we suggest a national hotline. But, most importantly, we found that we needed sources in local communities to capture the initiatives that grassroots people were organizing in this behalf. And very often, we saw the traditional institutions, once again, were aware of the problem, but that there were ordinary people who were organizing to start shelters or hotlines or whatever.

What we wanted to do was to encourage local initiative, and we came up with the idea of placing our program at ACTION to fund 1,000 community-based, stipended volunteers to provide active service for the initial phase, and No. 2, to do some very critical fund raising.

As I said, my legislation, in my mind, and I know that the Steers-Boggs bill, too, has been viewed this way—as we have introduced it, we received the same type of outpouring my colleagues in the Senate have, and essentially what has come to the fore is that we want to talk with women who have been battered themselves and other institutions and there seem to be six basic components that are needed.

One, I feel very strongly that there needs to be local planning of initiatives to this response, because No. 1, local communities need different types of responses. The type of program you might have in a barrio in south Texas would be very different than the program you would have in affluent Western suburbs or a very different type of program you might need in Boston, Mass.

I also think that there should be local control of the program, so that it can particularly respond to the changes in that community and to meet the needs of that community.

Second, I think that there needs to be startup grants. I think perhaps that this would be the greatest role for the Federal Government - No. 1, to provide startup grants, and No. 2 to provide technical assistance, again, for those grassroots groups that want to do something.

Grants are absolutely necessary for the seed money to begin programs, be they shelters or a shelter-foster-care-type program, or whatever.

I think technical assistance is also needed to begin to help train people at a local level to operate these programs.

Third, I think there also must be encouragement to eventuate the move toward economic self-sufficiency. I feel that Federal response alone will not be enough, and I think that one of the things we need to help grassroots and local groups to do is to find out how to raise money at a State level, to do fund raising in their own local communities, to go to foundations and unions and other types of possible sources of funding. I think the action by trained volunteers could be tremendously helpful in actually providing the technical assistance to move to economic self-sufficiency.

As I think we on Capitol Hill know, very often when an issue like this comes to the floor, very quickly after that, other priorities begin to push, push and very often what we do this year can be lost next year.

Fourth, I think there must be emphasis on public information. Everywhere I go, I find out that women found out about shelters and other opportunities to get help through some type of media announcement. I am a big believer that we need to encourage public service announcements, because this is where people see it. They hear it on the radio, they see it on the television, and then suddenly they know where they should go for help.

I want to emphasize that I also think that we do need that national clearinghouse, but not a repository, the way we tend to do sometimes in child abuse, and sometimes what we have done in rape programs. Very often, the federal government has been a great collector of information, but somehow or another, we view that information as historical archives that we tend to preserve for our own interest, and we tend to not use that clearinghouse for creative responses to share with other people.

And then, I think there needs to be coordination of Federal and national programs.

Some of the things I think we should not do is develop a program that has high administrative costs, restrictive Federal guidelines, reward agencies that have refused to deal with the problems in the past, and to provide lots of bucks for studying the victims and not helping the victims.

I think it is important to identify those programs that have worked and to share with each other.

But most importantly, I think what we need is to devise and to decide a program that really supports local grassroots initiative.

That, essentially, is the summary of my remarks, and I thank you for the opportunity of sharing my experience with you.

Senator CRANSTON. Thank you very much, Barbara.

We were very fortunate to hear your statement.

[The prepared statement of Ms. Mikulski follows:]

STATEMENT OF THE HON. BARBARA A. MIKULSKI
BEFORE THE SUBCOMMITTEE
CHILD AND HUMAN DEVELOPMENT
OF THE SENATE HUMAN RESOURCES COMMITTEE

SENATOR CRANSTON, MEMBERS OF THE COMMITTEE; FIRST, I WANT TO COMMEND YOU FOR HOLDING HEARINGS ON THE ISSUE OF FAMILY VIOLENCE AND I THANK YOU FOR ALLOWING ME TO TESTIFY.

THE ISSUE OF VIOLENCE IN OUR COUNTRY IS ONE THAT CONCERNS ME GREATLY. AS A MEMBER OF THE COMMUNICATIONS COMMITTEE, I HAVE SPENT A LOT OF TIME ON THE ISSUE OF VIOLENCE ON TELEVISION AND ITS IMPACT ON LIFE IN THE AMERICAN FAMILY. VIOLENCE ON TELEVISION HAS BECOME AN ART FORM AND ENTERTAINMENT; AND THIS CONCERNS ME.

BUT VIOLENCE HAS HAD AN IMPACT ON ME IN A MORE PERSONAL WAY. I AM A SOCIAL WORKER BY PROFESSION AND WORKED FOR 20 YEARS IN THE BALTIMORE COMMUNITY. I SAW WOMEN AND CHILDREN WHO HAD BEEN BEATEN, BURNED AND BATTERED. THROUGH MY EXPERIENCE AS A COMMUNITY WORKER, I KNOW THAT VIOLENCE HAS EXISTED IN THE AMERICAN HOME FOR A LONG TIME. IT IS ONLY RECENTLY THAT WE AS A SOCIETY HAVE BEEN WILLING TO ADMIT IT AND THUS ATTEMPT TO DEAL WITH THE PROBLEM. IN FACT IT WAS UNDER YOUR LEADERSHIP, SENATOR CRANSTON, THAT WE NOW HAVE A BILL TO DEAL WITH THE PROBLEM OF CHILD ABUSE.

I KNOW THAT YOU WILL HEAR FROM WITNESSES WHO WILL DOCUMENT THE LEVELS OF VIOLENCE IN THE HOME AND THE NEED FOR FEDERAL LEGISLATION. I WILL NOT TAKE UP YOUR TIME BY REITERATING THESE FACTS. TODAY, I WOULD LIKE TO SHARE WITH YOU WHAT I BELIEVE ARE THE KEY COMPONENTS FOR ANY BILL THAT DEALS WITH THE PROBLEMS OF DOMESTIC VIOLENCE.

IN SEPTEMBER, I INTRODUCED THE FAMILY VIOLENCE PREVENTION AND TREATMENT ACT. I HAVE SPOKEN TO BATTERED WOMEN, THE CRIMINAL JUSTICE AND OTHER COMMUNITY AGENCIES; THE PEOPLE WHO OPERATE THE HOTLINES AND SHELTERS. I VISITED THE HOUSE OF RUTH IN BALTIMORE. LIKE YOU, I HAVE REACHED OUT TO THE VICTIMS AND PROVIDERS OF SERVICE IN THE HOPES THAT THE BEST POSSIBLE FEDERAL LEGISLATION COULD BE DRAFTED. I ALWAYS SAW MY BILL AS A POINT TO BEGIN DISCUSSION.

BASED ON THESE CONVERSATIONS AND MY OWN PERSONAL EXPERTISE, THESE ARE MY SUGGESTIONS FOR THE BASIC COMPONENTS:

1. THERE MUST BE LOCAL CONTROL. MOST CREATIVE, INNOVATIVE AND EFFECTIVE IDEAS ORIGINATE IN THE COMMUNITY. ALL COMMUNITIES ARE DIFFERENT. THE BARIOS OF THE BROXN NEED A DIFFERENT PROGRAM THAN THE RURAL COMMUNITIES OF APPALACHIA OR THE AFFLUENT SUBURBS OF WASHINGTON, D. C. THE FEDERAL GOVERNMENT CAN AND SHOULD BE THE COORDINATOR, AND THE PROVIDER OF TECHNICAL ASSISTANCE AND FINANCIAL SUPPORT. BUT THE LEGISLATION SHOULD ALSO ENCOURAGE THE LOCAL COMMUNITIES TO GENERATE THE IDEAS.

2. THERE SHOULD BE START-UP GRANTS AND TECHNICAL ASSISTANCE. SMALL GRANTS ARE NECESSARY FOR THE SEED MONEY FOR COMMUNITIES TO BEGIN THEIR PROGRAMS. TECHNICAL ASSISTANCE, AS MY BILL SUGGESTS, COULD COME FROM VOLUNTEERS FROM THE COMMUNITY WHO HAVE BEEN TRAINED BY ACTION TO HELP THE COMMUNITY SET UP SHELTERS, HOTLINES, OR OTHER SUPPORT SERVICES.

3. THERE MUST BE ENCOURAGEMENT OF ECONOMIC SELF-SUFFICIENCY. I FEEL THAT IT IS ESSENTIAL THAT THE LEGISLATION CONTAINS MEASURES TO HELP PEOPLE IN THE COMMUNITY FIND OTHER MEANS THAN FEDERAL DOLLARS TO OPERATE THEIR PROGRAMS. STATE AND LOCAL MONEY, AS WELL, SUCH AS FOUNDATIONS, CORPORATIONS AND OTHER COMMUNITY AGENCIES, LIKE THE UNITED WAY, UNIONS AND CHURCH GROUPS, MUST GET INVOLVED. BECAUSE OF THE EFFORTS OF THE GRASSROOTS PEOPLE AND THE COVERAGE OF THE PRINT AND ELECTRONIC MEDIA, THE ISSUE OF FAMILY VIOLENCE HAS CAPTURED THE ATTENTION OF THE FEDERAL GOVERNMENT THIS YEAR. BUT I KNOW THAT INTEREST IN PROBLEMS SUCH AS THIS CAN GIVE WAY TO OTHER PRIORITIES. IF WE PASS LEGISLATION THIS YEAR, AND I AM CONFIDENT THAT WE WILL, THERE IS NO ASSURANCE THAT WE WILL BE ABLE TO GET THE PROGRAM REAUTHORIZED IN A FEW YEARS.

I SUGGEST THAT THE SAME ACTION TRAINED VOLUNTEERS WOULD TEACH THE PEOPLE IN THE COMMUNITY HOW TO BECOME ECONOMICALLY SELF-SUFFICIENT. ADVOCATE/VOLUNTEERS CAN TEACH PEOPLE HOW TO GET THROUGH THE BUREAUCRATIC RED-TAPE AT CITY HALL OR HOW TO GET AN APPOINTMENT WITH THE KEY OFFICIAL AT A CORPORATION. GRANTSMANSHIP IS A SKILL. THERE ARE

PEOPLE WHO KNOW HOW TO GET DOLLARS, BUT SO OFTEN THE ACTIVISTS IN THE COMMUNITY HAVEN'S LEARNED THAT SKILL. IT IS TIME THIS IS CHANGED. I THINK THAT THIS CONCEPT OF THE ADVOCATE/VOLUNTEER IS ESSENTIAL TO ANY BILL AND I HOPE THAT THE COMMITTEE WILL GIVE SERIOUS CONSIDERATION TO THIS PROPOSAL.

4. THERE MUST BE EMPHASIS ON PUBLIC INFORMATION. FIRST, THERE MUST BE A NATIONAL MEDIA CAMPAIGN TO INFORM WOMEN THAT THEY AREN'T ALONE IN BEING BATTERED AND THAT BATTERING IS NOT ACCEPTABLE BEHAVIOR. PRESENTLY MANY WOMEN FEEL SO ASHAMED AND ISOLATED THAT THEY DON'T KNOW WHERE TO TURN. IN ADDITION, MANY GREW UP IN HOMES WHERE THEIR FATHERS BATTERED THEIR MOTHERS--THEY DON'T REALIZE THAT THIS BEHAVIOR IS NOT NORMAL.

I WOULD LIKE TO HIGHLIGHT THE IMPORTANCE OF THE MEDIA AND IN PARTICULAR, PUBLIC SERVICE ANNOUNCEMENTS. MOST OF THE BATTERED WOMEN THAT I HAVE SPOKEN WITH FOUND OUT ABOUT SERVICES IN THEIR COMMUNITIES THROUGH RADIO AND TELEVISION SPOTS. THEY COULD

STILL BE IN THEIR HOMES, BEING BATTERED IF IT WEREN'T FOR THESE ANNOUNCEMENTS.

5. THERE SHOULD BE A NATIONAL CLEARINGHOUSE WHICH DISCOVERS WHICH PROGRAMS WORK EFFECTIVELY AND THEN SPREADS THE WORD THROUGHOUT THE COUNTRY. I DON'T WANT A CLEARINGHOUSE THAT IS MERELY 100 FILE CABINETS OF INFORMATION IN SOME FEDERAL BUILDING TO BE USED BY RESEARCHERS AND BUREAUCRATS. REGIONAL CLEARING HOUSES COULD FACILITATE THE PROCESS OF GETTING THE INFORMATION OUT TO THE COMMUNITIES.

6. THERE SHOULD BE COORDINATION OF THE FEDERAL PROGRAMS AT THE NATIONAL AND REGIONAL LEVEL. AN INTERAGENCY TASK FORCE COULD HELP AVOID PROGRAM OVERLAP, BUT MORE IMPORTANTLY ENCOURAGE EACH FEDERAL AGENCY TO DO ALL THAT IT CAN TOWARD SOLVING THE PROBLEM OF FAMILY VIOLENCE UNDER ITS AUTHORIZING LEGISLATION. WE CANNOT ALLOW OTHER FEDERAL AGENCIES TO BELIEVE THAT WE HAVE SOLVED THE PROBLEM OF FAMILY VIOLENCE BY PASSING A SINGLE PIECE OF LEGISLATION.

IN CONCLUSION, THESE ARE THE ESSENTIAL CONCEPTS THAT I WOULD LIKE TO SEE INCLUDED IN LEGISLATION DEALING WITH FAMILY VIOLENCE. I AM OPPOSED TO A PROGRAM THAT HAS HIGH ADMINISTRATIVE COSTS, THAT REWARDS AGENCIES THAT HAVE REFUSED TO DEAL WITH THE PROBLEM UP UNTIL NOW BY GIVING THEM HUGE SUMS OF MONEY, AND THAT SPENDS A LOT OF DOLLARS STUDYING THE VICTIM. I THINK THAT IT IS IMPORTANT TO IDENTIFY WHAT PROGRAMS WORK AND WHICH DO NOT, BUT THIS CAN BE ACCOMPLISHED BY REPORTS FROM ON-GOING PROGRAMS AND NOT BY RESEARCH DONE BY A THINK-TANK.

AGAIN, LET ME THANK YOU FOR THE OPPORTUNITY TO TESTIFY. IF YOU HAVE ANY QUESTIONS, I WOULD BE HAPPY TO ANSWER THEM FOR YOU.

Senator CRANSTON. Newton, we are delighted to have you here, also, and I appreciate and thank you for your work in this area.

**STATEMENT OF HON. NEWTON I. STEERS, JR., A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF MARYLAND**

Mr. STEERS. Mr. Chairman, I commend the subcommittee for its initiative in being the first legislative body in Congress to consider the problems of battered spouses. In particular, Senator Cranston, I am pleased to hear that you plan introduction of legislation addressing this problem.

I know that members of my staff and those from Congresswomen Mikulski, Boggs, and Senators Anderson and Kennedy have met with our staff and groups from around the country to discuss the role of Federal legislation in meeting the emerging problem of spouse abuse.

At one meeting here in the Senate, Feb. 1, 1978, our staffs were told by a new, informal national coalition of communities and shelters already providing services to battered spouses, that national legislation should include funding of shelters as its first priority. This priority is reflected in the legislation which Mrs. Boggs and I introduced on June 21, 1977—that is, H.R. 7927, the Domestic Violence Prevention and Treatment Act. This measure was drafted in conjunction with Senator Anderson and Senator Kennedy, and introduced in the Senate as S. 1728.

The funding emphasis of our measure is clear—60 percent of the funds appropriated must be used to fund demonstration grants to train service providers, law enforcement officials, emergency room hospital personnel, legal service workers, and other community groups to treat what is usually, and overwhelmingly the battered wife, but what is on occasion, the battered husband.

It would also be used to fund full service shelters which already exist in 44 States and Puerto Rico. The Center for Women Policy Studies, which is the recipient of an LEAA technical assistance grant, has gathered data, which shows some 177 shelters and 128 service programs across the country.

In the State of California, there are 23 shelters and 8 service programs. An analysis of shelter distribution across the country is attached to copies of my written statement.

The rest of the bill's funding, 40 percent, would be split between technical assistance, a national clearinghouse, the study of State laws, an evaluation component, and finally, research.

Since introduction of our bill, which was the first legislation to deal with the problem on the Federal level, I have received hundreds of responses with excellent suggestions for revision.

The most controversial part of our legislation is the location of this activity in the National Institute of Mental Health. Critics of the bill have pointed out that NIMH is primarily research-oriented, and that the service orientation of our bill would best be administered elsewhere. That is why both Mrs. Boggs and I have believed for some time, that the new Administration for Children, Youth, and Families within HEW, which also houses the child abuse pro-

gram, would be an appropriate agency to house the provisions of our bill.

With the reorganization in ACYF, it would appear that a separate division on spouse abuse could be set up parallel to the National Center on Child Abuse and Neglect.

In reviewing the child abuse program, it is apparent that a combination of State grant money and Federal demonstration funds have met both the need to provide development funds to States to get programs started, as well as the need to fund Federal model projects to test the best ways of treating the problem and identifying its dimensions.

I understand that a majority of projects funded by the child abuse program will either be funded again or will be picked up in full or in part, by other service agencies like local government funds, including general revenue sharing funds.

My staff has surveyed the funding sources of respondents to the Center for Women Policy Studies' questionnaire and found that some shelters are already using a combination of these funding sources. While private donations, including church groups and the United Way were cited as funding sources in 171 instances, CETA funds were cited in 77, LEAA in 31, county funds in 32, State funds in 17, general revenue sharing in 23, and title XX in five. Lists detailing this information are attached to copies of my statement.

The ultimate goal of Federal legislation should be to encourage and continue local efforts through some type of service or State grant money, and to provide practical knowledge about treatment and the scope of the problem based on service-oriented demonstration grants.

Leland Borgstren, director of the Family Support Services Division of the Fresno, Calif., Family Court, summed up the need for legislation in a letter to me, and I quote:

Regular funds are hard pressed by inflation and attitudes against the start-up of new services. Our best hope for a project is to fund it in the private sector, but until the public awareness, both to the problem of battering and the help possible on treating this social ill have been raised to a sufficient level, the private funds are not sufficient to meet this challenge.

That is the end of that quote.

The concept of demonstration grant money in H.R. 7927 and S. 1728 has been endorsed by the list of groups that is attached to copies of my written testimony.

Mr. Chairman, I am pleased to have this opportunity to discuss Federal legislation to aid battered spouses. I hope your subcommittee will report legislation to the committee and to the Senate floor in the near future.

I thank you.

Senator CRANSTON. Thank you very much.

We will report legislation very, very soon, both in the subcommittee and the full committee and on the Senate floor.

I thank each of you very much for being with us this morning and we are very grateful for your testimony.

I do not have any questions for you.

[The prepared statement of Mr. Steers follows.]

STATEMENT OF THE HONORABLE NEWTON I. STEERS, JR.
BEFORE THE
SUBCOMMITTEE ON CHILD AND HUMAN DEVELOPMENT
MARCH 8, 1977

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE, I COMMEND THE SUBCOMMITTEE FOR ITS INITIATIVE IN BEING THE FIRST LEGISLATIVE BODY IN CONGRESS TO CONSIDER THE PROBLEMS OF BATTERED SPOUSES. IN PARTICULAR, SENATOR CRANSTON, I AM PLEASED TO HEAR THAT YOU PLAN INTRODUCTION OF LEGISLATION ADDRESSING THIS PROBLEM.

I KNOW THAT MEMBERS OF MY STAFF AND THOSE FROM CONGRESSWOMEN MIKULSKI AND BOGGS AND SENATORS ANDERSON AND KENNEDY HAVE MET WITH SENATOR CRANSTON'S STAFF AND GROUPS FROM AROUND THE COUNTRY TO DISCUSS THE ROLE OF FEDERAL LEGISLATION IN MEETING THE EMERGING PROBLEM OF SPOUSE ABUSE. AT ONE MEETING HERE IN THE SENATE, FEBRUARY 1, 1978, OUR STAFFS WERE TOLD BY A NEW INFORMAL NATIONAL COALITION OF COMMUNITIES AND SHELTERS ALREADY PROVIDING SERVICES TO BATTERED SPOUSES THAT NATIONAL LEGISLATION SHOULD INCLUDE FUNDING OF SHELTERS AS ITS FIRST PRIORITY.

THIS PRIORITY IS REFLECTED IN THE LEGISLATION WHICH MRS. BOGGS AND I INTRODUCED ON JUNE 29, 1977, H.R. 7027, THE DOMESTIC VIOLENCE PREVENTION AND TREATMENT ACT. THIS MEASURE WAS DRAFTED IN CONJUNCTION WITH SENATOR ANDERSON AND SENATOR KENNEDY AND INTRODUCED IN THE SENATE AS S. 1728.

THE FUNDING EMPHASIS OF OUR MEASURE IS CLEAR. SIXTY PERCENT OF THE FUNDS APPROPRIATED MUST BE USED TO FUND DEMONSTRATION GRANTS TO TRAIN SERVICE PROVIDERS, LAW ENFORCEMENT OFFICIALS, EMERGENCY ROOM HOSPITAL PERSONNEL, LEGAL SERVICE LAWYERS, AND OTHER COMMUNITY GROUPS TO TREAT WHAT IS USUALLY AND OVERWHELMINGLY THE BATTERED WIFE, BUT WHAT IS ON OCCASION THE BATTERED HUSBAND. IT WOULD ALSO BE USED TO FUND FULL SERVICE SHELTERS WHICH ALREADY EXIST IN 40 STATES AND PUERTO RICO. THE CENTER FOR WOMEN POLICY STUDIES WHICH IS THE RECIPIENT OF AN LEAA TECHNICAL ASSISTANCE GRANT HAS GATHERED DATA

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WHICH SHOWS SOME 177 SHELTERS AND 123 SERVICE PROGRAMS (NOT PROVIDING EMERGENCY SHELTER) ACROSS THE COUNTRY. IN THE STATE OF CALIFORNIA, THERE ARE 23 SHELTERS AND EIGHT SERVICE PROGRAMS. AN ANALYSIS OF SHELTER DISTRIBUTION ACROSS THE COUNTRY IS ATTACHED TO COPIES OF MY WRITTEN STATEMENT.

THE REST OF THE BILL'S FUNDING -- 40% -- WOULD BE SPLIT BETWEEN TECHNICAL ASSISTANCE, A NATIONAL CLEARINGHOUSE, A STUDY OF STATE LAWS, AN EVALUATION COMPONENT AND FINALLY SOME RESEARCH.

SINCE INTRODUCTION OF OUR BILL -- WHICH WAS THE FIRST LEGISLATION TO DEAL WITH THE PROBLEM ON THE FEDERAL LEVEL -- I HAVE RECEIVED HUNDREDS OF RESPONSES WITH EXCELLENT SUGGESTIONS FOR REVISION. THE MOST CONTROVERSIAL PART OF OUR LEGISLATION IS THE LOCATION OF ITS ACTIVITY IN THE NATIONAL INSTITUTE OF MENTAL HEALTH (NIMH). CRITICS OF THE BILL HAVE POINTED OUT THAT NIMH IS PRIMARILY RESEARCH ORIENTED AND THAT THE SERVICE ORIENTATION OF OUR BILL WOULD BEST BE ADMINISTERED ELSEWHERE. THIS IS WHY BOTH MRS. DOGGS AND I HAVE BELIEVED FOR SOME TIME THAT THE NEW ADMINISTRATION FOR CHILDREN, YOUTH AND FAMILY (ACYF) WITHIN HHS, WHICH ALSO HOUSES THE CHILD ABUSE PROGRAM, WOULD BE THE MOST APPROPRIATE AGENCY TO HOUSE THE PROVISIONS OF OUR BILL.

WITH THE REORGANIZATION IN ACYF, IT WOULD APPEAR THAT A SEPARATE DIVISION ON SPOUSE ABUSE COULD BE SET UP PARALLEL TO THE NATIONAL CENTER ON CHILD ABUSE AND NEGLECT.

IN REVIEWING THE CHILD ABUSE PROGRAM, IT IS APPARENT THAT A COMBINATION OF STATE GRANT MONEY AND FEDERAL DEMONSTRATION FUNDS HAVE MET BOTH THE NEED TO PROVIDE DEVELOPMENT FUNDS TO STATES TO GET PROGRAMS STARTED, AS WELL AS THE NEED TO FUND FEDERAL MODEL PROJECTS, TO TEST THE BEST WAYS OF TREATING THE PROBLEM AND IDENTIFYING ITS DIMENSIONS.

I UNDERSTAND THAT A MAJORITY OF PROJECTS FUNDED BY THE CHILD ABUSE PROGRAM WILL EITHER BE FUNDED AGAIN OR WILL BE PICKED UP IN WHOLE OR IN PART BY OTHER SERVICE MONEY LIKE LOCAL GOVERNMENT FUNDS (INCLUDING GENERAL REVENUE-SHARING FUNDS).

MY STAFF HAS SURVEYED THE FUNDING SOURCES OF RESPONDENTS TO THE CENTER FOR WOMEN POLICY STUDIES QUESTIONNAIRE AND FOUND THAT SOME SHELTERS ARE ALREADY

(3)

USING A COMBINATION OF THOSE FUNDING SOURCES. WHILE PRIVATE DONATIONS INCLUDING CHURCH GROUPS AND THE UNITED WAY WERE CITED AS FUNDING SOURCES IN 171 INSTANCES, CETA FUNDS WERE CITED IN 77, LEAA IN 31, COUNTY FUNDS IN 22, STATE FUNDS IN 17, GENERAL REVENUE-SHARING IN 23 AND TITLE 20 IN 5. LISTS DETAILING THIS INFORMATION ARE ATTACHED TO COPIES OF MY STATEMENT.

THE ULTIMATE GOAL OF FEDERAL LEGISLATION SHOULD BE TO ENCOURAGE AND CONTINUE LOCAL EFFORTS THROUGH SOME TYPE OF SERVICE OR STATE GRANT MONEY AND TO PROVIDE PRACTICAL KNOWLEDGE ABOUT TREATMENT AND THE SCOPE OF THE PROBLEM BASED ON SERVICE-ORIENTED DEMONSTRATION GRANTS.

LELAND BERGSTRON, DIRECTOR OF THE FAMILY COURT SERVICES DIVISION OF THE FRESNO, CALIFORNIA, FAMILY COURT, SUMMED UP THE NEED FOR LEGISLATION IN A LETTER TO ME: "REGULAR FUNDS ARE HARD-PRESSED BY INFLATION AND ATTITUDES AGAINST THE START UP OF NEW SERVICES... OUR BEST HOPE FOR A PROJECT IS TO FUND IT IN THE PRIVATE SECTOR, BUT UNTIL THE PUBLIC AWARENESS BOTH TO THE PROBLEM OF BATTERING AND THE HELP POSSIBLE IN TREATING THIS SOCIAL ILL HAVE BEEN RAISED TO A SUFFICIENT LEVEL, THE PRIVATE FUNDS ARE NOT SUFFICIENT TO MEET THIS CHALLENGE."

THE CONCEPT OF DEMONSTRATION GRANT MONEY IN H.R. 7927 AND S. 1728 HAS BEEN ENDORSED BY THE LIST OF GROUPS THAT IS ATTACHED TO COPIES OF MY WRITTEN TESTIMONY.

MR. CHAIRMAN, I AM PLEASED TO HAVE THIS OPPORTUNITY TO DISCUSS FEDERAL LEGISLATION TO AID BATTERED SPOUSES. I HOPE YOUR SUBCOMMITTEE WILL REPORT LEGISLATION TO THE SENATE FLOOR IN THE NEAR FUTURE.

FUNDING SOURCES CITED BY
RESPONDENTS TO CENTER FOR
WOMEN POLICY STUDIES QUESTIONNAIRE

<u>Shelters</u>	<u>Instances Cited</u>
Private (including church groups and United Way)	116
CETA	50
LEAA's	15
GENERAL REVENUE SHARING	15
COUNTY	14
CITY	11
STATE	10
HOSPITAL	3
HUD	2
HUD- Community Development Block Grant	3
ACTION	1
VISTA -	1
COMMUNITY SERVICES ADMINISTRATION	1
TITLE XX	1
HEW (unspecified)	1
TITLE 1 OF HIGHER EDUCATION ACT	1
CLIENTS	1
NIMH	

FUNDING SOURCES CITED BY
RESPONDENTS TO CENTER FOR
WOMEN POLICY STUDIES QUESTIONNAIRE

<u>Service Programs Which Do Not Provide Housing</u>	<u>Instances Cited</u>
PRIVATE	55
SEPA	22
LEGAL SERVICES CORPORATION	13
LEAA	11
GENERAL REVENUE SHARING	8
COUNTY	8
STATE	7
TITLE XX	4
FEDERAL GRANT (unspecified)	3
CLIENTS	5
HUD - Community Development Block Grant	2
CITY	2
ACTION - Vista	1
U.S. ATTORNEY'S OFFICE (through Justice Department)	1
HEW (unspecified)	1
POLICE DEPARTMENT	1

NUMBER OF SHELTERS PER STATE
AS INDICATED BY INFORMATION
RECEIVED IN ANSWER TO A POSTCARD
QUESTIONNAIRE SENT BY THE
CENTER FOR WOMEN POLICY STUDIES

	<u>Shelters</u>	<u>Other Service Programs</u>
Arkansas	1	1
Alaska	1	0
Arizona	2	2
California	23	8
Colorado	7	1
Connecticut	3	4
District of Columbia	2	2
Delaware	3	0
Florida	6	4
Georgia	2	0
Illinois	7	3
Idaho	2	0
Indiana	0	3
Iowa	1	0
Kansas	2	3
Kentucky	3	2
Louisiana	1	0
Maine	1	1
Maryland	8	2
Massachusetts	7	8
Michigan	4	6
Missouri	2	5
Montana	3	2
Nebraska	4	4
New Jersey	5	4
New Mexico	2	0
New York	12	15
North Carolina	4	3
North Dakota	2	1
Ohio	8	2
Oklahoma	2	1
Oregon	5	11
Pennsylvania	9	1
Puerto Rico	1	0
Rhode Island	2	1
South Carolina	0	1
South Dakota	2	0
Tennessee	2	0
Texas	3	3
Utah	1	0
Vermont	2	0
Virginia	4	2
Washington	9	14
West Virginia	1	1
Wisconsin	6	8
	177	128

States: 44

+ Puerto Rico

ENDORSEMENTS OF THE DEMONSTRATION GRANT
CONCEPT OF H.R. 7927 and S. 1728

Representative Susan Catania, Chairwoman
Illinois Commission on the Status of Women

Jeremiah F. O'Connor, Freeholder-director
Board of Chosen Freeholders
Hackensack, N.J.

Linda Walton, Chairperson
Women's Law Caucus
University of Puget Sound School of Law

Renee Jones Weeks, President
Women's Division
National Bar Association

Kenneth Groot, Executive Secretary
American Federation of Television and Radio
Artists
New York, N.Y.

Barbara Methvin, Executive Director
Eastern Women's Center
New York, N.Y.

David Pryor, Governor
State of Arkansas

Wanda Jo Peltier, Chairperson
Governor's Commission on the Status
of Women
State of Oklahoma

Milton Klein, Director
State of Idaho
Department of Health and Welfare

Wilda Worley, Chairperson
Missouri Commission on the Status of
Women

Marilyn Crotty, Chairperson
Central Florida Commission on the
Status of Women

Catherine Nore, Chairperson
Jean OHara, Executive Director
Nebraska Commission on the Status of
Women

Gladys Stern, Legislative Chairman
Black Creek-Seymour Business and
Professional Club
Seymour, Wisconsin

Judy R. Potter, Director
Cumberland Legal Aid Clinic
Portland, Maine

Martha Black, Director
Respond, Inc.
Somerville, Massachusetts

ENDORSEMENTS OF THE DEMONSTRATION GRANT
CONCEPT OF H.R. 7927 and S. 1728

Arthur A. Link, Governor
State of North Dakota

Gretchen Crispello, Chairperson
Council on Status of Women
Auburn, California

Leland E. Bergstrom, Director
Family Court Services Division
Yreano County Family Court

Barbara Harr, Chairperson
State of Delaware
Commission on the Status of Women

Lynn Roper, Chair
Lincoln-Lancaster Commission
on the Status of Women

Mary Ann Rossi, Legislative Coordinator
State of Wisconsin
Governor's Commission on the Status of Women

Tasia Young, Executive Director
New Mexico Commission on the Status
of Women

Regina Mellon, Chairman
Hobart Area Task Force on Family Violence
Hobart, Indiana

Kathleen M. Fojtik,
District 14 Commissioner
Washtenaw County Michigan
Board of Commissioners

Deborah Rosenblatt, Director of Research
Commission on the Status of Women
Hackensack, New Jersey

Ruth Kruss, on behalf of the
Nebraska United Methodist Commission
on the Status and Role of Women
Lincoln, Nebraska

Harriet Miller, Executive Director
Fort Wayne Women's Bureau, Inc.
Fort Wayne, Indiana

Veronica Maz, Executive Director
House of Ruth
Washington, D.C.

Carol DeWesse, Director
YWCA Shelter for Women Victims of Violence
Fort Wayne, Indiana

Mary Link, Program Director
Family Crisis Shelter
Portland, Maine

18 Members of the Merrillville Federated Junior Women's Club
Munster, Indiana

SENATOR CRANSTON. We will now move on to the Honorable Wallace Barnett, State Senator from the State of Nebraska.

**STATEMENT OF HON. WALLACE BARNETT, SENATOR,
NEBRASKA STATE LEGISLATURE**

Mr. BARNETT. Well, Senator Cranston, I will tell you, if they had not put the "S" in front of this 457, I would have been here a long time ago, and then I found out it was not supposed to have an "S" anyway—so for a small country boy from back in Nebraska, it is confusing at times to get around here.

I did hand you the written testimony that I wanted to present, and having sat as a judiciary chairman, myself, I know what you have to go through and all the testimony you have to hear, so what I would like to do is point out some of the highlights in the testimony that I have prepared, and that way, probably save you some time and everything else.

I think that I am basically here to speak from the Nebraska State Legislature as the chairman of the judiciary committee, and to try to share with you some of the concerns that we have on the domestic violence and the spouse abuse area, and also to touch on maybe Nebraska's act that we have just passed off to general file on its way to select. And with that, what I will do is try to point out some of the more important parts of this testimony that I offered to the committee.

As far as we are concerned, spouse abuse is defined as "the recurring physical and/or mental abuse between spouses or persons living as spouses."

Current national statistics show that at least 10 percent of the women in the United States are regularly victims of extreme physical violence by their spouse or lover. Now recent articles have also brought to light the fact that women are not the only victims, and that males, too, are often the victims of physical violence. These offenses seem to be reported even less often than wife abuse, however, and active figures are almost impossible to obtain.

The Nebraska Commission on the Status of Women, acting as a State advocacy agency for women, got the ball rolling in Nebraska within about the last year or year and a half. As an outgrowth of the commission's concern and involvement, the domestic violence project was initiated. This project is housed and fostered by the commission and funded by a CETA grant. The domestic violence project is one of the first of its kind in the Nation and its purpose is threefold—to educate the community, to mobilize the community resources, and to collect statistical information.

I think that one thing that is important as far as we are concerned in the State of Nebraska, is that we have to bear in mind that some States in the Midwest and out West are in the rural areas, and the legislation should not be set up basically just for the bigger cities in the eastern part of the United States.

The domestic violence legislation was advanced just last week in Nebraska, as I have said, and the problem we have is that most Federal legislation is written with large urban areas in mind. Most

moneys are available to these large urban areas, that are much more sophisticated, having large networks of available social services. This is not the case in rural areas. Social services agencies are not easily accessible to the people as they are in urban areas. In some cases, they are nonexistent, making moneys near to impossible to receive. Much Federal legislation has made money unapplicable to our State, in particular.

Rural areas have special needs that broad legislation never begins to address. Nebraska has missed out on many moneys simply because the guidelines and requirements were only applicable to large urban areas. Therefore, we feel that legislation dealing with this issue, and providing moneys and services must reflect the special needs of rural States.

There must be fewer restrictions and requirements for qualifying for Federal money. This must be flexible enough so as not to overlook predominantly rural States. Money should be allowed to go into the rural communities to assist in initiating new programs of medical aid, housing services, transportation programs, et cetera. When these small communities do not have such programs available, this would allow the State agencies to set up services to coincide with other existing State agencies and State services.

The criteria set forth by the Federal agencies usually has such strict guidelines that it is impossible for smaller, rural towns, without adequate social services, to apply for Federal aid. We also realize you have to have guidelines. We feel that sometimes the guidelines should be set up in more general terms.

Our bill that we just passed—or that we just sent on down the road to be passed, which I have great confidence that it will be, deals with the four things that we think are main and most important: Domestic violence shelters, mandatory reporting systems, arrest powers of law enforcement officers, and to simplify the citizen arrest procedures, to permit the arrest without detention of the suspect.

The basic idea behind our legislation is to keep the family together. As additional hearings were held across the State, one fact that was repeated over and over again to the committee, was that the battered spouse needed a place away from the home, where he or she could go and be safe from the abuser.

After reviewing the testimony for these hearings, and estimating cost for shelter facilities, it was determined that a statewide shelter program would not be feasible at the present time. It was further concluded that the department of public welfare would be the most logical agency to manage this program.

The resulting bill that we have, and the help that we want from your piece of legislation, Senator Cranston, would be to try to remember that not all States are like the heavily populated areas in the East, and that we do have rural areas and smaller communities in the Midwest, which have a great deal of problems also.

We do not expect to handle the problem in Nebraska with this piece of legislation, but we are crawling before we are starting to walk. It is the first step, and we are going to look forward to receiving help from you and your colleagues in your legislation.

And with that, I am very honored to be here and to be a part of this hearing and a part of the record, and the State of Nebraska is proud to be one of the leaders in this area—in the domestic violence section.

I did also include in the testimony that I handed out to you, a copy of the piece of legislation that Nebraska has, and also a short synopsis of that for anybody who is interested in.

Thank you, and if there are any questions, Senator Cranston, I will be more than happy to answer them.

Senator CRANSTON. Thank you very, very much.

I assure you, we will pay full attention to the particular problems of rural areas.

I appreciate your testimony very much.

I do not have questions, but we would like some comments on the bill, and we will send it to you for that purpose.

Mr. BARNETT. Thank you very much, Senator Cranston.

[The information subsequently supplied follows:]

Nebraska State Legislature

Unicameral
Lincoln, Nebraska 68509

SENATOR WALLY BARNETT, JR

District No. 26
6201 Francis
Lincoln, Nebraska 68505



COMMITTEES

Chairman, Judiciary
Chairman, Law Enforcement & Public Safety
Chairman, Health Resources & Hospital
Chairman, Labor

EIGHTY FIFTH LEGISLATURE

March 8, 1978

Members of the Committee, I am Senator Wally Barnett, Chairman of the Judiciary Committee, of the Nebraska State Legislature. It is my pleasure to appear before you to speak about a piece of legislation which I feel is crucial to the people of Nebraska and, in fact, crucial to all the people across our nation.

Spouse abuse had been occurring since the ceremony of marriage was initiated. English law treated the wife as a chattel of the husband, she was prohibited from owning land, could not vote, et cetera, and consequently, like the master's dog, could be beaten. It is the opinion of many people today that these feudal teachings are perpetuated into today's society and are the true root of the problem.

Spouse abuse is defined as the recurring physical and/or mental abuse between spouses or persons living as spouses. Current national statistics show that at least ten percent of the women in the United States are regularly victims of extreme physical violence by their spouse or lover. In other words, with the married population of 47.5 million couples, there may be 4.7 million badly battered women in the United States today. Many feel this figure is very conservative and place the estimate as high as 95 percent. Recent news articles have also brought to light the fact that women are not the only victims and that males too are often the victims of physical violence. These offenses seem to be reported even less often than wife abuse, however, and accurate figures are impossible to obtain.

The Nebraska Commission on the Status of Women (NCSW), as a state advocacy agency for women, got the ball rolling in Nebraska. Spouse abuse is a relatively new issue for the Commission. In 1975, NCSW began their participation on the

Nebraska Task Force on Abused Women. In 1976, the Task Force asked for the Commission's support to publish a monthly newsletter. To investigate the problems, issues, and implications of spouse abuse, the NCSW specifically established the Women in Crisis to deal directly with the problem. Shirley Meckel, Chair, was instrumental not only in increasing the education and awareness of the Commission but the surrounding areas of her community, Burwell, a rural town in midwest Nebraska. Through Shirley's efforts, the severity and number of victims in rural Nebraska were brought to the altar of the people of Nebraska. As a result, a network of concerned volunteers involved in domestic violence was developed. Through the support of the Commission's administration, of the Nebraska Task Force on Domestic Violence, the Task Force itself, the NCSW, and Women in Crisis, development of the Domestic Violence Project was promoted.

As an outgrowth of the Commission's concern and involvement, the Domestic Violence Project was initiated. The project is housed and sponsored by the Commission and funded by a CETA grant. This Domestic Violence Project is one of the first of its kind in the nation. Its purpose is threefold:

1. To educate the community to the crime of spouse abuse by presenting the medical, legal, and sociological factors of the abusive situation.
2. To mobilize community resources by developing and coordinating the formation of new local task forces on domestic violence to provide services for victims, develop local community programs, and serve as a resource/referral group.
3. To collect statistical information of the occurrence of spouse abuse and publish a guide on the legal rights of battered women and men.

The state has been divided into four geographical regions, each of which has a Regional Advisor whose function is to consult and advise interested community members, to assist with the organization of new Task Forces, and to serve as a resource on services for local communities.

The Project also took a very active part in the drafting of the Domestic Abuse legislation which was just advanced by the Nebraska Legislature on March 2nd.

Most Federal legislation is written with large urban areas in mind. Most monies are available to these large urban

areas that are much more sophisticated, having large networks of available social services. This is not the case in rural areas. Social service agencies are not easily accessible to people, as they are in urban areas, and in some cases they are nonexistent--making monies near to impossible to receive, and much Federal legislation and money unapplicable. Rural areas have special needs that broad legislation never begins to address. Nebraska has missed out on many monies simply because the guidelines and requirements were only applicable to large urban areas.

Therefore, we feel legislation dealing with this issue in providing monies and services must reflect the special needs of rural states. There must be fewer restrictions and requirements for qualifying for Federal monies. This must be flexible enough so as not to overlook predominately rural states. Monies should be allowed to flow into the rural communities to assist in initiating new programs of medical aid, housing services, transportation programs, et cetera when these small communities do not have such programs available. This would allow the state agencies to set up services to coincide with other existing state services. The criteria set forth by the Federal agencies usually has such strict guidelines that it is impossible for smaller rural towns without adequate social services to apply for Federal aid. We realize that you have to have guidelines but we do not feel that the guidelines set up for the large urban cities are applicable for our rural communities, especially when you note that Nebraska is two-thirds rural and one-third urban in area density.

Legislative Bill 623, dealing with domestic violence, was introduced in the Nebraska Legislature this year and was the outgrowth of a legislative interim study. Part of the study involved statewide public hearings which were heavily attended. Although those who testified at the hearings admitted that there was no one solution to the problem, they did offer suggestions or alternatives for the Legislature to consider. Among them: (1) Domestic violence shelters to provide temporary safety and support for the victim and the dependents of the family; (2) Mandatory reporting system to keep accurate records of abuse; (3) Arrest powers of law enforcement officers could be broader to encompass misdemeanor assault and battery not committed in their presence; (4) Simplify citizen arrest procedures to permit the arrest without detention of the suspect; and strict enforcement against those who violate protective orders.

As additional hearings were held across the state, the one fact that was repeated over and over again to the Committee was that the battered spouse needed a place away from the home where he or she could go and be safe from the abuser. Counseling for both the abused and the victim was also urged as was broader power vested in law enforcement officers so that proper arrests could be made in domestic violence situations.

After reviewing the testimony from these hearings and estimating costs for shelter facilities, it was determined that a statewide shelter program would not be feasible at the present time. It was further concluded that the Department of Public Welfare would be the most logical agency to manage such a program. They have statewide capability, they have doctors and counselors who could consult with both the abused and the abuser, and they have people in every county who could find temporary shelter for the abused, and other family members when contacted.

The resulting bill proposes that the Department of Public Welfare become involved in domestic violence and mandates that this department provide emergency and longer term services for abusers, victims, and their families. The philosophy behind the legislation is that interspousal violence affects each member of the family and therefore needs to be dealt with as such--providing services to all who are involved and affected--children, victim, and abuser.

Major points of emphasis in the bill are temporary emergency services (including intake and referral services, twenty-four hour transportation, medical care, legal assistance, crisis counseling, financial assistance, and temporary housing); longer term services (including counseling, relocation, financial assistance, employment, legal assistance, advocacy and services for children, i.e. day care, counseling and education), and protection through the courts and law enforcement agencies. Judicial relief could be obtained by applying for temporary restraining orders outside of any other action. These ex parte restraining orders could be granted for up to five days without a further hearing. Specific sections relating to law enforcement agencies provide that these agencies have officers who are specially trained in domestic violence.

CONCLUSION:

Certainly, this initial bill in Nebraska will not provide a complete answer to the problem, but through its implementation we hope we will discover how to make the services more efficient, and discover which problems need more attention. On the whole, we feel the bill is very broad in scope, dealing not only with victims but with the family as a whole. Perhaps, by dealing with all the family members, a certain amount of prevention can be achieved, prevention of the "generational virus". Hopefully, then the age old perpetuation of spouse abuse will be brought to an end.

AMENDMENTS TO LB 623

2 1. Strike the original sections and insert the
3 following:

4 "Section 1. This act shall be known and may be
5 cited as the Protection From Domestic Abuse Act.

6 Sec. 2. The Legislature hereby finds and
7 declares that there is a present and growing need to
8 develop services which will lessen and reduce the trauma
9 of domestic abuse. It is the intent of this act to
10 provide abused family and household members necessary
11 services including shelter, counseling, social services,
12 and limited medical care and legal assistance.

13 Sec. 3. As used in this act, unless the context
14 otherwise requires:

15 (1) Abuse shall mean the occurrence of one or
16 more of the following acts between spouses, persons
17 living as spouses, or adult members of the same
18 household:

19 (a) Attempting to cause or intentionally,
20 knowingly, or recklessly causing bodily injury or serious
21 bodily injury with or without a deadly weapon; or

22 (b) Placing by physical menace another in fear of
23 imminent serious bodily injury;

24 (2) Department shall mean the Department of
25 Public Welfare;

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1 (3) Family shall mean spouses, persons living as
2 spouses, and children;

3 (4) Household members shall mean persons related
4 to a person subjected to domestic abuse by blood or
5 marriage; and

6 (5) Law enforcement agency shall mean the police
7 department or town marshal in incorporated municipalities
8 and the office of the sheriff in unincorporated areas.

9 Sec. 4. The department shall establish and
10 maintain comprehensive support services to aid victims of
11 domestic abuse and to provide prevention and treatment
12 programs to aid victims of domestic abuse, their
13 families, and abusers.

14 Sec. 5. The comprehensive support services
15 shall include but not be limited to:

16 (1) Emergency services for victims of abuse and
17 their families;

18 (2) Support programs that meet specific needs of
19 victims of abuse and their families;

20 (3) Education, counseling, and supportive
21 programs for the abuser; and

22 (4) Programs to aid in the prevention and
23 elimination of domestic violence which shall include
24 education and public awareness.

25 Sec. 6. The department shall provide the
26 support services as provided in section 5 of this act to
27 any person who seeks such services.

1 7. The Department shall provide emergency
2 services which shall consist of up to twenty-four hours
3 of crisis intervention services including:

- 4 (1) Constant telephone availability to victims;
- 5 (2) Immediate transportation from a victim's home
6 or other location to a hospital or a place of safety;
- 7 (3) Immediate medical services or first aid;
- 8 (4) Emergency legal counseling;
- 9 (5) Crisis counseling to provide support and
10 assurance of safety;
- 11 (6) Emergency financial aid;
- 12 (7) Safe living environments that will provide a
13 safe, nonthreatening shelter to victims, their
14 immediate household members.

15 8. The department shall, as soon as
16 possible after initial contact with the victim, determine
17 through diagnostic assessment which programs are needed
18 or desired by the victim and family members. The
19 department shall make appropriate referral and conduct
20 appropriate followup.

21 9. The department shall, in addition to
22 the emergency services, provide support services as
23 needed to a victim of domestic abuse for up to thirty
24 days. The support services shall be problem oriented and
25 formulate a plan of action for the victim. Such services
26 may include relocation, financial security, employment,
27 legal assistance, advocacy, assertiveness training.

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1 substance abuse counseling, and alternatives to returning
2 to the abuser. Also, the department shall provide
3 services for children including day care, education, and
4 counseling.

5 Sec. 10. The department shall provide services
6 for children which may include:

7 (1) Emergency services which provide housing,
8 food, clothing, and transportation to school;

9 (2) Counseling for trauma which occurs when
10 children witness or experience family violence;

11 (3) Programs which provide for the appropriate
12 educational needs of the individual child; and

13 (4) Services for child care in the necessary
14 absence of the victim parent.

15 Sec. 11. The department shall provide complete
16 resource information for victims and their families on
17 legal, medical, financial, vocational, welfare, child
18 care, housing, and other support services.

19 Sec. 12. The department shall develop a means
20 of client feedback and collect statistical data to assist
21 it in evaluating program effectiveness.

22 Sec. 13. The department shall provide such
23 programs and services as it deems appropriate for the
24 person who commits domestic abuse.

25 Sec. 14. The department shall develop, in
26 cooperation with the Department of Education, a
27 kindergarten through post-secondary educational

1 curriculum relating to domestic violence.

2 Sec. 15. The department shall assist in
3 developing community support systems for families to aid
4 in the detour of any family crisis situations.

5 Sec. 16. The department shall provide a family
6 program, especially for children, to prevent the
7 generational continuation of abuse within the family.

8 Sec. 17. The delivery of all services provided
9 for under this act shall be done in cooperation with
10 existing state and local programs whenever possible to
11 avoid duplication of services. Special effort shall be
12 taken to coordinate programs with the Department of
13 Labor, the Nebraska Commission on the Status of Women,
14 the Department of Education, the Nebraska Division on
15 Alcoholism, the Department of Health, the Department of
16 Public Institutions, and other appropriate agencies.

17 Sec. 18. Under this act, strict confidence
18 shall be observed in all contact with victims of spouse
19 abuse and their families. Any record, report, or files
20 maintained by the department pursuant to this act shall
21 be confidential, except that the department may release
22 statistical information, while not revealing names.
23 Violation of this section shall be a Class V misdemeanor.

24 Sec. 19. All programs under this act shall be
25 separate and administered independent of any welfare
26 assistance program.

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1 Sec. 20. The department may construct, lease,
2 purchase, purchase on contract, utilize vendor payment,
3 and contract for services connected with the operation of
4 this act as needs and interest demand.

5 Sec. 21. The department may accept gifts,
6 grants, devises, and bequests of real and personal
7 property from public or private sources to carry out the
8 purposes of this act. The department may sell, lease,
9 exchange, invest, or expend such gifts, grants, devises,
10 and bequests or the proceeds, rents, profits, and income
11 therefrom according to the terms and conditions thereof.

12 Sec. 22. The department shall adopt and
13 promulgate such rules and regulations and perform all
14 other acts as may be necessary or appropriate to carry
15 out this act. Such rules and regulations shall include
16 but not be limited to rules and regulations relating to
17 fees charged, training of personnel, and administration
18 of the program.

19 Sec. 23. The department shall determine the
20 ability of the spouses or individuals to pay for services
21 but shall not charge more than the actual cost. The
22 department shall prepare and adopt a uniform fee schedule
23 to be used. The scheduled fees may be reduced or waived
24 by authorization of the department according to the rules
25 of the department and as may be considered necessary to
26 further the objective of this act. The use of facilities
27 and services established by this act shall not be denied

1 residents of Nebraska because of inability to pay
2 scheduled fees. Any fees received under this section
3 shall be deposited in the General Fund.

4 Sec. 24. Any victim of domestic abuse may file
5 an application and affidavit in support of such abuse
6 with a judge of a district court or a conciliation
7 court. Upon the filing of such an application and
8 affidavit in support thereof, the judge or court may
9 issue a temporary restraining order without bond
10 enjoining the adverse party from (1) imposing any
11 restraint upon the person or liberty of the applicant;
12 (2) from threatening, assaulting, molesting, attacking,
13 or otherwise disturbing the peace of the applicant; or
14 (3) from entering the family dwelling of the dwelling of
15 the applicant upon a showing that physical or emotional
16 harm would otherwise result.

17 Sec. 25. Any order issued under section 24 of
18 this act may be issued ex parte, if the circumstances of
19 the case demand it, or the court or judge may cause
20 immediate notice of the application to be given to the
21 adverse party, that he or she may show cause not less
22 than five days after service upon him or her, why such
23 order should not be pursued, but no temporary restraining
24 order shall be granted without notice to the adverse
25 party unless it reasonably appears from the specific
26 facts shown by affidavit of the applicant that
27 irreparable harm, loss, or damage will result before the

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1 matter can be heard on notice. If such order is issued
2 without notice to the adverse party, the court shall
3 cause immediate notice of the application to be given the
4 adverse party, that he or she may show cause, not less
5 than five days after service upon him or her, why such
6 order should not remain in effect.

7 Sec. 26. Upon the issuance of any temporary
8 restraining order under this act, the clerk of the court
9 shall provide the applicant, without charge, with two
10 certified copies of such order.

11 Sec. 27. All law enforcement agencies in the
12 state shall provide officers employed by them with an
13 education and training program designed to inform the
14 officers of the problem of domestic abuse, procedures to
15 deal with such problems, the provisions of this act, and
16 the services and facilities available to abusee, family
17 and household members.

18 Section 28. That section 29-2219, Revised
19 Revised Statutes of Nebraska, 1943, be amended to read as
20 follows:

21 29-2219. (1) A municipal court may suspend
22 sentence, place a defendant on probation and determine
23 the conditions and period of probation, which period
24 shall not exceed, in the case of any defendant convicted
25 of an offense less than a felony, two years.

26 (2) Except as provided in subsection (1) of this
27 section, the The conditions of probation, as referred to

1 in subsection (1) of this section, shall be such as the
2 court shall in its discretion prescribe. Such
3 probationary conditions may include, among other
4 conditions, any or several of the following: That the
5 probationer shall: (a) indulge in no unlawful,
6 disorderly, injurious, or vicious habits; (b) avoid
7 places or persons of disreputable or harmful character;
8 (c) report to the probation officer as directed by the
9 court or probation officer; (d) permit the probation
10 officer to visit him in a reasonable manner at his place
11 of abode or elsewhere; (e) answer any reasonable
12 inquiries of the part of the probation officer concerning
13 his conduct or condition; (f) work faithfully at suitable
14 employment; (g) remain or reside within a specified place
15 or locality; (h) abstain from the use of alcoholic
16 beverages if the use of the same contributed to his
17 offense; (i) pay in one or several sums a fine imposed at
18 the time of being placed on probation; (j) make
19 reparation or restitution to the aggrieved parties for
20 actual damage or losses caused by his offense; and (k)
21 support his wife or children.

22 (3) The court or a magistrate thereof may (a)
23 modify the conditions and the period of probation
24 referred to in subsections (1) and (2) of this section,
25 (b) in case of the violation of such probationary
26 conditions, upon motion and showing by affidavit of the
27 prosecuting attorney, issue a warrant for the arrest of

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1 the probationer, (c) at any time discharge the
2 probationer, and (d) in case of the violation of such
3 probationary conditions, impose any penalty which it
4 might have imposed before placing the defendant on
5 probation; Provided, if committed, he be committed to an
6 institution authorized by law to receive commitments.

7 (4) If a probationer without permission
8 disappears, or departs from the jurisdiction of the
9 court, the time during which he keeps his whereabouts
10 hidden or remains away from the jurisdiction of the court
11 may be added to the original period of probation provided
12 for by subsection (1) of this section.

13 (5) In all cases in which the offender is guilty
14 of assault or battery and the victim is the offender's
15 spouse a condition of probation shall be mandatory
16 counseling as provided by this act.

17 Sec. 9. That section 29-2262, Reissue Revised
18 Statutes of Nebraska, 1943, be amended to read as
19 follows:

20 29-2262. (1) When a court sentences an offender
21 to probation, it shall attach such reasonable conditions
22 as it deems necessary or likely to insure that the
23 offender will lead a law-abiding life.

24 (2) The court, as a condition of its sentence,
25 may require the offender:

26 (a) To refrain from unlawful conduct;

1 (b) To be confined periodically in the county
2 jail or to return to custody after specified hours, but
3 not to exceed ninety days;

4 (c) To meet his family responsibilities;

5 (d) To devote himself to a specific employment or
6 occupation;

7 (e) To undergo medical or psychiatric treatment
8 and to enter and remain in a specified institution for
9 that purpose;

10 (f) To pursue a prescribed secular course of
11 study or vocational training;

12 (g) To attend or reside in a facility established
13 for the instruction, recreation or residence of persons
14 on probation;

15 (h) To refrain from frequenting unlawful or
16 disreputable places or consorting with disreputable
17 persons;

18 (i) To have in his possession no firearm or other
19 dangerous weapon unless granted written permission;

20 (j) To make restitution of the fruits of his
21 crime or to make such reparation as the court determines
22 to be appropriate for the loss or damage caused thereby;

23 (k) To remain within the jurisdiction of the
24 court and to notify the court or the probation officer of
25 any change in his address or his employment;

26 (l) To report as directed to the court or a
27 probation officer and to permit the officer to visit his

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1 home;

2 (a) To pay a fine in one or more payments, as
3 ordered;

4 (a) To pay for blood, urine, or breath alcohol
5 tests, psychological evaluations, and rehabilitative
6 services required in the identification, evaluation, and
7 treatment of offenders if such offender has the financial
8 ability to pay for such services; or

9 (c) To satisfy any other conditions reasonably
10 related to the rehabilitation of the offender.

11 (3) In all cases in which the offender is guilty
12 of assault or battery and the victim is the offender's
13 spouse a condition of probation shall be mandatory
14 counseling as provided by this act.

15 Sec. 30. This act shall become operative on
16 July 1, 1978.

17 Sec. 31. That original sections 29-2219 and
18 29-2222, Reissue Revised Statutes of Nebraska, 1943, are
19 repealed.

20 Sec. 32. Since in emergency exists, this act
21 shall be in full force and take effect, from and after
22 its passage and approval, according to law."

LEGISLATIVE BILL

INTRODUCED IN THE SENATE

JANUARY 1964

Legislative Bill 623

INTRODUCED BY JOINTLY COMMITTEE, SULLIVAN, JR., CHAIR;
 CHURCH, 2; STONEY, 3; MONTGOMERY, 4; WAGNER,
 5; MURPHY, 6; WOOD, 7

REAL FIRST TIME JANUARY 4, 1964

COMMITTEE: JUDICIARY

A BILL

FOR AN ACT TO ENACT THE PROTECTION FROM DOMESTIC ABUSE
 ACT; TO PROVIDE PENALTIES; TO AMEND SECTIONS
 20-221 AND 20-222, MISSISSIPPI REVISION STATUTES,
 OF 1956, 1957, RELATIVE TO PROBATION; TO
 REPEAL SECTION 20-223 AS A CONDITION OF PROBATION
 FOR CERTAIN OFFENSES AS PRESCRIBED; TO PROVIDE
 AN APPELLATIVE RATE; TO REPEAL THE ORIGINAL
 SECTIONS; AND TO DECLARE IT EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF MISSISSIPPI,

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1 Section 1. This act shall be known and may be
 2 cited as the Protection From Domestic Abuse Act.

3 Sec. 2. The Legislature hereby finds and
 4 declares that there is a present and growing need to
 5 develop services which will lessen and reduce the trauma
 6 of domestic abuse. It is the intent of this act to
 7 provide abused family and household members necessary
 8 services including shelter, counseling, social services,
 9 and limited medical care and legal assistance.

10 Sec. 3. As used in this act, unless the context
 11 otherwise requires:

12 (1) Abuse shall mean the occurrence of one or
 13 more of the following acts between spouses, persons
 14 living as spouses, or adult members of the same
 15 household:

16 (a) Attempting to or causing, either intentionally,
 17 knowingly, or recklessly causing bodily injury or serious
 18 bodily injury with or without a deadly weapon; or

19 (b) Placing by physical menace another in fear of
 20 imminent serious bodily injury;

21 (2) Department shall mean the Department of
 22 Public Welfare;

23 (3) Family shall mean spouses, persons living as
 24 spouses, and children;

25 (4) Household members shall mean persons related
 26 to a person subjected to domestic abuse by blood or
 27 marriage; and

1 Police enforcement agency shall be the police
 2 department of town parish in incorporated municipalities
 3 and the office of the sheriff in unincorporated areas.

4 Sec. 4. The department shall establish and
 5 maintain comprehensive support services to aid victims of
 6 domestic abuse and to provide long term prevention and
 7 treatment programs to aid victims of domestic abuse,
 8 their families, and abusers.

9 Sec. 5. The department shall:

10 (1) Provide a comprehensive program for victims
 11 of spouse abuse and their families who need emergency
 12 services;

13 (2) Develop a long range program that meets
 14 specific needs of abused women and their families;

15 (3) Provide educational, counseling, and
 16 supportive services for the institution;

17 (4) Provide a comprehensive long term prevention
 18 program for the elimination of domestic violence which
 19 shall include education and research for both public and
 20 private sectors.

21 Sec. 6. The department shall provide the
 22 support services as provided in sections 1 to 3 of this
 23 act to any person who seeks such services.

24 Sec. 7. The department shall provide emergency
 25 services which shall consist of up to seventy-two hours
 26 of crisis intervention services including:

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1 (1) A toll-free hotline from twenty-four hours a
 2 day available to all victims and potential victims of
 3 spouse abuse, to provide constant access and intake to
 4 services;

5 (2) An emergency transportation system available
 6 twenty-four hours a day which provides immediate
 7 transportation from a victim's home or other location to
 8 a hospital or a place of safety that provides an
 9 emotionally supportive environment;

10 (3) Immediate medical services or first aid
 11 administered by certified persons with additional
 12 professional care if needed;

13 (4) Emergency legal counseling;

14 (5) Crisis counseling immediately available to
 15 provide support and assurance of safety during the
 16 initial crisis;

17 (6) Emergency financial aid available
 18 immediately; and

19 (7) Housing shelters, group homes, or other safe
 20 living environments that provide a supportive,
 21 nonthreatening environment to victims, their children,
 22 and other victimized family and household members.

23 Sec. 3. The department shall, as soon as
 24 possible after initial contact with the victim, determine
 25 which programs are needed or desired by the victim and
 26 family members. The department shall make appropriate
 27 referral and conduct appropriate followup, if necessary

1 the diagnostic assessment shall be ongoing.

2 Sec. 9. The department shall provide followup
3 services to the emergency services provided pursuant to
4 section 7 of this act which shall consist of:

5 (1) A plan which shall be developed incorporating
6 existing services to provide ongoing support programs to
7 include relocation, financial security and advocacy for
8 victims of domestic violence; and

9 (2) A means of client feedback shall be developed
10 to assist in evaluating program effectiveness.

11 Sec. 10. The department shall establish and
12 maintain a program of advocates where none exists to
13 assist victims of spouse abuse on a one-to-one basis.

14 Existing advocate programs shall be utilized and
15 maintained where available.

16 Sec. 11. The department shall provide services
17 in addition to the emergency services provided under this
18 act which shall be available to a victim of domestic
19 abuse for up to thirty days. The services shall include
20 the services provided in sections 12 to 18 of this act.

21 Sec. 12. The department shall provide
22 diagnostic assessment as provided in section 3 of this
23 act.

24 Sec. 13. The department shall provide crisis
25 counseling which shall be problem oriented support to
26 formulate a plan of action. Counseling should be a
27 process of a search rather than an offering of an

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1 immediately derived solution. Alternatives as provided
 2 in section 14 of this act, and the implications and
 3 ramifications of each alternative should be considered.

4 Sec. 14. Alternatives considered pursuant to
 5 section 13 of this act shall include: (1) consequences
 6 of staying with the abuser; (2) leaving the abuser; (3)
 7 seeking professional counseling for the abuser, the
 8 family, and the victim; (4) enlisting the deterrent
 9 powers of the county attorney; (5) pressing criminal
 10 charges with the immediate issuance of a warrant; (6)
 11 seeking civil actions and remedies such as peace bonds,
 12 divorce, separation, and committal processes; (7)
 13 noncriminal remedies; and (8) other alternatives.

14 Sec. 15. The department shall provide group
 15 sessions to include consciousness raising and peer
 16 counseling focusing on self-direction and clarification
 17 of needs and goals.

18 Sec. 16. The department shall provide
 19 educational programs to provide assertiveness training,
 20 self-defense, self-help, first aid, and substance abuse
 21 to educate victims on facts of drug and alcohol abuse in
 22 violent people.

23 Sec. 17. The department shall provide career
 24 and vocational counseling to include assessing vocational
 25 skills, abilities, and possibilities for self-support
 26 through vocational interest or vocational preference
 27 inventories. The department shall counsel victims with

1 respect to appropriate job opportunities, provide victims
2 with necessary career counseling, training skills, and
3 referral services. The Department should work with
4 federal, state, and local governmental agencies, private
5 nonprofit corporations, and private industry in
6 developing job counseling and placement services for
7 victims. The Department shall utilize any existing
8 volunteer programs that would relate to employment
9 opportunities. The Department should provide information
10 on course offerings, training programs, scholarship, and
11 financial aid.

12 Sec. 18. The Department shall establish
13 services for children which shall include:

14 (1) Emergency services which provide housing,
15 food, clothing, and transportation to school;

16 (2) Counseling for victims and their families
17 regarding the trauma which occurs when children witness
18 or experience family violence;

19 (3) Activities specifically designed to meet the
20 needs of children who have been a part of a violent
21 household including arts, crafts, dramatics, sports, and
22 other forms of play therapy;

23 (4) Programs which provide positive adult role
24 models such as Big Brothers, Big Sisters, Foster
25 grandparents, Volunteers in Probation, or other volunteer
26 advocates;

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1 (5) Programs to be developed in cooperation with
 2 the Department of Education which provide for the
 3 appropriate educational needs of the individual child;
 4 and

5 (6) Provision of quality child care services in
 6 the necessary absence of the victim parent including
 7 crisis situations.

8 Sec. 19. The department shall provide complete
 9 resource information for victims and their families on
 10 legal, medical, financial, vocational, welfare, child
 11 care, housing, and other support services.

12 Sec. 20. The department shall provide followup
 13 services to the services provided pursuant to sections 12
 14 to 18 of this act which shall consist of:

15 (1) A plan which shall be developed incorporating
 16 existing services to provide ongoing support programs to
 17 include relocation, financial assistance, and advocacy
 18 for victims of domestic violence; and

19 (2) A means of client feedback shall be developed
 20 to assist in evaluating program effectiveness.

21 Sec. 21. The department shall provide services
 22 for the person who commits domestic abuse. The
 23 department shall establish the programs and services
 24 provided in sections 22 to 30 of this act.

25 Sec. 22. The department shall provide peer
 26 counseling for the abuser to heighten individual
 27 awareness as to acceptable alternatives to the use of

1 physical violence as an emotional outlet.

2 Sec. 23. The department shall provide
3 educational programs which include assertiveness,
4 training, consciousness, training, potential skills,
5 marriage and family relationship skills, communication
6 skills, chemical dependency, intervention, and related
7 group/see.

8 Sec. 24. The department shall establish
9 vocational counseling for the abuser to include career
10 assessment, educational, and training programs.

11 Sec. 25. The department shall provide
12 employment assistance in locating and applying for jobs.

13 Sec. 26. The department shall provide family
14 counseling which will include communication skills,
15 coping skills, self-care enrichment, family decision
16 making, and family unity.

17 Sec. 27. The department shall utilize employee
18 assistance programs where available to provide a
19 supervisor the opportunity to help an employee in
20 obtaining professional help on such problems as finances,
21 alcoholism, and emotional distress.

22 Sec. 28. The department shall establish
23 individual or group counseling or both for abusers. The
24 counseling shall include coping skills as an alternative
25 to violence, building self-esteem, recognizing when one
26 is under stress, developing skills to cope with stress,
27 and sensitivity training.

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1 Sec. 29. The department shall develop programs
2 for the abuser which provide for financial planning. The
3 program shall include money management, use of credit,
4 budgeting, and economics.

5 Sec. 30. The department shall develop and
6 implement an ongoing plan to assist the abuser on an
7 individual, family, and community level to cope with
8 frustration without resorting to violence.

9 Sec. 31. The department shall provide followup
10 services to the services provided pursuant to sections 22
11 to 30 of this act which shall consist of:

12 (b) A plan which shall be developed incorporating
13 existing services to provide ongoing support programs to
14 include relocation, financial security, and advocacy for
15 victims of domestic violence; and

16 (c) A means of client feedback shall be developed
17 to assist in evaluating program effectiveness.

18 Sec. 32. The department shall establish
19 services and programs to prevent domestic abuse. The
20 services and programs shall include those provided in
21 sections 33 to 37 of this act.

22 Sec. 33. The department shall develop, in
23 cooperation with the Department of Education, a
24 kindergarten through post-secondary educational
25 curriculum relating to domestic violence to include
26 courses on family life, health, and social studies.

1 Sec. 34. The Department shall use the media to
 2 inform people of local and nationwide problems connected
 3 with domestic violence. The Department shall provide a
 4 speakers bureau, public hearings, and public forums to
 5 educate the community. It shall print educational materials
 6 such as books and brochures, develop films, slide shows,
 7 and other visual resources, and plan a public campaign to
 8 provide these resources to the public.

9 Sec. 35. The Department shall support the
 10 ongoing development and continuation of existing task
 11 forces on domestic violence. The Department shall aid in
 12 all community awareness and advocacy efforts.

13 Sec. 36. The Department shall develop community
 14 support systems for victims to aid in the deterrence of
 15 all family stress situations.

16 Sec. 37. The Department shall develop a
 17 community awareness of the potentiality of all abusive
 18 situations through all forms of media.

19 Sec. 38. The Department shall cooperate with
 20 community-based service providers and other public
 21 and private entities to develop and plan a prevention
 22 campaign on domestic violence.

23 Sec. 39. The Department shall provide a family
 24 intervention program specifically for children to prevent
 25 the generational continuation of abuse within the family.

26 Sec. 40. The Department shall establish
 27 interagency cooperation which shall include:

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1 (1) Development of linkages with community groups
 2 and service providers, including, but not limited to
 3 hospitals, police, welfare, and schools, to establish
 4 treatment procedures and support services; and

5 (2) An ongoing public education and training
 6 program which shall be developed for any service provider
 7 regarding intervention and treatment of family violence.

8 Sec. 41. The delivery of all services provided
 9 for under this act shall be done in cooperation with
 10 existing programs whenever possible to avoid duplication
 11 of services. Special effort shall be taken to coordinate
 12 the Department of Labor, the Nebraska Commission on the
 13 Status of Women, the Nebraska Task Force on Domestic
 14 Violence, a nonprofit corporation, the Department of
 15 Education, the Nebraska Division on Alcoholism, the
 16 Department of Health, the Department of Public
 17 Institutions, and other appropriate departments.

18 Sec. 42. The department shall collect
 19 statistical data and oral histories on spouse abuse, and
 20 shall develop a methodology for evaluating the
 21 effectiveness of services delivered.

22 Sec. 43. Under this act, strict confidence
 23 shall be observed in all contact with victims of spouse
 24 abuse and their families except as provided in section 59
 25 of this act. Violation of confidence shall be a Class V
 26 misdeemeanor.

1 Sec. 44. All programs under this act shall be
2 separate and administered independently of any county
3 welfare assistance program.

4 Sec. 45. A Protection From Domestic Abuse
5 Quality Control Committee is hereby created. The
6 committee shall consist of nine members. Three members
7 of the committee shall be appointed by the Department of
8 Public Welfare, three members shall be appointed by the
9 Nebraska Status of Women, and three members shall be
10 appointed by the Nebraska Task Force on Domestic
11 Violence. The members shall serve for terms of four
12 years and succeeding members shall be appointed on the
13 same basis as the initial members.

14 Sec. 46. The committee shall meet at least
15 quarterly and shall evaluate the programs and services
16 implemented pursuant to this act. Additional meetings
17 may be held as are deemed necessary. Special meetings
18 shall be called by the department upon receipt of a
19 written request signed by five or more members of the
20 committee.

21 Sec. 47. The department shall administer and
22 call all meetings of the committee, and shall provide all
23 necessary reports and documentation.

24 Sec. 48. The members of the committee shall
25 receive no compensation for their services but shall be
26 reimbursed for their actual and necessary expenses on the
27 same basis and subject to the same conditions as

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1 full-time state employees.

2 Sec. 49. The committee shall assist the
3 department in the adoption, promulgation, and
4 implementation of rules and regulations necessary to
5 carry out this act.

6 Sec. 50. The department shall construct, lease,
7 purchase, purchase on contract, utilize vendor payment,
8 and contract for services connected with the operation of
9 this act as needs and interest demand.

10 Sec. 51. The department may accept gifts,
11 grants, devises, and bequests of real and personal
12 property from public or private sources to carry out the
13 purposes of this act. The department may sell, lease,
14 exchange, invest, or expend such gifts, grants, devises,
15 and bequests or the proceeds, rents, profits, and income
16 therefrom according to the terms and conditions thereof.

17 Sec. 52. The department shall adopt and
18 promulgate such rules and regulations and perform all
19 other acts as may be necessary or appropriate to
20 establish and maintain the program. Such rules and
21 regulations shall include but not be limited to rules and
22 regulations relating to fees charged, training of
23 personnel, and administration of the program.

24 Sec. 53. The department shall determine the
25 ability of the spouses or individuals to pay for services
26 but shall not charge more than the actual cost. The
27 department shall prepare and adopt a uniform fee schedule

1 to be used. The scheduled fees may be reduced or waived
 2 by authorization of the department according to the rules
 3 of the department and as may be considered necessary to
 4 further the objective of this act. The use of facilities
 5 and services established by this act shall not be denied
 6 residents of Nebraska because of inability to pay
 7 scheduled fees.

8 Sec. 54. An annual report shall be prepared by
 9 the department and submitted to the Governor and the
 10 Legislature on or before January 1, 1980 and on or before
 11 January 1 of each year thereafter.

12 Sec. 55. When any physician, medical
 13 institution, nurse, social worker, or any professional
 14 staff or agency in a related field has reasonable cause
 15 to believe that a person has been subjected to abuse by a
 16 spouse or a person living as a spouse, or observes a
 17 person being subjected to conditions or circumstances
 18 which reasonably result in abuse, such person shall
 19 report the incident or cause a report to be made to the
 20 proper law enforcement agency. The report may be made
 21 orally by telephone with the caller giving his or her
 22 name and address, and shall be followed by a written
 23 report, and to the extent available shall contain the
 24 address of the abused person, the nature and extent of
 25 the abuse, any evidence of previous abuse including the
 26 nature and extent, and any other information which may be
 27 helpful in establishing the cause of such abuse and the

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1 identity of the perpetrator or perpetrators.

2 Sec. 56. Upon the receipt of a report
 3 concerning abuse as required by section 55 of this act,
 4 it shall be the duty of the law enforcement agency to
 5 make a determination as to whether or not an
 6 investigation should be made and if an investigation is
 7 deemed warranted to cause an investigation of the alleged
 8 abuse to be made, to take immediate steps to protect the
 9 abused person, and to institute legal proceedings if
 10 appropriate. All such reports shall be referred, whether
 11 an investigation is conducted or not, to the department.

12 Sec. 57. (1) The department shall investigate
 13 each case of alleged abuse referred to it by a law
 14 enforcement agency and shall provide such social services
 15 as are necessary and appropriate under the circumstances
 16 to protect the abused person and preserve the family.

17 (2) The department may make a request for further
 18 assistance from the law enforcement agency or take such
 19 legal action as may be appropriate under the
 20 circumstances.

21 Sec. 58. The privileged communication between
 22 patient and physician, between husband and wife, or any
 23 privilege except the attorney-client privilege shall not
 24 be a ground for excluding evidence in any judicial
 25 proceeding resulting from a report pursuant to this act.

26 Sec. 59. The department shall file each report
 27 of suspected abuse in a special state protection from

1 Domestic Abuse registry to be maintained in such
2 department. Such files shall be confidential and access
3 to any specific case shall be limited to a county
4 attorney, conciliation court or district court or the
5 county or state director of public welfare in this or
6 other states, to be used by them only for purposes
7 connected directly with the protection of family and
8 household members. Statistical information from such
9 files, when not revealing names, may be released without
10 limitation. Subject to such provisions, the records
11 shall be maintained in accordance with regulations
12 adopted by the Director of Public Welfare.

13 Sec. 60. Any person participating in an
14 investigation or the making of a report pursuant to the
15 provisions of this act or participating in a judicial
16 proceeding resulting therefrom shall be immune from any
17 liability, civil or criminal, that might otherwise be
18 incurred or imposed, except for maliciously false
19 statements.

20 Sec. 61. Any person who willfully fails to make
21 any report required by the provisions of this act, or
22 knowingly releases confidential information other than as
23 provided by section 20 of this act, shall be guilty of a
24 Class V misdemeanor.

25 Sec. 62. Any judge of a district court or a
26 conciliation court may upon the filing of an application
27 and affidavit in support thereof, issue a temporary

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1 restraining order without bond enjoining the adverse
 2 party from (1) imposing any restraint upon the person or
 3 liberty of the applicant; (2) from threatening,
 4 assaulting, molesting, attacking, or otherwise disturbing
 5 the peace of the applicant; or (3) from entering the
 6 family dwelling or the dwelling of the applicant upon a
 7 showing that physical or emotional harm would otherwise
 8 result.

9 Such order may be issued ex parte, if the
 10 circumstances of the case demand it, or the court or
 11 judge may cause immediate notice of the application to be
 12 given to the adverse party, that he or she may show cause
 13 not less than five days after service upon him or her,
 14 why such order should not be pursued, but no temporary
 15 restraining order shall be granted without notice to the
 16 adverse party unless it reasonably appears from the
 17 specific facts shown by affidavit of the applicant that
 18 irreparable harm, loss, or damage will result before the
 19 matter can be heard on notice. If such order is issued
 20 without notice to the adverse party, the court shall
 21 cause immediate notice of the application to be given the
 22 adverse party, that he or she may show cause, not less
 23 than five days after service upon him or her, why such
 24 order should not remain in effect.

25 Sec. 63. Upon the issuance of any temporary
 26 restraining order under this act, the clerk of the court
 27 shall provide the applicant, without charge, with two

1 certified copies of such trial.

2 Sec. 04. All law enforcement agencies in the
3 state shall provide officers employed by them with an
4 education and training program designed to inform the
5 officers of the problem of domestic abuse, procedures to
6 deal with such problems, the provisions of this act, and
7 the services and facilities available to abused family
8 and household members.

9 Section 65. That Section 29-2219, Reissue
10 (revised Statutes) of Nebraska, 1943, be amended to read as
11 follows:

12 29-2219. (1) A municipal court may suspend
13 sentence, place a defendant on probation and determine
14 the conditions and period of probation, which period
15 shall not exceed, in the case of any defendant convicted
16 of an offense less than a felony, two years.

17 (2) Except as provided in subsection (5) of this
18 act, the conditions of probation, as referred to in
19 subsection (1) of this section, shall be such as the
20 court shall in its discretion prescribe. Such
21 probationary conditions may include, among other
22 conditions, any or several of the following: That the
23 probationer shall: (a) indulge in no unlawful,
24 disorderly, injurious, or vicious habits; (b) avoid
25 places or persons of disreputable or harmful character;
26 (c) report to the probation officer as directed by the
27 court or probation officer; (d) permit the probation

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1 officer to visit him in a reasonable manner at his place
2 of abode or elsewhere; (c) answer any reasonable
3 inquiries on the part of the probation officer concerning
4 his conduct or condition; (t) work faithfully at suitable
5 employment; (j) remain or reside within a specified place
6 or locality; (h) abstain from the use of alcoholic
7 beverages if the use of the same contributed to his
8 offense; (i) pay in one or several sums a fine imposed at
9 the time of being placed on probation; (j) make
10 reparation or restitution to the aggrieved parties for
11 actual damage or losses caused by his offense; and (k)
12 support his wife or children.

13 (3) The court or a magistrate thereof may (a)
14 modify the conditions and the period of probation
15 referred to in subsections (1) and (2) of this section,
16 (b) in case of the violation of such probationary
17 conditions, upon motion and showing by affidavit of the
18 prosecuting attorney, issue a warrant for the arrest of
19 the probationer, (c) at any time discharge the
20 probationer, and (d) in case of the violation of such
21 probationary conditions, impose any penalty which it
22 might have imposed before placing the defendant on
23 probation; Provided, if committed, he be committed to an
24 institution authorized by law to receive commitments.

25 (4) If a probationer without permission
26 disappears, or departs from the jurisdiction of the
27 court, the time during which he keeps his whereabouts

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1 hidden or remains away from the jurisdiction of the court
2 may be added to the original period of probation provided
3 for by subsection (1) of this section.

4 (b) In all cases in which the offender is guilty
5 of assault or battery and the victim is the offender's
6 spouse a condition of probation shall be mandatory
7 counseling as provided in sections 22 to 30 of this act.

8 Sec. 09. That section 29-2202, Reissue Revised
9 Statutes of Nebraska, 1943, be amended to read as
10 follows:

11 29-2202. (1) When a court sentences an offender
12 to probation, it shall attach such reasonable conditions
13 as it deems necessary or likely to insure that the
14 offender will lead a law-abiding life.

15 (2) The court, as a condition of its sentence,
16 may require the offender:

17 (a) To refrain from unlawful conduct;

18 (b) To be confined periodically in the county
19 jail or to return to custody after specified hours, but
20 not to exceed ninety days;

21 (c) To meet his family responsibilities;

22 (d) To devote himself to a specific employment or
23 occupation;

24 (e) To undergo medical or psychiatric treatment
25 and to enter and remain in a specified institution, for
26 that purpose;

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1 (i) To pursue a prescribed secular course of
2 study or vocational training;

3 (j) To attend or reside in a facility established
4 for the instruction, recreation or residence of persons
5 on probation;

6 (k) To refrain from frequenting unlawful or
7 disreputable places or consorting with disreputable
8 persons;

9 (l) To have in his possession no firearm or other
10 dangerous weapon unless granted written permission;

11 (m) To make restitution of the fruits of his
12 crime or to make such reparation as the court determines
13 to be appropriate for the loss or damage caused thereby;

14 (n) To remain within the jurisdiction of the
15 court and to notify the court or the probation officer of
16 any change in his address or his employment;

17 (o) To report as directed to the court or a
18 probation officer and to permit the officer to visit his
19 home;

20 (p) To pay a fine in one or more payments, as
21 ordered;

22 (q) To pay for blood, urine, or breath alcohol
23 tests, psychological evaluations, and rehabilitative
24 services required in the identification, evaluation, and
25 treatment of offenders if such offender has the financial
26 ability to pay for such services; or

1 (b) To satisfy any other conditions reasonably
2 related to the rehabilitation of the offender.

3 (3) In all cases in which the offender is guilty
4 of assault or battery and the victim is the offender's
5 spouse a condition of probation shall be mandatory
6 counseling as provided in sections 22 to 30 of this act.

7 Sec. 67. This act shall become operative on
8 July 1, 1978.

9 Sec. 68. That original sections 29-2219 and
10 29-2262, as issue Revised Statutes of Nebraska, 1961, are
11 repealed.

12 Sec. 69. Since an emergency exists, this act
13 shall be in full force and take effect, from and after
14 its passage and approval, according to law.

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STATE CAPITOL, LINCOLN 68500

MEMORANDUM

February 17, 1978

TO: Senator Barnett
FROM: Judiciary Staff
RE: Synopsis of LB 623

Section
Number

Section Synopsis

- 1-2 States the intent of the bill is to provide abused family and household members with services including shelter, counseling, social services, and limited medical care and legal assistance.
- 3 Definition Section. Defines abuse as causing or attempting to cause serious bodily injury. Also defines family, household members, and law enforcement agency.
- 4-6 Provides that the Department of Public Welfare (DPW) shall provide services to victims, families, and abusers which shall include emergency services, support and educational programs for victims, families and abusers, and prevention programs.
- 7 Provides that emergency services shall be provided for up to 72 hours, and shall include access and intake to services, 24 hour transportation, medical care, legal assistance, crisis counseling, financial assistance, and temporary housing.

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<u>Section Number</u>	<u>Section Synopsis</u>
8	Provides for immediate diagnostic assessment of household members' needs.
9	Provides for long-term services up to 30 days which include counseling on available alternatives, relocation, financial assistance, employment, legal assistance, advocacy and additionally provides services for children, i.e. day care, counseling, education.
10	Provides services for children such as housing, food, counseling, education, and child care.
11	Provides for resource information.
12	Provides for use of client feedback and statistical data in program evaluation.
13	Provides for programs and services for abusers.
14	Provides for educational programs in grades K-college.
15	Provides for assistance in developing community support systems.
16	Provides for family programs dealing with prevention of abuse.
17	Provides for cooperation with existing services to prevent duplication.
18	Provides for a penalty for breach of confidentiality.
19	Provides that all programs under this Act be independent of any welfare programs.
20	Provides that the DPW may contract for necessary services.
21	Provides that the DPW can accept gifts or bequests of real and personal property.
22	Grants the DPW power to promulgate rules and regulations.
23	Provides that fees may be charged on a sliding scale.

MEMO, dtd 17 Feb '78, TO: Barnett, Fm Staff, RE: LB 623
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<u>Section Number</u>	<u>Section Synopsis</u>
24-26	Provides that victims may apply for temporary restraining orders without the pendency of a divorce. Ex parte restraining orders may be granted for up to five days without a hearing.
27	Provides that law enforcement agencies shall have officers specially trained in domestic violence.
28-29	Amends certain criminal procedure statutes by requiring counseling as a term of probation for abusers convicted in Municipal, County, District, or Juvenile Courts.
30	Sets operative date on July 1, 1978.
31	Emergency Clause.

The basic philosophy and intent of LB 623, as amended, is that the Department of Public Welfare should become involved in domestic violence by providing emergency and longer term services for abusers, victims, and their families.

Deleted from the original bill are clauses relating to reporting, a Central Registry, a Quality Control Committee, and privileged communications. Retained in LB 623 is the specific direction to the Department to collect statistical data on the instances of and problems associated with spouse abuse.

This bill, as it now stands, provides specifically for services which would include the following: counseling for abusers, victims, and families; educational programs; prevention programs; emergency services including resource information, intake, transportation, medical care, legal assistance; financial assistance, and housing.

The bill seems to provide a means of solving many of the problems confronting victims of abuse. It deals with emergency and long range help as well as a means of receiving relief from the courts and law enforcement agencies.

Senator CRANSTON. We will now go to our first panel consisting of witnesses from the administration of HEW—the Honorable Blandina Cardenas, the Commissioner of the Administration for Children, Youth, and Families, and the Honorable Gerald Klerman, Administrator of the Alcohol, Drug Abuse, and Mental Health Administration.

STATEMENTS OF HON. BLANDINA CARDENAS, COMMISSIONER, ADMINISTRATION FOR CHILDREN, YOUTH AND FAMILIES; AND HON. GERALD R. KLERMÁN, M.D., ADMINISTRATOR, ALCOHOL, DRUG ABUSE AND MENTAL HEALTH ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Dr. CARDENAS. Thank you, Senator.

Mr. Chairman, my name is Blandina Cardenas. I am Commissioner for Children, Youth, and Families in the Office of Human Development Services in HEW.

Dr. Gerald Klerman, the Administrator of the Alcohol, Drug Abuse, and Mental Health Administration, and I, are pleased to appear before you today.

We have submitted our testimony for the record, and I would like to highlight my testimony now.

Dr. Klerman and I are particularly grateful for the opportunity to discuss with you the great concern we share over the problem of domestic violence. We would like to use this appearance this morning to inform you about our current activities and learn from you and other witnesses more about the special concerns of people affected by this problem.

We would like you to know that in recent months, under the leadership of Secretary Califano, representatives from various agencies through the Department have begun meeting to discuss the extent of our knowledge in this area, what we see as the proper Federal role and where we are headed. We recognize that violence between spouses may and often does occur separately from other forms of violence.

As you know, the President, the Secretary, and all of us at HEW have a strong commitment to strengthening families. It is in the context of the family that we look at the problem of domestic violence.

This morning Representative Mikulski talked about some of the broader ideological considerations in analyzing domestic violence. We are appalled by the extent of violence between spouses. We are trying to prevent, however, all forms of domestic violence. We think the root of at least a significant portion of the problems lie within the total family as a unit.

This committee has provided leadership in the area of child abuse and neglect. Because of your work in this area, for the past 3 years, under the authority of the Child Abuse Prevention and Treatment Act, we have been conducting a number of demonstration projects of the delivery of services to abused or neglected children and their families. The numerous projects described in my testimony reflects some of the relationships between services related to child abuse and neglect and other forms of domestic violence.

As these initial small-scale demonstration efforts are showing that successful prevention, identification, and treatment of child abuse and neglect require that services be available to all members of the family unit in need of help and protection. Besides emergency shelters for abused spouses which, like the provision of emergency protection for children, must be a first priority, all the child abuse demonstration projects report that one of their most successful interventions in cases of spouse abuse and child maltreatment is in the area of improved family relations. Some examples of the services provided in these situations are: Individual and adult counseling, couple/family counseling, group counseling/therapy, marital counseling, parent aid/lay therapy, parents anonymous participation, education services, homemaker services, transportation support, short-term foster care, medical services, day care, babysitting, and a whole range of legal and "advocacy" services for employment, housing, and other concrete needs.

State social services programs, under titles IV-B and XX of the Social Security Act, provide funds that may be used for service to combat the problems of domestic violence. Title IV-B provides protective and supportive services for children and their families with no income test. Title XX permits States to provide services for abused, neglected, or exploited children or adults with no income test. However, title XX currently limits shelter care to emergency care of children in danger of abuse or neglect.

We recognize the need for funding authority for shelter care for battered adults as well as children. We therefore will be proposing to the Congress language to amend title XX to allow States to use the funds for emergency shelter for a limited time period as a protective service to an adult in danger of physical or mental injury, neglect, maltreatment, or exploitation.

Mr. Chairman, you and your staff have clearly spent a great deal of time and attention in seeking a way to maximize current efforts by community organizations and the capabilities and responsibilities of State agencies. So have the other members who have developed legislation in this area.

We, too, Mr. Chairman, want to applaud the devotion and hours of volunteer work and contributions of the many professional and grassroots groups that are out there, on the firing line, providing shelter to women and men who have been battered.

We, too, wish to build on these current efforts, to build on the capabilities of State agencies, to increase our knowledge, so that more effective steps can be taken to prevent and treat domestic violence, and to improve State laws and procedures for combatting domestic violence.

At the same time, we seek to avoid further fragmentation of problems among members of the family and of a further fragmented Federal approach. We are now taking a Department-wide in-depth look at our current activities. These hearings seem to us to be an important step toward developing a coordinated approach.

We are exploring options for future action and would like to work with you, Mr. Chairman, and the members of the subcommittee and staff, toward developing those options.

Dr. Klerman has some comments, and then both of us would be happy to answer any questions you might have.

Senator CRANSTON. Thank you very, very much.

Dr. KLERMAN. I am the Administrator of the Alcohol, Drug Abuse, and Mental Health Administration, which is one of the components of the Public Health Service within the Department of HEW.

I would like to offer the official testimony and just take a few moments to summarize and, perhaps, clarify some of that testimony.

The Alcohol, Drug Abuse, and Mental Health Administration has three component institutes, each one has a major stake in furthering the treatment and prevention of certain social ills.

The National Institute of Mental Health, as mentioned this morning, has played a significant role in developing research, which has documented the extent of the national problem of domestic violence. In addition, the NIMH has a number of important techniques in training and technical assistance.

The other two institutes, the National Institute of Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse, also have a role to play. Most importantly, the National Institute on Alcohol Abuse and Alcoholism, particularly has an important role since research indicates that about 50 percent of the perpetrators of domestic violence are under the influence of alcohol or have a history of alcoholism. Furthermore, research indicates that effective treatment of alcoholism is associated with the reduction of episodes of domestic violence and domestic conflict, where the treatment of alcoholism is successful, especially where it is directed not only at the patient per se, but at the total family context.

Similarly, the National Institute of Drug Abuse has amassed evidence that drugs may also play a role in lowering the threshold of aggressive action—particularly drugs like the barbiturates and the amphetamines and certain other drugs that are abused.

We at the Public Health Service are committed as well as the rest of HEW to participate in a comprehensive and coordinated Federal program on this important problem. I mention the Public Health Service because it is important to recognize that a significant component of contact for the victims of domestic violence is the emergency room of many hospitals. We have learned from our experience with rape centers, which are part of the National Institute of Mental Health, and our activities regarding child abuse that very often the first point of contact with the health and social welfare system is the emergency room of the hospital. Therefore, we need to develop better techniques for sensitizing and training the personnel in those emergency settings, to recognize and respond to the special needs of the victims of domestic violence.

Research conducted to date has demonstrated that mental health factors play a significant role in both the causation, consequences, treatment, and prevention of this widespread condition.

I do not wish to add to the extensive evidence presented this morning as to the prevalence, incidence of, and seriousness of this problem. The question now before us within HEW is how to coordinate a comprehensive program, and how to relate the health system, including the components of mental health, alcoholism, and

drug abuse to the human services effort. Mental health factors play an important role in the causation of this problem, but we should not look upon abused women as suffering from any particular mental health disorder. Previous psychiatric studies tended to focus exclusively on possible personality features of the victim. Perhaps, this provided a distorted picture in mental health understanding.

More important, however, is the mental health understanding of the perpetrators, and I have indicated the possible important role played by alcoholism in the perpetrator's condition.

Research has also indicated the mental health consequences of domestic violence. The immediate consequences, particularly of women, include emotional turmoil and trauma, guilt, shame, fear, and withdrawal—that certain victims and their associates can better document in the testimony we expect to hear later today.

But the research also indicates that there are delayed consequences for these women, with higher rates of suicide and hospitalization that occur after the immediate trauma, particularly within intervention. Research has indicated the harmful effects upon the children of the family where there is domestic violence. This reinforces an important point: domestic violence must be viewed as a total family problem.

We are committed to participating in a comprehensive program. The mental health and alcoholism and drug abuse services have an important role to play, as stated, not only in research but in treatment potential, in technical assistance, training of personnel, and making available to victims of domestic violence services in existing programs, as community mental health centers. But we are also available to work with grassroots groups and self help groups in a comprehensive program at the local level.

To summarize, I would like to say that the identification of mental health problems is an important and relevant activity, particularly as I have mentioned.

We will continue our research in this area, and would like to increase it. Through research, we can assess the causes, prevalence, and types of abuse. We also can help develop new forms of innovative services to evaluate their efficiency and ultimately to define a role of future preventive activities. Training activities have been developed and need to be extended for those mental health professionals, law enforcement, and social service personnel, which have first contact with the victims of this condition. However, services to the victims of domestic violence, we believe, are best delivered through the traditional help and social service agencies as well as the various local groups that are emerging.

We believe that we, in the health field, can best be of service through continued efforts in the areas of research, manpower development, technical assistance, and further demonstration projects.

Thank you.

Senator CRANSTON. Thank you very much.

Blandina, I thank you, too. In your written testimony, you note that:

While we are appalled by the extent of violence between spouses, we are trying to prevent and treat all forms of domestic violence—we think that the root of the problem lies within the total family as a unit.

In my opening statement, I noted that when I speak of domestic violence, I refer to any act or threatened act of violence, including a forceful detention, which results or threatens to result in physical injury, and is committed by and between adults.

My first question is this—incidentally, if I could ask you to try to be brief in your responses. If you want to expand upon them in writing we welcome that. But we have to be finished by 11:30 and we have several people to present their testimony.

It is inferred from your remarks that you would agree that any initiative that is taken with respect to domestic violence, should not be limited solely to violence between spouses?

Dr. CARDENAS. Yes.

Senator CRANSTON. Would you contemplate close coordination between the National Center on Child Abuse and Neglect and the administrative arrangement for any new domestic violence program?

Dr. CARDENAS. Yes.

Senator CRANSTON. Those are nice brief answers. [Laughter.]

Dr. CARDENAS. I have to go to another hearing, also, Senator.

Senator CRANSTON. On page 3 of your written testimony, you refer to the amendment by the San Diego Child Abuse Project of its intake policy, in order to accept referrals of abused spouses in families with small children. You state that the San Diego chapter is responding to the need to help with the significances of children being hurt "accidentally" in situations when the spouse was the actual target of the assault.

On need, the subcommittee received testimony on Saturday, that Haven House, a shelter in Pasadena, turned away 400 people in the month of October, and in Hayward, Calif., in February, the emergency shelter program refused 145 requests for service.

Do you know if the San Diego project was able to provide service for all the victims with small children from the CETA assistance program?

Dr. CARDENAS. No, I do not, Senator Cranston.

I do not have rejection figures for that center.

We could supply those for the record.

My assumption is that the San Diego project is probably seeing an unmet need equal to that being seen by other centers.

Senator CRANSTON. Has the provision of these services by the San Diego project detracted significantly from its ability to serve children in need of assistance?

Dr. CARDENAS. No, sir.

Senator CRANSTON. Would you agree that the experiences of a number of child abuse projects, including the one in San Diego, as well as Haven House and the emergency shelter program in Hayward, strongly suggests the need for a new focus for Federal assistance with respect to the victims of domestic violence?

Dr. CARDENAS. Yes.

Senator CRANSTON. One way to avoid the type of fragmentation in these projects is to provide seed money and technical assistance to local and community groups in order to help them amass other resources in both the public and the private sector, rather than granting a few groups a large amount of money.

Such an approach would emphasize coordination among those efforts, rather than further fragmentation.

Do you think that approach would be useful?

Dr. CARDENAS. I think it is one approach that could be useful.

I am very happy to look at the experience of the National Center on Child Abuse and Neglect, more comprehensively, in terms of the experiences it has had and the impact in other problems and other resources.

I think the approach that you have suggested is one approach that could be used. There may be others.

Senator CRANSTON. What other ones would you have in mind?

Dr. CARDENAS. Well, from my own experiences, it is often useful for the agency being requested—for whom funds are being requested—or the agency whose behavior we would like to see changed, to have some direct ownership in changing its behavior. That is an immediately urgent need.

So I think that I would favor a combination of insuring that traditional agencies, in fact, have to change some of their efforts and have the opportunity to do so, in order to impact on this issue, as well as small groups—small community groups.

Senator CRANSTON. If we adopt the seed money approach, do you think that it would be appropriate to have State governments distribute the grants.

Dr. CARDENAS. Yes.

Senator CRANSTON. Would it be valuable, do you think, initially, in each State, to create a citizens' advisory panel to act as a sort of catalyst for State and local efforts to assist with the legislation?

Dr. CARDENAS. I think it would be helpful in some States, Senator.

Senator CRANSTON. How many of those States would it be?

Dr. CARDENAS. I guess you have to try it and see.

Senator CRANSTON. One task that such a panel could undertake could be the evaluation of State criminal and civil laws—

Dr. CARDENAS. Senator, I did not hear the first part of your question.

Senator CRANSTON. One task that ~~such a panel~~ could undertake could be the evaluation of State criminal and civil laws affecting domestic violence.

Do you think that would be helpful?

Dr. CARDENAS. I think so.

Senator CRANSTON. I am certain that you would agree that public awareness of the problem is growing. This, of course, does not mean the public is fully aware of the nature or extent of the problem as we fully want them to be.

What efforts do you recommend that we undertake to inform people about the nature of the problem and the availability of relief or assistance, provided that relief or assistance is available?

Dr. CARDENAS. I think generally, we can look to the experience of the National Center on Child Abuse and Neglect and see that its use of a clearinghouse, its use of a public service announcement, its use of an organization such as Parents' Anonymous—have all been effective ways for raising public awareness.

I think the experience of the National Center on Child Abuse and Neglect could give us an addition to that.

Senator CRANSTON. Do you think it would be useful to have the Federal Government carry out an information clearinghouse on this—on this whole topic?

Dr. CARDENAS. Yes, Senator.

Our experiences at the National Center on Child Abuse and Neglect has shown that the clearinghouse is very effective.

I would hope, Senator, that as you can state this bill, that we would not have to proliferate clearinghouses—I am speaking from the prospective of a person who is trying to run the National Center now.

I think a clearinghouse serves a very useful purpose.

Senator CRANSTON. A number of important issues are raised in testimony submitted by Suzanne Wilson, on behalf of the National League of Cities. One issues involves: "Allowing battered women who have left their homes, to receive emergency welfare payments."

Ms. Wilson notes that institutions must become more immediately responsive to the needs of domestic violence victims. She says:

One way to do this is for our aid to families—primarily welfare programs such as aid to families with dependent children—to provide emergency welfare assistance to these women. Family violence victims should be given priority and not have to wait weeks and weeks just for an appointment to see a welfare worker to determine eligibility.

What do you think of that recommendation?

Dr. CARDENAS. Well, it seems to me that she has identified a need, and that that need ought to be looked at.

I do not have ready access to information as to how that is working now, Senator Cranston.

We would be happy to look at the dimensions of that topic and supply further information.

Senator CRANSTON: I would appreciate it if you would think about that.

Ms. Wilson also notes that:

It is our understanding that the Legal Services Corp. does not place a priority on family law. Consequently, women seeking civil legal action against abusive spouses . . . often do not receive help from the Legal Services Corp. . . . Action should be taken to assure that family violence victims receive adequate and quality help from the Legal Services agencies.

Do you agree?

Dr. CARDENAS. I would agree.

Senator CRANSTON. Have you examined the possibility of taking action with respect to that—after consulting with the Legal Services Corp.?

Dr. CARDENAS. Certainly.

Senator CRANSTON. Dr. Klerman, you indicate in your testimony that the Alcohol, Drug Abuse, and Mental Health Administration is particularly interested in its family violence research activities.

In what ways does your administration preferably utilize ongoing community programs dealing with domestic violence in its research activities?

Dr. KLERMAN. Within the National Institute of Mental Health, the Center for Crime and Delinquency has funded and is currently funding close to \$600,000 of research documenting this problem. In addition, the extensive network of community mental health centers

now include a number of demonstration projects where selected centers have undertaken to develop specialized services for domestic violence victims. In addition, they seek to establish liaison with social services and other community groups, and we are reviewing these experiences to see how they can be generalized.

Within the National Institute on Alcoholism and Alcohol Abuse, it is funding a number of special problems on the relationship between alcoholism and family conflict and violence.

Senator CRANSTON. If new legislation is introduced, providing additional authority for research into domestic violence issues, as well as providing financial assistance to community groups actually dealing with the violence problem, would your administration intend to connect its research activities with the service programs in the field?

Dr. KLERMAN. Yes.

We would like to work very closely with the other parts of HEW, in an even more concerted effort than is currently the case.

Senator CRANSTON. A criticism that has sometimes been made in the child abuse program, as an example, that research activities in NIMH and those of the Office of Human Development Services are not coordinated, so that duplication and waste results.

How could you go about insuring that there is more coordination between NIMH and the more applied research in the area by OHDS?

Dr. KLERMAN. Well, I think that we have been looking to the future, and we will develop techniques and mechanisms for working in a more coordinated fashion. However, I would like to hear personally about the nature of those criticisms that have come to the attention of your subcommittee, so that we can explore how they can be corrected.

Senator CRANSTON. Blandina, do you have any comments on that?

Dr. CARDENAS. I would be happy to supply more detail.

Senator CRANSTON. Fine.

Let me say that I am encouraged by your statement that you will be seeking an amendment allowing States to use funds under title XX of the Social Security Act for emergency shelters for a limited time period, a protective service, for an adult in danger of physical or mental injury or maltreatment.

Your amendment would create another source of funds for State and local communities and nonprofit groups to tap in order to establish programs to prevent domestic violence and treat victims of domestic violence.

However, many States are over title XX's spending limits, as you know.

Will you also be recommending increased funding under title XX for States to establish shelter care for battered families?

Dr. CARDENAS. I am not aware of any plans to seek increased funding.

Senator CRANSTON. I would like to suggest that you look into it.

Even with a title XX amendment, do you not agree that there are certain functions, a clearinghouse, for example, which need authority?

Dr. CARDENAS. Senator Cranston, most of the activities that have been talked about in terms of the types of things that ought to be happening around domestic violence, are permissible within authorities that—within title XX and title IV-B. They are not mandatory, and given the pressures on title XX, it is often difficult to have these kinds of things occur.

So, certainly, in terms of creating a new—a clearinghouse, it would be necessary to look to other funds.

Senator CRANSTON. Does not that sort of approach tend to lead a fragmented, uncoordinated approach?

Dr. CARDENAS. Which approach?

Senator CRANSTON. Well, the approach you just—not having exactly spelled out what you can do and can't do?

Dr. CARDENAS. That approach has the most potential, I think, for having—a coordinated approach in response to local needs.

Unfortunately, the result very often is that you do have had ones without quality.

Senator CRANSTON. If the law specifies certain things it might lead to superior local efforts.

On page 4 of your testimony, you note that the Honolulu project has established an emergency shelter, used exclusively to provide safe lodging to abused spouses and their children. You state that a high percentage of people served by this refuge are from military families.

What has the Department of Health, Education, and Welfare done to coordinate with the Department of Defense in an effort to provide safe housing for children and for spouses who are victims of domestic violence in military families?

Dr. CARDENAS. Senator Cranston, I am aware that the National Center on Child Abuse and Neglect does have a project with the Department of Defense.

I cannot recall at this moment what that project is or what nature that is.

Senator CRANSTON. Could you get that for the record, please.

I appreciate your efforts to work with me and with the members of the subcommittee and staff for developing options for future action.

Later this week, or early next week, I, along with a number of my colleagues, will be introducing legislation, as you know, specifically designed to provide Federal stimulation and support for local efforts.

I do not think the legislation we introduce will be inconsistent with the suggestions outlined in your statement.

I appreciate the opportunity to work with you and your staff in order to help with any problems that you find in the legislation as it is originally introduced.

I thank you for your past efforts and look forward to working with you on this and many other matters of concern.

Dr. CARDENAS. It would be a pleasure, Senator Cranston.

Senator CRANSTON. Thank you both very much.

[The prepared statements of Dr. Cardenas and Dr. Klerman follow:]



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

STATEMENT

BY

DR. BLANDINA CARDENAS

COMMISSIONER

ADMINISTRATION FOR CHILDREN, YOUTH AND FAMILIES
OFFICE OF HUMAN DEVELOPMENT SERVICES

BEFORE THE

SUBCOMMITTEE ON CHILD AND HUMAN DEVELOPMENT

COMMITTEE ON HUMAN RESOURCES

UNITED STATES SENATE

WEDNESDAY, MARCH 8, 1978

Mr. Chairman, Members of the Subcommittee, my name is Blandina Cardenas. I am the Commissioner for Children, Youth and Families in the Office of Human Development Services. Dr. Gerald Klerman, the Administrator of the Alcohol, Drug Abuse, and Mental Health Administration and I are pleased to appear before you today.

Dr. Klerman and I are particularly grateful for the opportunity to discuss with you the great concern we share over the problem of domestic violence. We would like to use our appearance this morning to inform you about current activities in the Department concerning domestic violence and to learn from you and the other witnesses more about special concerns of people affected by this problem.

Under the leadership of Secretary Califano, representatives from various agencies throughout the Department have recently begun meeting to discuss the extent of our knowledge in this area, what we see as a proper Federal role, and where we are headed. We have learned that spousal violence occurs in epidemic proportions. Dr. Klerman will discuss in greater detail those findings based on research funded by ADAMHA.

We recognize that violence between spouses may and often does occur separately from other forms of violence.

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We have also found that violence between spouses cannot be treated in isolation from other violence within the family. We have learned that men who abuse their children also frequently abuse their wives, and that there are many forms of violence within the family -- violence against aged family members, violence among adolescent siblings, incest, and parental violence against youth which may cause youth to run away.

As you know, the President, the Secretary and all of us in HEW have a strong commitment to strengthening families. It is in the context of the family that we look at the problem of domestic violence. Thus, while we are appalled by the extent of violence between spouses, we are trying to prevent and treat all forms of domestic violence-- we think that the root of the problem lies within the total family as a unit. There is a continuum of need faced by families

Let us describe for you briefly some of the activities and actions we have recently taken or are planning to meet the problem of domestic violence. Our actions can be grouped by the categories of Federal funds for shelters and services, research and demonstration activities, information clearinghouse and incidence.

This Committee has provided the leadership in the area of child abuse and neglect. Because of your work in this area, for the past three years, under the authority of the Child Abuse Prevention and Treatment Act, we have been conducting a number of demonstration projects of the delivery of services to abused or neglected children and their families.

As an unforeseen component of their family oriented services to abused and neglected children, all of our 20 child abuse Demonstration Treatment Centers provide some services which either directly or indirectly assist abused spouses. For example:

- o The San Diego project amended its intake policy eight months ago to accept referrals of abused spouses in families with small children. It did so because staff had found that there was a significant incidence of children being hurt "accidentally" in situations when the spouse was the target of the assault. In addition, the project had discovered a clear pattern of childhood histories involving intra-familial violence in cases of spouse abuse, as well as battering. That is, they found that the perpetrator or the victim had experienced violence either as a victim or as a witness during childhood. I should mention that in taking family histories, the project found the same patterns in spouse cases that we find in classical battered child cases, that is: isolation, situational stress, childhood histories of abuse, and poor impulse control. This project has come to the conclusion that, in many cases of family violence, the victim is whichever family member happens to be available.

- o The Honolulu project has established an emergency shelter which is used exclusively to provide safe lodging to abused spouses and their children. A high percentage of the people served by this refuge are from military families. The objectives of the project are: (1) to provide spouses with children a safe respite on a temporary basis until the conflict between the parents can be resolved; (2) to assist families through periods of crisis with coordinated social services, and (3) to help women in their efforts to develop independent living situations or, when they desire it, to help women return to their husbands. In 1977, the project provided room and board and information and referral assistance to over 200 families. Families usually stay for a few days to as long as two weeks. During this time, the shelter provides assistance in obtaining medical services, food, clothing, financial assistance (if needed), and permanent shelter (if desired). Eligibility to enter the shelter is not restricted by income or marital status.

- o The project in Toppenish, Washington, operated by the Yakima Indian Nation, also provides emergency shelter to abused spouses and works with families to reduce the incidence of abuse. Located in a large, turn-of-the-century house, the project provides nursery/day-care/emergency shelter facilities 24 hours a day, seven days a week for tribal members who need help. Wives frequently bring their children in the middle of the night seeking temporary shelter while tempers

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were cooled and issues are resolved. Thus, the project has provided a haven from further family conflict, where the wife and children can be relieved of an atmosphere of fear and can be protected.

- o Parents Anonymous, a national organization which assists in the development of local self-help groups for parents who abuse their children or those at risk, receives a grant from ACYF, and reports that in almost every one its over 750 chapters there are mothers who are victims of spouse abuse. (Similar to the other treatment projects, Parents Anonymous reports that in some instances child abuse is a matter of physical proximity, that is, that the child receives the abuse that was intended for the spouse.) A number of chapters are attempting to deal with the special issues of spouse abuse by holding separate weekend meetings for battered spouses, in addition to regular chapter meetings. Many mothers in these groups are concerned about the traumatic effects on children of witnessing assaults and other abusive behavior between parents. They recognize that many children experience guilt for the spouse abuse, feeling somehow responsible for it. They also recognize that spouse abuse creates a bad role model for children; they sense that some boys develop patters of violence toward females and that some girls develop an expectation of attack and exploitation by males, thus hurting their chances for healthy relations with members of the opposite sex in adult years. As a result of numerous request, the national office of Parents Anonymous is now considering the development of specific self-help programs for the victims of spouse abuse.

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- o The Philadelphia Project provides psychiatric counseling to abused spouses and integrates its efforts with the Women-In-Transition Center, a local program designed especially for abused spouses.
- o Two Chicago projects coordinate community services such as legal aid to the abused spouse, couple counseling when appropriate, and emergency shelter (utilizing the Salvation Army) when needed.
- o Moreover, a number of other child abuse projects, although they do not have an inhouse capability to provide emergency shelter, arrange for families to be accepted by such shelters and often provide transportation to them.

These initial small scale demonstration efforts are showing that successful prevention, identification and treatment of child abuse and neglect require that services must be available to all members of the family unit in need of help and protection. Besides emergency shelters for abused spouses which, like the provision of emergency protection for children, must be a first priority, all the child abuse demonstration projects report that one of their most successful interventions in cases of both spouse abuse and child maltreatment is in the area of improved family relations. Some examples of the services provided in these situations are: individual and adult counseling, couple/family counseling, group counseling/therapy, marital counseling, parent aid/lay therapy, Parents Anonymous participation,

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education services, homemaker services, transportation support, short-term foster care, medical services, day care, babysitting, and a whole range of legal and "advocacy" services for employment, housing, and other concrete needs.

We supported the development and dissemination of a design for a 24 hour Comprehensive Emergency Services (CES) Program in Nashville, Tennessee. The project enabled children and families to remain in their homes in most cases rather than move to shelters. In some cases, it provided shelter in emergency situations for children. These children often were accompanied by their mothers, who in a number of instances had also been battered. A twenty-four hour hotline and counseling services were the key vehicles in this successful program. The project brought about active co-ordination and mutual referral of cases among a wide variety of service providers, including the police, social services, courts, and health authorities.

The Children's Bureau also contracted to have the Nashville design explained to states, cities, and counties across the country. Technical assistance was provided to help replicate the Nashville design. Though the project was not aimed primarily at helping battered spouses, similar projects could be designed for that purpose. We have proposed, for FY 1979, over \$1 million in seed money be provided for grants to 35 state and local governments to develop such programs.

The Administration on Aging has been conducting research and demonstrations aimed at preventing victimization or criminal violence against the aged. Jointly with the Community Services Administration, HUD, and the Law Enforcement Assistant Administration, AoA has funded research projects and four demonstration projects. A handbook has been developed and disseminated advising the elderly how to avoid criminal violence.

State social services programs, under titles IV-B and XX of the Social Security Act, provide funds that may be used for service to combat the problems of domestic violence. Title IV-B provides protective and supportive services for children and their families with no income test. Title XX permits States to provide services for abused, neglected or exploited children or adults with no income test. However, title XX currently limits shelter care to emergency care of children in danger of abuse or neglect.

We recognize need for funding authority for shelter care for battered adults as well as children. We therefore will be proposing to the Congress language to amend Title XX to allow States to use the funds for emergency shelter for a limited time period as a protective service to an adult in danger of physical or mental injury, neglect, maltreatment, or exploitation.

Mr. Chairman, you and your staff have clearly spent a great deal of time and attention in seeking a way to maximize current efforts by many community organizations and the capabilities and responsibilities of State agencies. And so have the other Members who have developed legislation

in this area. We too want to applaud the devotion and hours of volunteer work and contributions of the many professional and grass roots groups that are out there, on the firing line, providing shelter to women and men who have been battered.

We too wish to build on these current efforts, to build on the capabilities of State agencies, to increase our knowledge, so that more effective steps can be taken to prevent and treat domestic violence, and to improve State laws and procedures for combatting domestic violence.

At the same time, we seek to avoid further fragmentation of problems among members of the family and of a further fragmented Federal approach. We are now taking a Department-wide, in-depth look, at our current activities. This hearing seems to us to be an important step toward developing a co-ordinated approach. We are exploring options for future action and would like to work with you, Mr. Chairman, the Members of the Subcommittee and staff, toward developing these options.

Thank you for giving us this opportunity to testify. Dr. Klerman and I would be happy to answer any questions you may have.



DEPARTMENT OF HEALTH EDUCATION AND WELFARE

STATEMENT

BY

GERALD R. KLERMAN, M.D.

ADMINISTRATOR

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

BEFORE THE

SUBCOMMITTEE ON CHILD AND HUMAN DEVELOPMENT

COMMITTEE ON HUMAN RESOURCES

UNITED STATES SENATE

WEDNESDAY, MARCH 8, 1978

MR. CHAIRMAN, MEMBERS OF THE SUBCOMMITTEE:

Dr. Cardenas has discussed some of the Department's views and activities with regard to domestic violence. I appreciate this opportunity to also appear before you today to discuss this pressing national issue, and to inform you of activities of the Alcohol, Drug Abuse, and Mental Health Administration as they pertain to domestic violence.

Introduction

Violence in the family is defined as a mode of behavior involving the use of physical force among family members. Such force varies in severity, from homicide at one extreme to mild spankings at the other. It also varies in intent. In some instances, the intent is to control a person's behavior, to vent personal hostility, or it may be a mixture of both. Family violence occurs when the need for meaningful and close social contact, for dignity and sense of purpose is lacking for the person, when the cultural norms of society or the relevant reference group allow this type of behavior, or when the individual lacks alternative means for resolving conflicts.

Domestic violence has an ancient, if scarcely noticeable, history. The traditional view of the American family as a cohesive, social institution tended to obscure the effects of violence from public view, and since violence is dysfunctional to the family unit, it became, over a period of years, an invisible phenomenon. Recently, however, violent abuse and maltreatment in domestic relations have received widespread attention in the United States. The national focus of this issue coincides, to a major degree,

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with the growth and influence of the women's movement. Women, in particular, have been instrumental in establishing public forums--primarily aimed at enhancing the nation's consciousness with regard to domestic violence, lending psychological support to victims, and extending to victims such varied aid as group counseling, temporary shelter, and referrals to physicians, psychologists, and lawyers. A consequence of the many discussions on domestic violence was the realization among some women that they shared common experiences. What many women initially viewed as a personal problem is instead a social issue of major significance.

An analysis of studies of domestic violence indicates that such violence occurs when this mode of expression seems and preferred by the individual, and when social needs and expectations are unsupported by either the family or other social institutions. However, it should be understood that domestic violence is not simply a mental health issue, although the severe trauma experienced by certain assaulted spouses or members of a family may require the attention of mental health professionals. Many knowledgeable persons maintain, and we concur in their view, that services provided for the battered spouse solely through the traditional mental health mode may add the liability and social stigma of mental illness.

NIMH Involvement in Domestic Violence

The National Institute of Mental Health, an Institute of the Alcohol, Drug Abuse, and Mental Health Administration, has been involved in domestic violence issues since 1968. Several research and training projects have been funded. The Institute's initial involvement concerned

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improving the response of law enforcement personnel in peacekeeping situations. For example, the Institute sponsored a research and training effort in Oakland, California, which led to the development of a model that became the basis for a police training film. This film was eventually used throughout the State. The model uses a minimum of outside consultants and draws upon the experience of police officers who have demonstrated unusual effectiveness in domestic disturbances.

Recently, it became clear to us that a broader view of family violence was needed than our initial activities. We found, as expected, that there was a paucity of hard, exact data on the frequency of violence among family members. Therefore, a team of sociologists, funded under a grant by the National Institute of Mental Health, recently studied a nationally representative sample of 2,143 families and found that spouse assault and child abuse are only the most dramatic and visible aspects of a broader pattern. The results of the survey indicate that the amount of violence in the family unit is extremely high. The study, conducted by Professors Straus, Gelles, and Steinmetz, indicates the following:

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--One out of six couples--if this could be projected nationally, that would mean an estimated seven and a half million couples--had a violent episode during the survey year. "Violent episode" is defined by the researchers as any act intended to cause physical pain or injury to a spouse, ranging from slapping to severe physical assault.

--According to the researchers' projections, there is a 95 percent chance that, if the entire U.S. population had been interviewed, the number of spouses admitting to using physical force on one another would be approximately 26 to 30 percent.

--Approximately four percent used a knife or gun in attacking his or her spouse. About five percent were severely beaten at some point in the marriage. Thus, of the 47 million couples living together in the United States, about 1.7 million had at some time faced a lethal weapon, and well over two million had been severely assaulted by their spouse.

--Thirteen percent of the parents reported hitting their child with something. Five percent reported throwing an object. Slightly more than one percent reported beating the child.

--Preliminary analysis indicates that there is as much violence in the families of the college educated as among those with less formal training.

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Alcohol and Drug Abuse Link to Violence

Evidence from various sources suggest that there is a relationship between alcoholism, drug abuse, and violence, including violence in the family. For example, there are indications that intoxication is a precipitating factor in many cases of child abuse. The largest American study on the subject reported that 38 percent of child-abusing parents had histories of drinking problems. Other studies have shown that up to 63 percent of child abuse cases are alcohol related. One study reported that 52 percent of violent husbands had histories of problem drinking or alcoholism.

Additional evidence suggests that alcohol treatment programs can be an important factor in diminishing the frequency of violence in the family unit. For example, 35 percent of persons entering those NIAAA-funded alcoholism treatment programs which participate in its data system reported fighting and quarreling with others as a measure of their behavioral impairment. Six months later there was a reduction of 39 percent in the number of persons reporting this behavior.

In an effort to further explore the relationship between alcohol and violence and to understand the role of the family in drinking behavior the National Institute on Alcohol Abuse and Alcoholism is currently funding two research studies in the area of conflict and aggression and three research studies on the family.

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The National Institute on Drug Abuse has funded a grant, designed to study the children from four populations of mothers: heroin addicted (not in treatment) and a control group, methadone maintenance and a control group. Both the mothers, who have recently delivered and their mothers are interviewed about violence in the family of origin. Preliminary findings seem to suggest that methadone maintenance mothers report stronger kinship patterns than do heroin mothers when asked about their current family lives. Yet methadone maintenance mothers also report that they observed their parents and close relatives assaulting each other as children. In addition, preliminary data from another grant designed to study the children of heroin addicts in treatment revealed: of a total number of 126 heroin addict parents in treatment, 3% indicated that child abuse had occurred and 4% indicated that child neglect had occurred

Conclusion

The Department has a number of current policy objectives and activities which address domestic violence. For example, the identification, referral, and treatment of alcohol and drug abuse is an important and relevant activity to lessen the incidence of family violence. I wish to stress that the Alcohol, Drug Abuse, and Mental Health Administration is particularly interested in continuing its family violence research activities. Through research, we can seek to assess the causes, prevalence and types of abuse, to ascertain the kinds of innovative services which should be developed, to evaluate their efficacy, and to define the role of prevention. Training techniques can be developed for those personnel who may have first contact with victims of domestic

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incidents -- law enforcement officers, hospital emergency staff, social service workers, and mental health personnel. Research and training activities are basic to the development of services. However, services to victims of domestic violence should be delivered through the traditional health and social service agencies. We believe that we can best be of service to the Nation through continued efforts in research, manpower development, and in providing the necessary technical assistance to those public agencies that retain the primary responsibility for providing services to the victims of family violence.

Senator CRANSTON. Our next panel is made up of interested groups: Elizabeth Davoren, social worker consultant, family issues, National Association of Social Workers; Sara-Ann Determan, co-chairperson, Committee on Rights of Women, Section of Individual Rights and Responsibilities, American Bar Association; Ira S. Lourie, American Psychiatric Association; Suzanne Steinmetz, University of Delaware, representing the coalition of family organizations; Bonnie Tinker, chairperson, steering committee, National Coalition Against Domestic Violence, Portland, Ore.; and the Honorable Suzanne A. Wilson, vice mayor of San Jose, Calif., chair of the Public Safety Policy Committee, National League of Cities.

STATEMENTS OF ELIZABETH DAVOREN, SOCIAL WORKER CONSULTANT, FAMILY ISSUES, NATIONAL ASSOCIATION OF SOCIAL WORKERS; SARA-ANN DETERMAN, ESQ., CO-CHAIRPERSON, COMMITTEE ON RIGHTS OF WOMEN, SECTION OF INDIVIDUAL RIGHTS AND RESPONSIBILITIES, AMERICAN BAR ASSOCIATION; IRA S. LOURIE, M.D., AMERICAN PSYCHIATRIC ASSOCIATION; SUZANNE K. STEINMETZ, PH. D., UNIVERSITY OF DELAWARE, REPRESENTING THE COALITION OF FAMILY ORGANIZATIONS; BONNIE TINKER, CHAIRPERSON, STEERING COMMITTEE, NATIONAL COALITION AGAINST DOMESTIC VIOLENCE, PORTLAND, OREG.; AND HON. SUZANNE B. WILSON, VICE MAYOR, SAN JOSE, CALIF., CHAIR, PUBLIC SAFETY POLICY COMMITTEE, NATIONAL LEAGUE OF CITIES, A PANEL

Ms. DAVOREN. My name is Elizabeth Davoren and I am from California. I am a consultant and I am here representing the 79,000 members of the National Association of Social Workers.

I am submitting a full statement for the record, Senator, and will just make a few brief remarks—some related, some unrelated to the written material.

I am a psychiatric social worker and have been a specialist in child abuse and neglect for 17 years. As a clinician, I have probably worked with about 500 wives who have been severely abused by their husbands in some kind of retreat. I have worked with these wives at a time when there was very little hope for their doing anything.

I want to say that the thing that occurs to me most about abused wives is that they tend to be the victims nobody believes, and they are the victims nobody believes because they do not even believe themselves. They are very puzzled about what happens to them when it happens and then too, for the most part—and this is my experience—they blame themselves for what is happening. As a result, it is very hard for them to seek respite without a great deal of support, for many of the reasons that you have already been given.

I think that what we have tended to do in the therapeutic professions, it to look at what is the matter with women who put up with this, and we do all kinds of things like making diagnoses of it and sort-of-blame-the-victim kind of thing.

It has been very exciting for me to see us move away from this concept and say that we as a community and as a country and as a government, are willing to support people in making that break from being victim to being something else—and the being something else takes a great deal of work. And I want to stress that, because I think that very often, people who work in this field will get involved and get very disappointed if they put a lot of effort and energy into helping a mother and her small children move out of a home, and after they just get moved and hear them suddenly say: "But I really love my husband, I want to go back to him."

This needs to be understood—and a great deal of human behavior needs to be understood—particularly by police—and I think we have to keep in mind that we may need to do some legal revision, but it was extremely hard when we would try to get support, for women to be protected from their husbands—and I say women, because I have only seen one man in all my practice, and he was not hurt very much—that we need to get—police, for instance, are the first who feel burdened by this. They feel that if they go into the home and they intervene, and then the wife refuses to testify, that she has repudiated their efforts and repudiated them, and therefore, will not go in on a call the second time.

I am thinking of a very dramatic example that occurred in Texas when a young man climbed a tower and killed. I think, 11 people and said, as explanation to what happened to him, much later on that he had watched his father beat up his mother all of his life and that he was finding himself turning on his wife and beating her and he was in such anguish that he did not know what to do about it—which leads me to say something that I was going to say at the end, but want to say right here and now: That in order—when we talk about research, rather than the type of research that takes the form of questioning why people are involved in this kind of behavior, we really need to look at the total picture of aggression and what human beings do with their aggression and why they do that with their aggression. In other words, we need to find ways of diverting it. We need to offer people other opportunities to use aggression. We are at a very primitive state in our culture at this point and we do not know what to do with or how to manage it.

I would also like to make a comment about the fragmentation which was made earlier. And that is, I think it is important to visualize families as a unit, rather than as little parts of a unit. Rather than talk about child abuse and wife abuse or husband abuse or sibling abuse or whatever comes up, that we think of what goes on within the family construct.

Finally, I would like to support, on behalf of the group that I represent, modest projects. Instead of having expensive projects that cannot be continued after Federal funds are no longer available, or that others cannot pick up because they cannot afford them, we would rather see many small projects and many divergent projects that would give us an opportunity to look at the ingenious ways that have already been used to handle this problem, and allow us to multiply them.

That covers the extent of my remarks.

Senator CRANSTON. Thank you very much.

[The prepared statement of Ms. Davoren follows:]



NATIONAL ASSOCIATION OF SOCIAL WORKERS, INC.

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TESTIMONY

BEFORE THE SENATE

SUBCOM. ON CHILD AND HUMAN DEVELOPMENT

PRESENTED BY: ELIZABETH DAVCREN,
Tiburon, California
on behalf of the
National Association of
Social Workers

Washington, D.C.

March 8, 1978

My name is Elizabeth Davoren of Tiburon, California. Presently, I am a consultant for a DHEW funded project on the development of a national curriculum for training professional disciplines in identification, reporting and referral of child abuse and neglect.

Today, I welcome the opportunity to present the views of the 77,000 members of the National Association of Social Workers and its National Committee On Women's Issues.

The issue of violence within the family must be viewed in the context of societal attitudes which allow the use of violence as a means for settling differences. Although today we do not intend to address the larger issue of violence in our society, it is important to note that violent behavior is encouraged in the media and popular forms of entertainment.

Taking cognizance of the above, I would like to address the specific area of domestic violence and recommend a number of ideas for developing a national program for domestic violence, prevention and treatment.

Statement of the Problem

This legislation is an outgrowth of initial proposals directed primarily at assisting local community groups working with the battered spouse programs. Fortunately during the early stages of development of various proposals there was a recognition of the need to begin to attack other forms of violence within the family's perspective. We applaud this larger perspective.

Until recently, there has been little specific data available on the amount of physical violence that occurs within the family. As child abuse became a recognized problem, communities began to become aware of other forms of violence within the family, most notably the battered spouse syndrome. New studies in this expanding field now point to another phenomena - sibling abuse. The research and statistics are enabling us to appreciate the scope of the problem. For example,

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- 100,000 cases of child abuse reported annually;
- approximately 25% of all murders in the U.S.A. occur within the family; and,
- a University of New Hampshire study showed that 62% of a sample of high school seniors had used physical force on a brother or sister.

The obvious conclusion to be drawn from all this is that significant amounts of violence originate in the family. We now believe that this violence is not just injurious to the individuals involved but to the community at large. There is growing evidence that violent behavior patterns are learned in the home. Those people who participate in family violence behavior are not necessarily mentally ill. We agree with Congressman Newton Steers (R-Maryland) that family violence is a treatable social illness. What is needed now are resources to the community and social agencies to cope with the expanding dimensions of the problem and intensive, basic research into the causative components of the issue.

Our recommendations are based on encouragement and commitment to the development of an integrated system of services by trained persons, professionals and volunteers.

1. In order to avoid fragmentation of another social service program, we suggest that the proper location for the new program be within the newly re-organized Administration on Children, Youth and Families (ACYF).

ACYF has recently been organized to broaden the scope of its activities to an emphasis on families. The Task Force on Families of ACYF which reports directly to the Commissioner has just concluded a study that recommends policy and programs in the area of family services. In addition, the National Center on Child Abuse and Neglect (NCCAN) is located in the Children's Bureau within ACYF. When we consider that local battered spouse program experience is matching data that certain types of violence - spouse abuse and child abuse - are closely interrelated

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it is easy to see the need for close coordination with NCAN. This opportunity will also enable us to build on NCAN's experience in programming and research.

This approach would reinforce the Secretary of HEW Califano's focus on the family and in a small but significant way would serve as a prelude to the White House Conference on Families. We feel strongly that the concerns of children and families should be coordinated under one roof and within an Administration where there would be a high level of visibility.

Other agencies which have been mentioned, National Institute of Mental Health and ACTION, do not offer these advantages. NIMH's research orientation and strong mental health emphasis are not easily transferrable to programs which have originated in the local voluntary sector. Moreover, NIMH does not have the strong linkages to the public welfare system which ACYF has.

Although ACTION provides the network of volunteers it does not offer the service delivery system linkages to the family. The federal government should also be careful about initiating programs that do not provide continuity of personnel. Voluntary programs, even when they use local service mechanisms tend to not provide that needed continuity. This is not to undermine the value of volunteers, but to underscore the need for programs which can be firmly grounded on a long term basis at the community level. In sum, we believe that ACYF is the only appropriate agency for locating a program on domestic violence prevention and treatment.

2. A program directed at prevention and treatment of family violence can be a first step in the development of an integrated support system for families in crisis.

We foresee that a vast array of agencies and supportive services will have to be mobilized to effectively handle crisis situations involving violence in the family. Consequently, some attention and monies should be directed at establishing and encouraging the development of these service linkages. Even though it is often unrecorded, the need for community resources to cope with the problems of family violence is one which must be met. These families require an integrated support system which is currently non-existent at every level of government. For now, it may be necessary to develop special programs to deal with the problem of the battered spouse, in a manner similar to the way we handle child abuse. However, like so many areas of victim services, all aspects of the problem must be dealt with. For example, local shelter and emergency services for women are frequently a response to an immediate crisis. Their services must be broadened within the context of established public agencies and coordinated with existing resources. We suggest that grants to local programs be conditioned upon incorporation of a plan for integrating a range of services presently available within the community and identifying those service components which are not available.

3. There is a role for trained volunteers and there is a role for professional staff.

We want to continue and encourage voluntary efforts and self help programs at the local level. Much voluntary efforts to date in spouse abuse centers have focused on shelters and 24-hour telephone intake. The more comprehensive programs usually involve the public welfare system and its range of services. Local community efforts, private agencies and self help groups frequently are better and more efficient and non-stigmatizing gateways into the established helping system. These local efforts promote legitimate ways for people to seek help for embarrassing

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problems without the need to identify themselves as a client of a public agency. In addition, local voluntary efforts are extremely important and useful because they provide extended services which could not otherwise be provided by paid staff, minimize overhead costs, sometimes provide one to one interaction on a continuous basis, and offer vitality and enthusiasm to enable low-cost programs to operate. These efforts must be encouraged.

We also believe that programs directed at violence in the family take enormous patience and time for results to be realized. Because of the nature of the problem, there is a need for professional tolerance. Services such as family therapy and constructive crisis intervention call for trained personnel and must be coordinated as part of the established service system. We would recommend that training funds be available for lay volunteers from the community and for professionals to handle this sensitive area of human behavior. This should not necessarily require separate professional staff but could be implemented by utilizing existing trained professional staff.

4. Research should be directed not only at discovering the underlying causes of family violence but should include a systematic series of demonstration grants to uncover the best delivery system for services.

Everyone recognizes the need for data and research which enhances our knowledge base. Research should include studies on preventative measures, impact analysis of other federal programs on spouse abuse, and precipitating crises. In addition, demonstration projects should be required to have an evaluation plan to measure long range effects. We feel strongly that the first year of operation should have as a major thrust development of an evaluation plan prior to funding numerous projects.

Research should test realistic strategy that is likely to be supported by additional federal funds. There is no value in funding a large number of idealized programs which are unlikely to be continued, supported or replicated because funding

will be unavailable in subsequent fiscal year cycles. In this regard, Congresswoman Barbara Milkulski's approach to using ACTION as a training mechanism for community volunteers deserves to be tested as a demonstration project. The vitality which VISTA has shown in local communities can be added to other local efforts on family violence. Perhaps, clearly defined research goals and demonstration projects will act as a spur to others to conduct related work in this area.

In sum, we support a legislative concept which houses this new federal effort within a government department that already has established links with other related federal efforts, encourages a cooperative relationship between professionals and community volunteers, and which can propose systematic investigation into the research and services components needed at both the national and local levels.

Thank you.

SUMMARY OF TESTIMONY BY THE NATIONAL ASSOCIATION OF SOCIAL WORKERS
 Wednesday, March 8, 1978
 Before the Subcommittee on Child and Human Development

NASW is the largest professional social work organization in the world representing 77,000 social workers nationwide.

Statement of the Problem

Until recently, there has been little specific data available on the amount of physical violence that occurs within the family. As child abuse became a recognized problem, communities began to become aware of other forms of violence within the family, most notably the battered spouse syndrome. New studies in this expanding field now point to another phenomena - sibling abuse. The research and statistics are enabling us to appreciate the scope of the problem. For example,

- 4 million cases of child abuse reported annually;
- approximately 25% of all murders in the U.S.A. occur within the family; and,
- a University of New Hampshire study showed that 62% of a sample of high school seniors had used physical force on a brother or sister.

The obvious conclusion to be drawn from all this is that significant amounts of violence originate in the family. We now believe that this violence is not just injurious to the individuals involved but to the community at large. There is growing evidence that violent behavior patterns are learned in the home. Those people who participate in family violence behavior are not necessarily mentally ill. We agree with Congressman Newton Staara (R-Md.) that family violence is a treatable social ill. What is needed now are resources to the community and social agencies to cope with the expanding dimensions of the problem and intensive, basic research into the causative components of the problem.

Recommendations

Our recommendations are based on encouragement and commitment to the development of an integrated system of services by trained persons, professionals and volunteers.

1. Location of Family Violence Prevention and Treatment Program.

In order to avoid fragmentation of another social program, we suggest that the proper location for the new program be within the newly reorganized Administration on Children, Youth and Families (ACYF). There are more than a few reasons for preferring ACYF.

- ACYF has recently been organized to broaden the scope of activities to a general concern for families. There is no other federal agency where the concerns of children and families can be coordinated under one roof.

- Local program experience is matching data that certain types of violence - spouse abuse and child abuse - are closely intrrelated. Like so many areas of victim services, the overlaps in abuse characteristics are just being recognized. Because the National Center on Child Abuse and Neglect (NCCAN) is located within ACYF, this offers an opportunity to not only build on experience but to coordinate programming and research.

- The Federal government should be careful about initiating programs which do not provide for continuity of personnel. Voluntary programs and service mechanisms tend to not provide that needed continuity.

2. The need for an integrated support system.

While it may be necessary to develop special programs to deal with the problem of spouse battering. We foresee that a vast array of agencies will have to be mobilized to effectively handle crisis situations of vulnerable families. Consequently, some attention and monies should be directed at establishing and encouraging the development of these service linkages.

3. The role of volunteers.

We want to continue and encourage voluntary efforts at the local level and self-help programs. There is a role for trained volunteers and there is a role for professional help. Much voluntary efforts to date in spouse abuse centers has focused on shelters and 24-hour phone intake. We believe that family therapy and constructive crisis intervention calls for trained personnel. We would recommend that training funds be available for both lay volunteers from the community and for professionals to learn how to handle this sensitive area of human behavior.

4. Research.

Finally, everyone recognizes the need for data and research which enhances our knowledge base. We believe that a clearly defined focal point within the federal government will act as a spur to much needed research into this area.

In sum, we support a legislative concept which houses this new federal effort within a government department that already has established links with other related Federal efforts, encourages a cooperative relationship between professionals and community volunteers, and which can propose systematic investigation into the research and services components needed at both the national & local levels.

Senator CRANSTON. Ms. Determan.

Ms. DETERMAN. I am Sara-Ann Determan and am speaking today on behalf of the American Bar Association, which represents more than half the Nation's lawyers.

In February 1978, the ABA House of Delegates, by an overwhelming vote, adopted the following resolution on the subject of family violence.

Be it resolved, That the American Bar Association supports Federal, State, and local efforts to combat the incidence, causes, and effects of family violence and supports the implementation of programs to protect the victims of family violence.

The association has studied the problem and believes that it is an extremely serious problem that broadly affects the American family of all races and economic classes.

The Nation's lawyers think that Federal legislation is needed to establish a priority for combating family violence, and to implement a national strategy involving coordination of existing programs and research looking toward the initiation of new programs and efforts in that area.

We believe that the victims of family violence are usually unable to protect themselves because of their economic and psychological dependence on their abusers. They are unable to alter, themselves, this pattern of family violence. Because of this, it is imperative that the community, through its government, take special action to combat the crime of woman battering.

As you know, the number of persons affected by domestic violence is staggering.

The ABA believes that family violence is an extremely serious national problem and urges Congress to take action in this area.

On behalf of the association, I thank the chairman for his leadership in this area and for permitting us to put these views on record.

We look forward to reviewing the proposed legislation.

Senator CRANSTON. Thank you very much.

[The prepared statement of Ms. Determan follows:]



AMERICAN BAR ASSOCIATION

GOVERNMENTAL RELATIONS OFFICE • 1800 M STREET N.W. • WASHINGTON, D.C. 20036 • (202) 331-2200

STATEMENT OF

SARA-ANN DETERMAN, CO-CHAIRPERSON
COMMITTEE ON RIGHTS OF WOMEN
SECTION OF INDIVIDUAL RIGHTS AND RESPONSIBILITIES

, on behalf of the

AMERICAN BAR ASSOCIATION

before the

SUBCOMMITTEE ON CHILD AND HUMAN DEVELOPMENT

COMMITTEE ON HUMAN RESOURCES
UNITED STATES SENATE

CONCERNING

DOMESTIC VIOLENCE

March 4, 1979

Mr. Chairman and Members of the Subcommittee:

The American Bar Association appreciates this opportunity to present its views on family violence. I am Sara-Ann Determan, Co-Chairperson of the Association's Committee on Rights of Women of the Section of Individual Rights and Responsibilities. In February, 1976, the ABA House of Delegates adopted a resolution on the subject of family violence. That resolution provides as follows:

BE IT RESOLVED, that the American Bar Association supports federal, state and local efforts to combat the incidence, causes and effects of family violence and supports the implementation of programs to protect the victims of family violence.

The Association's Section of Individual Rights and Responsibilities has studied the problem and believes that it is an extremely serious one that broadly affects the American family of all races and economic classes.

We believe that federal legislation is needed to establish a priority for combatting family violence and to implement a national strategy involving coordination of existing programs and research looking toward the initiation of new programs and efforts in this area. We believe that the victims of family violence are usually unable to protect themselves because of their economic and psychological dependence on their abusers and their inability to alter the pattern of family violence. Because of this, it is imperative that the government take action to combat the crimes of woman battering and of child abuse.

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The number of persons affected by domestic violence is staggering. FBI statistics for reported crime reveal that the number of domestic beatings are three times as prevalent as the number of rapes, and there is a rape reported every three minutes. The FBI estimates that these figures for reported crimes represent less than 10% of the total number of "wife-beatings" that occur. According to FBI statistics, one-eighth of all homicides in the United States are spouse killings and one-fifth of all police officers killed annually die while responding to domestic disturbance calls.

Child abuse, too, is a serious national problem. It is currently estimated that annually one million children in the United States are the victims of child abuse and neglect. Additionally, there is reason to believe that child abuse is involved in 2,000 child deaths annually.

In conclusion, the ABA believes that family violence is an extremely serious problem and urges Congress to take action in this area. On behalf of the Association, I thank the Chairman and the Subcommittee for permitting us to present these views.

Senator CRANSTON. Dr. Lourie.

Dr. LOURIE. Mr. Chairman, my name is Ira Lourie, and I am representing the American Psychiatric Association and the American Academy of Child Psychiatry. We represent over 25,000 psychiatrists and child psychiatrists throughout this country, and I must point out that before I begin to say my remarks, that while I am an employee of the National Institute of Mental Health—NIMH—I am appearing here on behalf of the American Psychiatric Association, and the American Academy of Child Psychiatry, and the views that I propound are not necessarily those of NIMH or the Alcohol, Drug Abuse, and Mental Health Administration.

As I look at this whole area of family violence, domestic violence, and wife battering, I have been struck with the fact that the concept which we have been investigating seems to have some disparity within it.

We seem to have two concepts that we are talking about—one of those is the broad concept, which we call "domestic violence"; and one is a more narrow one, which we call "spouse abuse." And I know that today you said that you were going to be talking about domestic violence, and you would talk about it in terms of battered wives—but still it certainly describes that there is a disparity between the two concepts. The reason that we get this disparity is because we are getting information from two sectors—we are getting information from the research sector, which talks about broad issues and asks us to look at things in broad perspectives, and we get ideas from service areas and service issues, where we have to look at things necessarily more categorically.

What emerges as we think about the whole area, whether it affects children or adolescents or wives, is that the two areas of research and service, categorical and noncategorical, have to be viewed very separately.

Now let me try to explain this—I think that if we begin to look at abuse as a symptom rather than as a problem within itself, we will see that abuse is a symptom of something that is going on in the family. That abuse might be a symptom toward a child, toward an adolescent, or toward a wife, but it is indeed a symptom and not the problem itself. Like a headache, which is also a symptom, it can have many causes. A headache can mean anything from the fact that you might be a little tense or the fact that we might have a brain tumor or a serious cardiovascular disease. So with abuse, Abuse may come from many things and can be a result of many things going on in the family.

However, when we talk about services, we need to look at it in terms of a symptom, and then form a categorical approach.

As a society, we said that we are not going to condone violence and we are not going to condone battering, and what we have done is to create laws and some very wise people have created some technologies to deal with this symptom. Parenthetically, I would like to say that probably the most effective tools that we have in dealing with child abuse are the 50 State laws which have been created to deal with this issue.

However, when we talk about research, we have to go beyond the categorical approach and we have to go beyond the symptoms. We

can develop an aspirin to take care of a headache, but it does not make the reason for the headache go away. When we look at abuse, we have to try to find out what are those things that go on underneath it—what are those things that are the real problems. When we look at abuse, and I think Dr. Steinmetz will probably talk a little bit about this, when we talk about abuse itself, it is relatively indefinable, from either a sociological or a medical point of view. The court defines abuse. It is a legal term. It is a legal term which is very useful, but really does not define what goes on. And when we think of research, we have to think of studies of the basic issues. We have to research child development, we have to research family development, we have to research adult development and we have to research violence as a human trait. And then we can view the abuses that we see within the framework of these various kinds of basic issues. And only then can we find out the principles that are unique to abuse. We can find out principles that are common to various kinds of abuse and in what way the various kinds of abuse, that we see and study, are different.

What I have tried to do, and my written statement goes into this somewhat deeper, is described a paradoxical situation where we need categorical programs for service and noncategorical programs for research.

I hope that in this committee's wisdom, we will be able to find a wide legislative solution to this problem and we can come up with some meaningful programming.

Thank you very much.

Senator CRANSTON. Thank you very much.

[The prepared statement of Dr. Lourie follows:]



American Psychiatric Association

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TESTIMONY

THE

AMERICAN PSYCHIATRIC ASSOCIATION

BEFORE THE

SUBCOMMITTEE ON CHILD AND HUMAN DEVELOPMENT

COMMITTEE ON HUMAN RESOURCES

MARCH 8, 1978

IRA S. LOURIE, M. D.
AMERICAN PSYCHIATRIC ASSOCIATION

GOOD MORNING.

MY NAME IS DR. IRA S. LOURIE, AND I AM APPEARING HERE TODAY ON BEHALF OF THE AMERICAN PSYCHIATRIC ASSOCIATION, A MEDICAL SPECIALTY SOCIETY WITH A MEMBERSHIP OF OVER 24,000 PSYCHIATRISTS REPRESENTING A CROSS SECTION OF THOSE PRACTICING PSYCHIATRY, RANGING FROM THE ACADEMIC () THE ADMINISTRATOR TO THE INDIVIDUAL IN COMMUNITY, PUBLIC HEALTH SERVICE OR PRIVATE PRACTICE THROUGHOUT THE UNITED STATES.

THE OBJECTIVES OF THE AMERICAN PSYCHIATRIC ASSOCIATION STATE OUR DEDICATION NOT ONLY TO IMPROVING THE TREATMENT, REHABILITATION AND CARE OF THE MENTALLY ILL, BUT ALSO OUR DEDICATION TO ADVANCING THE STANDARDS OF ALL PSYCHIATRIC SERVICES AND TO COOPERATE WITH ALL WHO ARE CONCERNED WITH OTHER MEDICAL, PSYCHOLOGICAL, SOCIAL AND LEGAL ASPECTS OF MENTAL HEALTH AND ILLNESS. THE OPPORTUNITY TO APPEAR TODAY IS VERY MUCH IN KEEPING WITH THE APA'S OBJECTIVES, AND WE THANK YOU, MR. CHAIRMAN, FOR ALLOWING US TO PROVIDE OUR INPUT ON THE MOST SERIOUS MATTER OF DOMESTIC VIOLENCE.

I MUST POINT OUT BEFORE BEGINNING TO ADDRESS THIS ISSUE THAT WHILE I AM AN EMPLOYEE OF THE NATIONAL INSTITUTE OF MENTAL HEALTH, MY PRESENCE HERE TODAY IS IN ANOTHER CAPACITY. I AM APPEARING ON BEHALF OF THE APA AND THE VIEWS I PROPOUND ARE NOT NECESSARILY THOSE OF EITHER NIMH OR ADAMHA.

DOMESTIC VIOLENCE -- AN OVERVIEW

THIS NATION OVER THE PAST TWENTY YEARS, HAS BEGUN TO COME TO GRIPS WITH THE ISSUE OF DOMESTIC VIOLENCE -- CHILD ABUSE, ADOLESCENT ABUSE AND SPOUSE ABUSE. WE DID NOT KNOW THEN WHAT WE KNOW NOW: THAT DOMESTIC VIOLENCE IS NOT CLASS OR CULTURE BOUND; THAT CHILDREN UNDER THE AGE OF FIVE ARE NOT THE PREDOMINANT VICTIMS OF ABUSE; THAT ABUSE UNREPORTED DOES NOT MEAN THAT ABUSE IS NOT PRESENT.

FIRST, ATTENTION WAS FOCUSED ON CHILD ABUSE, AND TODAY THERE ARE MANY EFFORTS AD THE STATE, FEDERAL AND LOCAL LEVELS TO DEAL WITH THIS PROBLEM. WHEREAS THE ISSUE WAS FIRST CONSIDERED A LEGAL ONE, TODAY WE HAVE COME TO RECOGNIZE THAT CHILD ABUSE -- AND INDEED ADOLESCENT AND SPOUSE ABUSE -- AS WELL -- ARE THE RESULT OF ABERRANT FAMILY PROCESS WITH PHYSICAL, PSYCHIATRIC, SOCIAL AND LEGAL IMPLICATIONS BOTH FOR THE FAMILY ITSELF AND SOCIETY AT LARGE. AS WE HAVE LEARNED MORE ABOUT FAMILY VIOLENCE, SO, TOO, HAVE WE SOUGHT MEANS OF BRINGING A HALT TO ABUSE. SERVICE PROGRAMS HAVE BEEN DEVELOPED WITH A MULTIDISCIPLINARY APPROACH IN WHICH VARIOUS PROFESSIONALS AND NONPROFESSIONALS WITHIN A COMMUNITY HAVE COME TOGETHER TO SUPPORT FAMILIES IN WHICH THERE IS A CHILD AT RISK. THE MEDICAL, LEGAL AND SOCIAL SERVICES COMMUNITIES HAVE COME TO RECOGNIZE THAT REMOVING AN ABUSED CHILD FROM THE HOME IS NOT NECESSARILY THE MOST PREFERABLE MEANS OF ENDING ABUSIVE TREATMENT. SERVICE PROGRAMS HAVE HAD AS AN OBJECTIVE THAT OF KEEPING FAMILIES INTACT, THROUGH COUNSELING OR OTHER SUPPORTIVE MEDICAL AND SOCIAL SERVICES, RATHER THAN RELYING ON

INVOLUNTARY PLACEMENT OF ABUSED CHILDREN THROUGH THE SOCIAL WELFARE OR COURT SYSTEMS.

AS AN OUTGROWTH OF THIS NEW ATTENTION BEING PAID TO CHILD ABUSE HAS COME THE RECOGNITION THAT INFANTS ARE NOT THOSE WHO ARE PREDOMINANTLY ABUSED. RATHER, ABUSE AFFECTS ALL CHILDREN OF ALL AGES AT APPROXIMATELY EQUAL RATES. MOREOVER, WE HAVE LEARNED THAT SPOUSE ABUSE, BOTH AGAINST WIVES AND HUSBANDS, IS WIDESPREAD, THOUGH FAR LESS FREQUENTLY REPORTED THAN INCIDENCES OF CHILD OR ADOLESCENT ABUSE.

RECENT RESEARCH IS DEMONSTRATING THAT THE PATTERNS OF ABUSE ARE NOT THE SAME AMONG VARIOUS AGE GROUPS OF ABUSED CHILDREN, ADOLESCENTS AND ADULTS. INDEED, WITHIN THE POPULATION OF ADOLESCENTS ABUSED (APPROXIMATELY TWENTY-FIVE PERCENT OF ALL VALIDATED ABUSE CASES) IT HAS BEEN DISCOVERED THAT THE CAUSES AND NATURE OF ABUSE, WHILE PARALLELING ABUSE OF THE VERY YOUNG IN SOME WAYS, ARE IN MANY WAYS DIFFERENT, THAT IS TO SAY, THE FAMILY PRESSURES GIVING RISE TO THE ABUSE VARY GREATLY. DATA, UNFORTUNATELY, ARE INCOMPLETE, BECAUSE WHILE ADOLESCENTS TO AGE EIGHTEEN ARE COVERED UNDER CHILD ABUSE PROTECTION SYSTEMS, THE SYSTEMS HAVE NOT DEVELOPED THE CAPACITY TO DEAL ADEQUATELY WITH THE DIFFERENT NATURE OF THE PROBLEM. RECENT LIMITED EFFORTS HAVE RESULTED IN THE GROWING RECOGNITION OF THIS PROBLEM IN THE DEVELOPMENT OF PILOT PROGRAMS.

MOST RECENTLY, THE PLIGHT OF THE BATTERED OR ABUSED SPOUSE HAS COME TO NATIONAL ATTENTION. UNLIKE THE AREA OF CHILD ABUSE, THERE IS NO EXTANT REPORTING SYSTEM FOR MEDICAL CASES IN WHICH ABUSE IS SUSPECTED OR VALIDATED, AND UNLIKE THE AREA OF CHILD ABUSE, A SYSTEM OF MULTI-DISCIPLINARY CASE MANAGEMENT HAS NOT BEEN INSTITUTED. UNLIKE CHILDREN, OR EVEN ADOLESCENTS, SPOUSES HAVE NO LEGAL PROTECTION AGAINST ABUSE. WHAT WE DO HAVE ARE LOCAL "HAVENS" FOR THE ABUSED SPOUSE. THESE ARE FEW

AND FAR BEHIND WITH LITTLE COMMUNITY SUPPORT -- BE IT MONEY, PSYCHIATRIC, MEDICAL, SOCIAL OR LEGAL COUNSELING, OR OTHER SERVICES, THE DATA ARE SO SKETCHY, AND THE RESEARCH SO LIMITED THAT THE PHENOMENON IS NOT WELL UNDERSTOOD BY ANYONE IN THE COMMUNITY OF PROFESSIONALS, PARAPROFESSIONALS AND NONPROFESSIONALS ATTEMPTING TO DEAL WITH THE PROBLEM.

THE ROLE OF PSYCHIATRY IN CURBING DOMESTIC VIOLENCE

THERE ARE THREE MAJOR AREAS IN WHICH THE PSYCHIATRIST -- AS A PHYSICIAN AND AS A SPECIALIST IN MENTAL ILLNESS -- HAS BEEN AND MUST CONTINUE TO BE INVOLVED IN THE AREA OF DOMESTIC VIOLENCE. I REFER HERE TO SERVICE PROGRAMS FOR THE ABUSED AND ABUSIVE, RESEARCH AND TRAINING.

THE PSYCHIATRIST, TODAY OFTEN THE CHILD AND ADOLESCENT PSYCHIATRIST, HAS BEEN A PART OF THE MULTIDISCIPLINARY TEAMS NOW WORKING IN THE AREA OF DOMESTIC VIOLENCE. HIS OR HER PRESENCE AS PART OF SUCH A TEAM ADDS TO THE UNDERSTANDING OF FAMILY DYNAMICS, CHILD DEVELOPMENT AND WHEN APPROPRIATE, PSYCHO-PATHOLOGY, ALL OF WHICH CAN HELP INSURE THE MOST BENEFICIAL CASE MANAGEMENT, AND ULTIMATELY THE END OF ABUSE IN A PARTICULAR FAMILY. FOR EXAMPLE, THE PSYCHIATRIST CAN ASSESS THE NEED FOR PSYCHIATRIC THERAPY FOR ANY MEMBER OF THE FAMILY IN WHICH ABUSE IS PRESENT. OR SHE CAN WEIGH THE EFFECTS OF VARIOUS INTERVENTION OPTIONS ON THE FAMILY, THEREBY HELPING TO DETERMINE WHETHER A FAMILY IS BEST ENCOURAGED TO REMAIN INTACT, WHETHER A SEPARATION IS PREFERABLE, OR WHETHER THE CASE SHOULD BE EVALUATED BY THE CORRECTIONS SYSTEM. LAST, HE OR SHE CAN ASSESS SPECIFIC DYNAMICS OF FAMILIES WITH A HISTORY OF DOMESTIC VIOLENCE WITH AN EYE TOWARD DEVELOPING AN ETIOLOGY OF ABUSE.

WITHIN THE AREA OF RESEARCH, THE PSYCHIATRIST CAN PLAY AN IMPORTANT ROLE, WHETHER THE RESEARCH IS ON AN AD HOC BASIS OR UNDER OTHER FEDERAL OR OTHER SUBSIDY, BY BRINGING HIS OR HER KNOWLEDGE OF RESEARCH ON VIOLENCE, FAMILY DYNAMICS, CHILD DEVELOPMENT TO BEAR ON THE SPECIFIC QUESTION OF DOMESTIC VIOLENCE. HE ADDRESSES BOTH THE ABUSED AND ABUSIVE WITH AN EYE TOWARD CULLING COMMON DENOMINATORS FROM THE COMPLEX SERIES OF TRIGGER SITUATIONS WHICH MAY RESULT IN FAMILY VIOLENCE.

THE PSYCHIATRIST CAN FURTHER HELP TRAIN OTHER PROFESSIONALS AND PARAPROFESSIONALS, INCLUDING LAW ENFORCEMENT PERSONNEL, IN THE PSYCHIATRIC ASPECTS OF INTERVENTION IN FAMILY CRISIS SITUATIONS.

TODAY, HOWEVER, THE ABILITY OF THE PSYCHIATRIST OR OTHER PROFESSIONALS WORKING IN THE AREA OF DOMESTIC VIOLENCE IS SEVERELY LIMITED. THESE LIMITATIONS ARE THE RESULT OF INSUFFICIENT RESEARCH, INSUFFICIENT FUNDS AND, UNTIL TODAY, INSUFFICIENT NATIONAL INTEREST IN FAMILY VIOLENCE OTHER THAN CHILD ABUSE.

WHAT IS NEEDED TO AFFECT CHANGES IN FAMILY VIOLENCE

BASED IN LARGE MEASURE ON MY INVOLVEMENT IN CHILD AND ADOLESCENT ABUSE, IT BECOMES CLEAR THAT FOUR MAJOR NEEDS ARE LACKING IN OUR EFFORTS TO CURB DOMESTIC VIOLENCE: SERVICE POTENTIAL, TRAINING OF PERSONNEL, BASIC RESEARCH AND THE FUNDS NECESSARY TO MEET THE THREE OTHER NEEDS.

IT IS NECESSARY TO PROVIDE INCREASED SERVICE POTENTIAL TO ALL GROUPS OF ABUSED PERSONS, PAYING PARTICULAR ATTENTION TO THE DISPARATE NEEDS AND TREATMENT TECHNOLOGIES FOR EACH GROUP. THERE ARE ALREADY SUCCESSFUL

MODELS WHICH HAVE BEEN OR ARE BEING DEVELOPED ON THE LOCAL, STATE AND REGIONAL LEVELS WHICH, AS DEMONSTRATION PROGRAMS COULD PROVIDE MODELS FOR FUTURE PROGRAMS AND INCREASED IMPETUS TO THE MULTIDISCIPLINARY TEAMS NOW WORKING IN THIS AREA. EACH MODEL ALSO PROVIDES POTENTIAL FOR BASIC RESEARCH INTO THE ETIOLOGY OF THE VARIOUS KINDS OF DOMESTIC VIOLENCE -- CHILD ABUSE, ADOLESCENT ABUSE AND SPOUSE ABUSE -- WHICH WILL RESULT IN THE DEVELOPMENT OF APPROPRIATE SERVICES TO MEET THE SPECIAL NEEDS OF EACH GROUP AND THE FAMILIES OF THOSE ABUSED.

AS PART OF THE DEVELOPMENT OF SERVICE POTENTIAL, IT IS NECESSARY ALSO TO DEVELOP OUTREACH. WHILE THE NUMBERS OF REPORTED CASES OF ABUSE ARE ON THE RISE, THE BATTERED SPOUSE SYNDROME, IN PARTICULAR, HAS NOT YET BEEN SUFFICIENTLY DESTIGMATIZED TO ALLOW ITS VICTIMS TO READILY SEEK HELP. GREATER PUBLIC EDUCATION TO SERVICES WILL BE NEEDED AS WILL AN EFFORT TO EDUCATE THE PUBLIC TO THE PHENOMENON ITSELF.

ADOLESCENTS, EVEN WHEN RECOGNIZED AS HAVING BEEN ABUSED, ARE OFTEN SEEN AS MANIPULATIVE VICTIMIZERS, AND THE ABUSE TOWARD THEM FORGIVEN. FOR EXAMPLE, AFTER SHOWING A VIDEOTAPE OF FOUR ABUSED ADOLESCENTS TO A GROUP OF JUVENILE OFFICERS, THEIR COMBINED RESPONSE WAS "BOY, WERE THOSE KIDS MANIPULATIVE". SO, IT GOES WITH SPOUSE ABUSE, WHERE THE VICTIM IS SEEN AS BEEN MASOCHISTIC -- "ASKING FOR ABUSE". BEFORE EFFECTIVE SERVICE CAN BE GIVEN, THESE MYTHS MUST BE LAID TO REST.

ALONG WITH SERVICES, TRAINED PERSONNEL WILL BE NEEDED. IF PROGRAMS ARE TO BE DEVELOPED NATIONALLY, ADEQUATE STAFF TO RESEARCH, EVALUATE AND MANAGE SUCH PROGRAMS IS CRUCIAL. IN THE PAST, APPROPRIATIONS HAVE BEEN RELATIVELY SMALL TO THE PROGRAMS THAT DO EXIST IN THE AREA OF FAMILY VIOLENCE, AND QUALIFIED STAFFING HAS SUFFERED EVEN MORE SEVERELY.

AT THE FEDERAL LEVEL, IT WOULD NOT BE INAPPROPRIATE FOR SPECIFIC LEGISLATIVE LANGUAGE TO BE INCLUDED IN ANY BILL DEALING WITH DOMESTIC VIOLENCE, MANDATING ADEQUATE TRAINING EFFORTS AND APPROPRIATE AUTHORIZATIONS TO CARRY OUT THE TRAINING.

AT THIS TIME, RESEARCH IN THE AREA OF FAMILY VIOLENCE IS PERHAPS THE MOST IMPORTANT STEP WHICH MUST BE TAKEN. RESEARCH IN FAMILY VIOLENCE TODAY, THOUGH SOME HEADWAY IS BEING MADE IN THE AREA OF THE BATTERED SPOUSE, PREDOMINANTLY HAS DEALT WITH CHILD ABUSE. MOREOVER, THIS RESEARCH HAS BEEN GEARED PARTICULARLY TO THE PEDIATRIC SETTING -- DESCRIBING ABUSE PATTERNS FOR CHILDREN UNDER FIVE WHO HAVE BEEN SUBJECTED TO SEVERE INJURY. FROM THIS, WE HAVE BEEN ABLE TO DEVELOP A PARADIGM FOR CHILD ABUSE WHICH IS BIASED AND WORKED BEST FOR ONLY THE GROUP STUDIED. ATTEMPTS TO DENY THIS BIAS AND TO APPLY THE RESULTS OF SUCH RESEARCH ACROSS THE BOARD MISS THE BASIC DIFFERENCES BETWEEN GROUPS OF ABUSED PERSONS AND OBSCURE THE FACTORS WHICH ARE INDEED COMMON TO ALL GROUPS.

RESEARCH IN FAMILY VIOLENCE HAS SUFFERED FROM CATEGORICAL APPROACHES. BASIC RESEARCHERS AND EPIDEMIOLOGISTS AGREE THAT THE TERM "ABUSE" WHETHER APPLIED TO CHILDREN, ADOLESCENTS OR SPOUSES, IS INDEFINABLE. THESE TERMS ARE LEGAL AND POLITICAL. THEY ARE DEFINED BY LAW AND ARE USED TO PROTECT LIVES AND ASSURE SERVICES TO GROUPS OF VICTIMIZED PEOPLE IN NEED OF ADVOCACY. THIS IS IDENTICAL TO THE TERM AND CONCEPT OF "INSANITY". THIS CONCEPT IS EXTREMELY USEFUL IN DESCRIBING AND DETERMINING A PERSON'S MENTAL COMPETENCE, AND OFTEN FOR THE ACQUISITION

OF SPECIAL SERVICES FOR THAT PERSON. BUT, IF WE PRETEND THAT INSANITY IS MORE THAN THAT, WE CAN GET INTO REAL TROUBLE BECAUSE IT OVERLOOKS ALL THE MANY RELATED AND UNRELATED CONDITIONS WHICH MAY LEAD TO ONE'S BEING DECLARED "INSANE." FURTHER, CREATION OF PROGRAMS BASED ON THIS CONCEPT WOULD ULTIMATELY LEAD TO HARMFUL INSTITUTIONS BASED ON INTERNALLY CONSISTENT BUT INVALID CONCEPTS.

SO IT IS WITH CHILD ABUSE, ADOLESCENT ABUSE AND SPOUSE ABUSE. THESE ARE ALL USEFUL TERMS TO PROTECT AND ASSURE SERVICES TO POPULATIONS IN NEED. HOWEVER, FOR THE PURPOSES OF RESEARCH THEY ARE MUCH LESS USEFUL. RESEARCH MUST BE BROADER AND NON-CATEGORICAL IN NATURE. WE MUST LEARN MORE ABOUT FAMILY VIOLENCE IN ITS BROADEST SENSE: THE PARENT/CHILD AND HUSBAND/WIFE RELATIONSHIPS, CHILD DEVELOPMENT, MID-LIFE DEVELOPMENT, ADOLESCENT TRANSITION, THE EFFECTS OF VARIOUS KINDS OF STRESS ON VARIOUS TYPES OF INDIVIDUAL, WHAT THE TRIGGER MECHANISMS FOR VIOLENCE ARE. ONCE SUCH A BROAD PERSPECTIVE IS GAINED, WE CAN LOOK AT WHAT WE KNOW ABOUT EACH CATEGORY OF ABUSE -- CHILDREN, ADOLESCENTS, SPOUSES, WITHIN A BROAD FRAMEWORK.

ONLY WITH RESEARCH OF THIS NATURE CAN WE FIND THE COMMON THREADS "WHY" VIOLENCE, CAN WE LEARN WHETHER IT IS THE SHEER NUMBER OF ASSURES ON PARTICULAR INDIVIDUALS WHICH TRIGGERS VIOLENCE, OR A SPECTAL ADMIXTURE WHICH CAN BE IDENTIFIED ACROSS ALL CASES OF DOMESTIC VIOLENCE. CATEGORICAL RESEARCH PROGRAMS ENTICE US INTO NARROW RESEARCH STUDIES WHERE, LIKE IN THE EXAMPLE OF INSANITY, PROJECTS ARE INTERNALLY CONSISTENT, BUT BASED ON BIASED, NARROW, AND MOST LIKELY INVALID CONCEPTS.

MY FAVORITE EXAMPLE OF THIS IS THE oft-stated "fact" that child abusers were themselves abused as children. This "fact" is now almost universally accepted as a leading cause of child abuse. However, this statistic is based on studies of abused children. We have no conception as to how many abused children actually grow up to abuse their own children and how many grow up with a counterreaction which would cause them to reject all forms of violence against their own children. Yet, we remain "hung-up" on this fact -- and still accept its untested and doubtful significance. To avoid this, we must set up systems which encourage scientists in the broad areas of child development, adult development, family development and violence to apply their knowledge and data to abused populations.

CONCLUSION

At the present time, the means of reducing or eliminating domestic violence are limited -- in part because no organized system of data collection on the issue really exists, in part because research into the causes of abuse have been limited and misdirected and in part because domestic violence remains a "hidden" phenomenon, an embarrassment to which the battered spouse, adolescent or child is not often willing to subject himself or herself by speaking of it or "going public". As mental illness is an issue which, with the efforts of the APA and the President's Commission on Mental Health, has been slowly destigmatized, so too must family violence. As mental illness has begun to be "brought out of the closet", so, too, must family violence. Once

BROUGHT OUT, RESEARCH AND SERVICES CAN BE MADE AVAILABLE TO UNDERSTAND AND THEN HELP ELIMINATE THE ROOTS OF DOMESTIC VIOLENCE. A WISE CONGRESS WILL WRESTLE WITH THE PARADOX OF NEEDING A CATEGORICAL APPROACH TO SERVICE AND A NONCATEGORICAL APPROACH TO RESEARCH, AND DEVELOP A MEANINGFUL PROGRAM WHICH CAN AND WILL ENCOMPASS BOTH.

The Phenomenon of the Abused Adolescent: A Clinical Study

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The abuse of adolescents is a problem of epidemic proportions. Although this problem has many factors in common with the phenomena of child abuse, it has many unique factors. These factors relate to the developmental processes present in adolescence and to how youth and their families react to them. The total picture of this problem is not nearly complete, but this study indicates that (1) there is a great variability in the patterns demonstrated by families of abused and neglected adolescents; (2) the abused and neglected adolescents usually have developmental problems in the areas of separation and control; and (3) the parents are similarly in the midst of a crisis related to their own stage of development.

Every year millions of adolescents are involved in some form and degree of physical violence in their homes. This violence ranges from what most people would consider acceptable punishment to what all would consider abuse. For those young people who are abused or perceive themselves as abused there is little help available. Very often the recognition of abuse leads them to further victimization by their families and by agencies ill equipped to deal with them.

This phenomenon of the abused adolescent has received relatively little consideration in the field of child abuse and neglect. Although recent statistics demonstrate 25-30 percent of protective service caseloads across the country are adolescents, the literature is devoid of pertinent information as to specific factors in the identification, etiology and case management of adolescent cases. Gil (1970:105) found in his national study on the incidence of abuse that 16-17 percent of the children reported were over 12 years of age. These apparent underestimates are also reflected in the child abuse literature where such major works as *The Battered Child* by Kempe and Helfer, *The Battered Child in Canada* by Van Stolk, *Somewhere a Child is Crying* by Fontana, and *Children in Jeopardy* by Elmer mention hardly a word about the adolescent. Recently Straus, Gelles and Steinmetz (1976) have been exploring physical violence

in American families. As part of this "Family Violence Research Program" it has been reported that 58 percent of 285 college freshmen interviewed had been struck by their parents the year preceding college and that six percent had received significant physical injury (Mulligan, 1976). Riggs and Tripp in a personal communication report 10 cases of adolescents hospitalized in a six-month period as the result of abuse and 31 adolescent cases referred as outpatients to a child abuse team in the following eleven months. Steele and Hopkins report that among 100 first pickup juvenile offenders, 92 had been abused in the year and a half prior to pickup. In her national sample of 1000 girls, Konopka (1976) mentions the surprising amount of abuse prevalent as well as the serious psychological repercussions of this abuse. In recent experience with runaway houses, this author has been impressed with the high percentage of unreported abused adolescents in their caseloads. This incidence is presently under formal investigation.

Table 1. Reported Incidence of Abuse of Children 12 Years Old or Older

Jurisdiction	Time Period	Percent of Abuse Reports on Children 12 Years Old or Older
Connecticut	1/74-12/75	24.0
Montana	1/74-12/74	29.7
Arizona	1970-1974	25-28*
Montgomery-County, Md.	1/75-9/76	49.0

* Includes neglect.

Lourie and Cohan (1976) describe the failure of professionals working with child abuse to extend their thinking beyond the "battered baby" of the early 1960's to this large abused population over 12 years old. They question the advisability of accepting the present working assumption that what is known about child abuse and neglect is generalizable to the adolescent. An exploration must be made of the differences between the two age groups so that adolescents can be adequately served and protected.

As stated before, the basic fund of knowledge concerning abused and neglected children was developed from the frame of reference of the battered infant. The generally accepted model for this, as described by Kempe and Helfer (1972), consists of three major factors: (1) the parent with the potential to abuse; (2) the special child; and (3) the crisis situation. Steele and Pollack (1974) show that parents with psychological problems may distort the normal needs of their children and abuse them and that hyperactive children, unwanted and premature children ("Special Children") are thought more likely to provoke abuse. Environmental and

social stresses whether related to society or directly to the individual are felt to be a factor in abuse.

While there are many children who have been abused and neglected from their childhood into adolescence, for many the abuse and neglect start in adolescence. For these cases we must search for the factors which allowed the family to avoid abuse during the child's early years and which precipitated the abuse during adolescence. Similarly, in those cases where abuse continues from childhood into adolescence, we must look for ways to explain why abuse can exist unnoticed in these families for so long only to become manifest in adolescence.

A CLINICAL STUDY

The Protective Service Unit of the Montgomery County Department of Social Services, Rockville, Maryland, is the recipient of all reports of abused and neglected children up to 18 years of age in a suburban Washington, D.C. county with a population of 550,000. This study was initiated in September 1975 reviewing cases back to January 1975 and seeing new cases through October 1976, and continuing to the present time. During the 12 months from September 1975 to August 1976, the agency received reports on 258 adolescents out of a total caseload of 751 abused and neglected children. One hundred fifty-seven of these adolescents were reported as physically abused, 89 as neglected (which includes emotional abuse) and 12 as sexually abused. All of these cases were reviewed and 25 cases were studied in greater depth using an individual psychiatric interview with the child and an interview with the family. Included in this sample were 10 physical abuse cases, nine neglect or emotional abuse cases, and 6 sexual abuse cases. They ranged from 12-17 years of age; 18 were females and 7 were males. The interviews focused on patterns of family interaction and the psychosocial developmental status of the youth and the parents.

Family Patterns

The patterns of family interaction demonstrated by the families seen in this study were extremely variable. As a result it was not possible to develop any concise typology. The following two cases demonstrate the wide extremes in these patterns and address several pertinent issues.

Linda E. is a 14-year-old white female who was referred by her mother, who was provoked by Linda's "talking back." Linda is an obese, depressed, and oppositional girl whose provocations are the result in part from feelings of loneliness and emptiness. Linda also has a history of grand mal seizures since an early age. Her mother is an angry woman who was deserted by her husband shortly after Linda's birth. She has always been resentful of Linda who "restricted her life," and has found caring for her a terrible burden. Four years before the abusive incident, Mrs. E.'s mother on whom she had been quite dependent died, heralding a rapid decline in the relationship with her own needy child. This decline ultimately led to the abuse incident.

Becky B. is a 14-year-old white female who was referred after a rather severe beating at the hands of her father following her "talking with a boy I told her not to talk with." Becky is a pleasant, rather seductive girl who presents herself in a way more reminiscent of an 18 or 20-year-old. She has had numerous struggles with her parents over limits. These conflicts in the past have precipitated a runaway episode. She sees herself as having been a shy dependent girl until reaching seventh grade, when she "grew up real fast." Becky's parents appear as a rather close couple who are interested in the welfare of their daughter. However, both parents are extremely rigid. This is especially true for the father, who has many preconceived generalizations about what girls should be and which young people, "hippies," are bad. This rigidity led to the assessment of unrealistic limits which Becky continually tested. The conflict between parent and child led to the abusive incident.

In the first case, Linda and her mother represent the typical abusive pattern with an extremely demanding and injured child living with a dependent mother who is lacking a vehicle for her own needed emotional support (in this case following the loss of her mother). Contrariwise, in the second case, Becky's father presents a picture of a man with many interpersonal strengths and a strong relationship with his wife and children. Becky, unlike Linda, has shown strength in her psychosocial development. The conflicts between Becky and her parents appear to be related to conflicts based on their strengths, while those between Linda and her mother appear to represent their mutual frustration at not having their exaggerated needs satisfied by each other.

Another issue which these cases demonstrate is that of impulse control. Linda's mother, in contradistinction to her interpersonal needs, shows strength in the area of impulse control. It was this strength that kept her from physically acting out her frustrations earlier in Linda's life, and more importantly prevented her from severely beating Linda during the present episode when her frustrations finally overwhelmed her. Becky's father, again, represents the other end of the spectrum. He has trouble controlling his impulses. This is represented first by his rigidity and secondly by his need to control Becky to the extent that he does. When he became overwhelmed, his angry impulses were easily unleashed in a vicious attack on his daughter.

Although no specific family or individual patterns were established for abused and neglected adolescents in this study, invariably we found either the adolescent or his parent dealing poorly with an expected developmental task. In the sample, the youths were usually struggling with developmental problems of separation and/or control. The parents were dealing with a broader range of issues which were less amenable to classification. The following discussion will focus on both these adolescent and parent issues.

THE ADOLESCENT

The developmental tasks and stresses of adolescence have been demonstrated to be monumental for many. Most often the reactions to

this process by youth and their families disrupt long-standing family adjustments. As families readjust, abuse and/or neglectful episodes may occur as a reaction to this process. In other cases, abuse and neglect, ongoing since childhood, become manifest as a reaction to the developmental process. Relating back to the concept of the "special child" as a major etiological factor, *every adolescent is a special child*. However, even though every youth is a special child, each youth's specialness is different: what makes for these differences and increased vulnerability must be looked at in terms of the expected developmental struggles of adolescence.

Adolescence is a stage in life where the school-age child must relinquish a comfortable position as a controlled and dependent family member. He must then move toward a position separated from his family, taking the responsibility for his or her well-being and social behavior. Simultaneously the adolescent must adjust to marked changes in his or her body, both in the areas of physical and sexual development. To arrive at a productive and comfortable adult stage each child must integrate his new body, new sexuality, new individuality, new responsibility, and control. All this must be done in the context of an ever-changing society, one which usually assigns to youths a role which is much different-looking from that assumed for them by their parents. The fact that so many young people make the bridge to adult life successfully is a testimonial to the resilience of the human organism and its basic wish to be normal.

The application of these developmental principles to the area of abuse requires looking at those developmental lines that are most often a problem in these youth and/or their families to see what makes this one "special." As stated earlier, case studies indicate that the two most common developmental problems which lead to family violence are separation and behavioral control.

Separation

William L. is a 16-year-old Oriental male who has become a social isolate at school due to his own perceptions of Orientals as being "half men" and fostered by his parents' desire for isolation from peers in general and the non-Oriental population specifically. This was accompanied by exceptional school performance and appropriate behavior. William's failure to separate kept him at home where he struggled with his father about home responsibilities. These struggles led to a violent act by the father in which the boy's arm was lacerated by a thrown ashtray.

The case of William is one in which separation is a prominent issue ultimately leading to abuse. This issue is manifested by a youth's failure to move smoothly from his family to a peer group. This separation task is one in which both parents and children play a role. For the separation to take place, the binding forces which hold a child in his family must be

overcome by the forces toward separation and individuation. This is similar to the concepts of Steirlin (1974) who has reviewed the work in this area and describes centripetal and centrifugal forces ("binding and expelling") in families.

As a youth separates he is then able to develop an individual identity. Erikson (1968) describes this as the move from a position in which the usefulness of childhood identification ends and identity formation begins. For this to happen, not only must the family dynamics of binding and separation forces be favorable, but the individual must be ready to accept an individual identity. To do this there must be adequate ego strength and a solid base of early identification.

Failure to move smoothly in this separation task has many possible manifestations. Most of these, when viewed from the proper perspective, are seen as attempts by a youth to respond to a developmental lag in the task of separation and are, therefore, reactions toward or against binding forces. These behavioral manifestations tend to: (1) represent the presence of forces binding them to past ties and needs; (2) create the need for increased binding; or (3), represent a flight toward separation in order to escape unwanted binding needs. Most adolescent behaviors, whether seen as problems or not, have components which rely on this drama.

In turn, these adolescent behaviors disrupt family systems, causing stress. These behaviors are often provocative to others, including parents. The dynamics of such provocations are usually in the service of forces toward separation but can be used as a binding vehicle as well. The case of William demonstrates the interweaving of these dynamics. His failures to separate were due to his lack of readiness and were enhanced by binding forces of his family. This led to provocations between himself and his father, which served the dual purpose of creating a system in which he was more closely bound to his father (through struggle), while at the same time asserting his independent strivings, immature as they may be. In families such as his, where violence is a form of expression, this drama can be expressed in violent ways which in turn can become abusive. The adolescent can also tap in on the hidden violence in even the most outwardly gentle parent.

When abuse occurs, it in turn becomes another factor in determination of separation dynamics. Sometimes the reaction to abuse is to run away, a case in which separation forces supercede. On the other end of the spectrum is the teenager who accepts all the abuse given, even though he is perfectly able to fight back or run. This is not an unusual outcome where dependent needs, as a result of binding forces, are dominant.

Control

Kim G. is a 16-year old female with a three-year history of struggles with her parents about her indecent sexuality, drug usage and for being involved in minor

delinquent acts. The parents reacted to her behavior by setting limits in order to help control her behavior. These limits invariably tried to keep her closer to home. She objected vehemently to this and reacted by breaking each new limit. During these struggles she was beaten by her frustrated mother.

Control is a second major issue in which developmental lag can easily lead to abuse. The case of Kim is such an example. Although many of the behaviors which led to abuse in her case may be explained on the basis of the separation issues described above, there are issues concerning the ability to control which are prime. Beginning at birth the amount of behavioral control exercised by individuals and their parents is in an ever-changing balance. By the time adolescence has been reached every youth must have incorporated a certain level of self-control. If not, there arises a situation which creates a need for closer binding in order to solicit control from the outside, which then replaces ineffective internal controls. The need for control is accentuated in adolescence as drives, physical strength, and freedom increase.

As adolescents strive for competence in these areas of control, they must set limits for themselves and test those limits. This is followed by modification of the limits and exertion of self-control as needed. As with all developmental tasks, this is a variable one in which various levels of control are needed at different times. This requires a variable degree of parental control, based on the youth's rapidly fluctuating capacity to control himself.

Often a struggle arises in families over this issue of control. These struggles are based on a misalignment between a youth's ability to control and a parent's (1) need to control, (2) need to avoid control, or (3) inability to offer realistic controls. In the case of Kim, she demonstrated a poor ability to set her own limits. Her parents reacted to this by setting limits for her. Not only were these limits unrealistic, they were unenforceable. The struggle created led to violence, based on the fact that violence was a major form of expression in that particular family.

Typically, the issues of separation and control are intertwined. Most cases tend to have problems in both areas. A determination as to which is primary is often difficult, but is extremely important to the construction of a treatment plan. There are two major patterns between which to differentiate. In the first, there is a youth who has strong binding needs. Because the direct expression of these needs is developmentally unacceptable, they remain hidden behind a false sense of independence. In order to get closer binding the child loses control and performs an act which causes the parent to exert external control, thereby pulling the youth closer.

In the second pattern, there is a youth who does not have the capacity to control. This forces the parents to exert external control. No matter how much independence the youth can tolerate he is still bound

closely in order to make up for this deficit in control. Although the two patterns have similar behavioral manifestations, in the first we must treat the need for binding and in the second we must treat the need for control.

THE PARENTS

Mid-Life Development

Having addressed the issues in youth development which lead to stresses implicated in abusive situations, the parental side must be addressed also. Little is written about the development of the midlife adult. Steirlin (1974) describes this process, as it pertains to separation, as "running counter to what we find in adolescence. . ." Although admittedly abridged, he points to several important factors: the "declining of libidinal drives," "the relative blunting of alertness and inquisitiveness" and the "need to assess and confirm existing loyalties." These and many other unexplored factors make the adolescence of their children a difficult period in parents' lives. This area needs more exploration and will be the subject of future publications.

We have already seen in the discussion of the child how the adolescent's reaction to development is affected by the needs and capacities of the parents. When parents face a turbulent period in their development they are less able to tolerate changes in their lives. In an attempt to adjust to developmental changes the parents rely on prior support pathways that have developed in their families. When this attempt is met with an adolescent whose dynamics, either appropriate or exaggerated, represent a stress to the support pathways system, the adults are left without a mechanism to rely on as they attempt to consolidate their own developmental changes. This leaves both the parents and the youth vulnerable to these stresses. Abuse is then one of the possible reactions to stress.

CONCLUSION

The abuse of adolescents is a problem of epidemic proportions. Although this problem has many factors in common with the phenomena of child abuse, it has many unique factors. These factors relate to the developmental processes present in adolescence and to how youth and their families react to them. The total picture of this problem is not nearly complete, but this study indicates that (1) there is a great variability in the patterns demonstrated by families of abused and neglected adolescents; (2) the abused and neglected adolescents usually have developmental problems in the areas of separation and control; and (3) the parents usually are similarly in the midst of a crisis related to their own stage of development. These phenomena must be studied

further before this population of young people receive the care and protection needed for normal growth and development.

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Senator CRANSTON. Dr. Steinmetz.

Dr. STEINMETZ. Mr. Chairman, I am Suzanne Steinmetz, and I am representing the Coalition of Family Organizations, which is composed of the American Home Economics Association, the National Council on Family Relations, the American Association of Marriage Counselors, and Family Service Association.

I would like to start by saying that although we are addressing the topic of wife beating, you really cannot separate out the various components of family violence. You can separate out the components in terms of service needs, but not in terms of trying to understand the whole dynamics, because they are so closely interrelated.

Let me give you some very brief statistics of what goes on in families in a single year—and this is based on a combination of the National Survey on Domestic Violence that you mentioned earlier, some police data and other extrapolations from studies that I have made.

In a given year, you are likely to have 3½ million severely battered women. I am talking about the kind of women that would need shelter or some kind of hospital intervention or police intervention. I am not talking about hitting or slapping.

You are also, in that same year, likely to have 250,000 battered husbands, you will have 5 million battered siblings, about 350,000 severely battered children. And we must not forget the battered elderly, for which we have no national or even local estimates—

So the battering which occurs within a family—just between the diads involved—is extremely large. But it goes much beyond that. For example, if you look at research based on the counseling of battered women, you very often find that they came to the attention of the authorities because they had committed or were afraid they would commit child abuse.

We find over and over again, an interrelationship between the battering of spouses and the battering of children.

Senator CRANSTON. I would like to say that as far as this Committee is concerned, we are talking this morning of family violence in general, not battered wives specifically or anything else specifically.

Dr. STEINMETZ. If you look at the backgrounds of women who batter their children or men who batter their children, very often, you find a history where they received severe physical punishment or they witnessed their own parents' doing physical damage to each other.

The battered husband—if you look at the women who batters her husband, what do you find—this group of women have experienced without a doubt, the most severe, cruel, brutal kinds of experiences of any group of individuals that I have ever studied. The brutality goes far beyond that which we normally think of when we think of wife beating or child abuse. It is repeated long-term brutality, so it is easy to understand why, when they become adults, they will strike out and use a violent method.

So, we find over and over again, the interrelationship among family batterers—both in terms of their own history and what they perpetuate when they marry and have children.

But it goes beyond that. When we look at the backgrounds of murderers, rapists, political assassins, assault and batterers, as well

as individuals who commit suicide, the one thing they have in common is a childhood that is characterized by severe brutality. So we have a picture where it goes far beyond the immediate family.

Furthermore, there are children in most of these families where you have the wife beating or the husband beating. These children are traumatized. If you just take the data that I gave you and figure that each family has two and a half children, you can see the extent of this, just within the family unit. You can see the impact that this is going to have.

Then you start looking at the outside-of-the-family kinds of relationships, the suicide, the murder, the rape, and you realize that very few of us here, are not going to be impacted in some way, as a result of domestic violence.

I have several general kinds of remedies that I would like to talk about. First, the short-term things—and these may be what Dr. Lourie referred to as service needs. They are the crisis centers, the shelters, the short-term foster care for battered children, foster care programs for battered elderly, cash grants for abused women. It does not do very much good to take a woman out of her home and put her in a shelter, if, after 2 weeks or 3 weeks or whatever the time limit is, she does not have any money to go any place else.

There are, of course, other remedies that would require legal changes—like putting a battering husband out and making sure he stays out. There could also be changes in the law, so that you do not have to have the policeman actually witnessing the battery. If there is physical evidence that a battering has occurred, and there is usually plenty of physical evidence that this has happened—there is no reason why the man could not be removed from the home and detained for 24 or 48 hours. This type of law exist for other kinds of criminal acts in many States.

There also needs to be extensive training programs for those agencies who deal with victims of abuse—the police, the courts, the schools, the hospitals, doctors, ministers, and lawyers.

And finally, I think we need to have some kind of regional—and I say regional, because that seems more manageable—regional directories that provides comprehensive and constantly updated material on services available, shelters in operation, crisis lines and things of that sort. Thus local communities, within these given regions, will have a place where they can find information on the availability of different kinds of funding opportunities as well as what kinds of programs seem to be working, so you are not consequently reinventing the wheel.

The long-term solutions are a little more complex and they are not going to be terribly popular with some Members of Congress. I am sure. They do grow out of research, and if we are committed to doing research in this area, then we must pay attention to some of the findings, regardless of how unpopular they are.

There needs to be federally funded abortion and more research on birth control and birth control education. You need only look at any study of child abuse to see that it is minority mothers, young mothers, poor mothers, mothers without other kinds of support systems, mothers who do not want a child, or mothers who resent a child.

Any one of these factors is likely to increase the possibility of a mother abusing her child.

If we put all of those things together, you can see what the likelihood of abusing a child is going to be among certain groups, and yet these are the very group that we have now denied federally funded abortions. I know that is not a popular viewpoint, but we have a tremendous amount of research supporting these findings and we had better start paying attention to some of the research we have.

There also is a need to improve individual's self-esteem. The research on women who batter children, men who batter their children, and why spouses stay when they batter each other, seems to suggest that there is a low self-esteem—a feeling of worthlessness among these individuals. Certainly education can overcome this; certainly better mental health centers could overcome this.

We also need to have nonsexist socialization. My research on battered husbands shows some very interesting things that I had not expected to find. One of them was that these women were brutalized when they were children. But the other finding was that when you look at the situation, a woman will tell you she cannot leave. A man also tells you he cannot leave for the very same reason. But when a man is questioned, he will tell you, "Oh, I can certainly leave if it gets too bad." Men always feel, whether that is the actual situation or not, that they have the opportunity—the choice to stay or leave. Even when women have adequate incomes and independent sources of incomes, they are employed, they have credit established and all of these things that we say would help the women get out, many of these women still will not leave, and they will tell you, "I cannot leave." There is an emotional dependence as a result of the high priority that is placed on marriage in our society. These women feel that anything else would be less desirable; that staying in the family and being beaten is better than getting out and having the status of not being married. We certainly can provide adequate education so that individuals know that they have a choice to marry and stay married. This goes for fellows as well as girls. But it takes the kind of education that provides them with good job skills.

Many women stay in a violent marriage because they do not have the proper training to get out. They do not have good job skills or any job skills. They do not know where to apply for certain types of education. So this, again, is something we can do, provide an education that would prepare people to hold down jobs so they can live independently.

I think the final thing is somewhere in our funding efforts aimed at eliminating domestic violence, we must make the same kind of commitment that is made in physical and biological science. When a rocket or satellite fails, there is a complete investigation into the problem, a reevaluation of the design and a considerable effort expended to insure that future success.

I believe the time has come to place the needs of family members to have a safe, secure, violence free home, on at least a priority equal to that of building a rocket or a telecommunication satellite. [Applause.]

There is a need to have long-term commitments on the part of the Government to recognize that the variability of human behavior insures of the failure of most programs on the first try.

This commitment needs to be extended to a recognition that when a program does not work properly, one goes back to the drawing board, reevaluates the program, re-designs the program, and replenishes it in new funds—exactly what goes on in many other areas of science.

Our Declaration of Independence states that all men are "endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

For victims trapped in a violent family, these basic rights are denied.

Thank you.

Senator CRANSTON. Thank you very, very much.

[The prepared statement of Dr. Steinmetz follows:]

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Violence in the Family

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I am pleased that after researching the area of family violence for 8 years, I have been requested to testify before the Senate regarding pending Domestic Violence legislation. I am here representing COFO, Coalition of Family Organizations, which is composed of the American Home Economic Association, National Council on Family Relations, American Associations of Marriage & Family Counselors and Family Service Association, which are deeply committed to both research on and providing service to families and their members.

Introduction

Although extensive media coverage of family violence is a recent phenomena, an examination of court records, newspaper articles and laws suggest that as long as there have been families there has probably been family violence. It certainly pre-dates violence on TV, the movies or magazines.

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An examination of early laws also suggest that family violence is not just a contemporary phenomena.

A 1646 law attempted to help parents control their rebellious children, noting that unless the parents "have been very unchristianly negligent in the education of such children or so provoked them by extreme and cruel correction," any child over 16 years of age and of sufficient understanding who cursed, smited and would not obey his natural mother or father "would be put to death" (Brenner, 1970:37).

In 1874, public reaction to the story of Mary Ellen, the nine-year-old rescued from her physically abusive parents by appealing to the Society for the Prevention of Cruelty to Animals was instrumental in the founding of the Society for the Prevention of Cruelty to Children. The cost of incarcerating wife beaters and providing for their families was of such great concern that in 1885 the Pennsylvania legislature suggested public whippings as an alternative punishment (Steinmetz and Straus, 1974:45).

While much attention was given to legislative remedies for wife beating, husband beating did not go unnoticed. A favorite theme of turn-of-the-century comic strips, such as Katzenjammer Kids and Bringing Up Father, was the husband who endured verbal and physical abuse from his wife. The popularity of these domestic relations comics was most likely sustained because they approximated, albeit in a comic, non-serious manner, common family situations. The movies are full of heroes slapping their mate - The Love Machine has several scenes where the woman is first seduced then beaten in true James Bond fashion. Likewise, hardly a

"girl next door" movie of the 50's or "beach blanket" film of the 60's was without a scene where the heroine was insulted or perceived herself to be insulted -- she hauls off and slaps the offending male in the face -- he turns, head lowered and leaves. We are all satisfied that justice has prevailed.

In spite of the above attention paid to violence among family members, nearly a century passed before family violence was acknowledged as a serious social problem.

Extensiveness of Violence in Families

Given the recent interest in family violence it is appropriate to ask just how extensive is family violence? Is the problem serious enough to justify all the attention recently focused on it?

Marital Violence

The data below (see Table I) suggest that marital violence is not selective. Its presence is felt in large cities as well as the suburbs and is found in all geographic areas.

Table I here

The reports listed represented only a selection of existing data. Although the different methods of presenting the findings and different sources do not allow comparisons across studies, it is quite evident that marital violence is a wide-spread, all pervading phenomena. Three studies listed (Steinmetz, 1977b; 1977c; Straus et al., 1977b) are based on samples which allow estimates to be made for larger population. Applying these data, to the

total married population which is 47 million couples my data indicates that 3.3 million wives and over a quarter million husbands experienced severe beatings from their spouse. Based on the National representative study done by my colleagues Straus and Gelles and myself, over 1.7 million individuals had faced a knife or gun and over 2 million had been beaten up. Since only intact families were surveyed in these three studies, the extrapolated findings only apply to couples presently living together. As a result, these data probably greatly underestimate the total number of individuals who have been violently attacked by a spouse in a previous marriage, either because they were eliminated from the sample because they are no longer married or because they were questioned about their relationship with a current spouse.

Parent-Child Violence

Corporal punishment, which fulfills the generally accepted definition of family violence "intent to inflict physical injury" and which differs only in degree of severity from child abuse is an important aspect of family violence. First it is the most prevalent form of family violence. Numerous studies (Blumberg, 1964-65; Erlanger, 1974; Stark and McEvoy, 1970) have indicated that between 84 and 97 percent of all parents have used physical punishment at some point in the child's life. A high percentage of these families continued using corporal punishment for disciplining their children until tenth grade (Bachman, 1967) and twelfth grade (Straus, 1971; Steinmetz, 1971, 1974a).

Corporal punishment is also the most accepted form of family violence. Parents are expected to control and mold their children and they are given considerable freedom in selecting the

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mechanism they use to obtain this control. Unlike Sweden where a parent can be imprisoned for a month for striking a child, spanking is considered to be an acceptable way of disciplining children and the privilege to spank has been recently extended to school teachers and school bus drivers.

A final consideration is the existence of a positive relationship between corporal punishment and other forms of family violence. Severe physical punishment marks the childhoods of numerous adults who commit physically violent acts on family members and strangers. Several researchers have stated that physical punishment is at one end of the continuum, the other end being child abuse (Gelles, 1973, 1975a; Gil, 1970; Straus, *et al.*, 1977a). With increasing stress, physical punishment can easily develop into child abuse, as suggested by estimates of child abuse presented in Table II.

Table II here

The data in Table II suggest a range from an optimistic 6,000 per year (Gil, 1970) to a more realistic 500,000 based on Light's (1974) reanalysis of Gil's data. Probably the most accurate data for estimating child abuse is that provided by Straus, Gelles and myself (1977b) which is based on parents' reports of specific "disciplinary" techniques. Our data has two limitations when estimating child abuse. The first, discussed above, is the limiting of the sample to intact families. The second is the collection of data on children between 3 and 17. Child abuse appears to occur more frequently in single parent families and among infants and toddlers (perhaps because they are at greater risk for injuries

3.8

requiring medical attention, and therefore detection). Therefore, these estimates accurately reflect abuse which occurs among single parent families, and those in the infants and toddlers stage of the life cycle.

Sibling Violence

Probably the form of family violence considered to be most normal is violence between sibs. Yet an examination of Table III suggest that we tolerate a considerable amount of extremely violent acts if they occur between brothers and sisters. These same acts if they occurred between husband and wife or parent and child would result in criminal charges, and social service intervention. If we were to see a grade school child with bruises and perhaps a black eye and were told that his parent had inflicted the injury we would immediately be filled with rage and disgust. If, however, are told that the injuries resulted from a flight with a brother or sister -- the typical reaction is to nod and remark "Kids will be kids."

Table III here

Our complacency regarding sibling violence needs to be jarred. Children are capable of violent and often fatal attacks on sibs. Although only 0.3 percent reported actually using a knife or gun in the national study (Straus et al., 1977b) extrapolating this percent to 36-1/3 million children between 3-17 who have siblings suggests that an estimated 109,000 children actually used a knife or gun on a sibling during the survey year. When the analysis was based on "ever happened" rather than limited to the survey year, 18 percent of the families reported siblings "beating up" each other, and 5 percent reportedly faced a gun or knife wielded

by a brother or sister. Thus 6.5 million children have been "beaten up" by a sibling and nearly 2 million children sometime during their childhood have faced a gun or knife.

Battered Elderly Parent

Our knowledge about the battered elderly parent mirrors our knowledge of the extent of child abuse in the early 60's or the extent of our knowledge about wife abuse in the early 70's. If we were to label the 60's as the decade of interest on child abuse, and the 70's as decade of wife abuse studies, then I predict, given the generally increasing concern for the elderly and more specifically concern of abuse of elderly in public institutions, that the 80's will be the decade of the Battered Parent.

There are several parallels between the battered child and battered parent. First, both are in a dependent position - relying on their caretaker for basic survival needs. Second, both are assumed to be protected by virtue of the love, gentleness, and caring which we assumed that the family provides. A third point is both the dependent child and the dependent elderly adult can be a source of emotional, physical and financial stress to the caretaker. While the costs of caring for one's children are at least a recognized burden, the emotional and economical responsibility for the care of one's elderly parents over a prolonged period (a problem not likely to be faced by most families in the past) has not been acknowledged.

Some of this battering takes the form of benign neglect-inadequate knowledge about caring for the elderly which results in harm.

The English with their typical dry humor first labeled the problem "granny hashing", but have begun to refer to this growing problem as "gram-slammng". However, England, recognizing the stress placed on the caretaking children, does provide periodic respite care. Unfortunately, in the U.S. the care of over 27 million individuals over 65 (of which only about 5 percent are institutionalized) is left to chance. Based on population and economic trends one can predict the following:

- 1 - more elderly people, a higher cost of living and a greater demand for alternative housing for elderly.
- 2 - higher cost of living requiring that a greater percentage of income be allocated to basic necessities with a smaller amount being available for 2 cars, vacations, single family homes and college for their children.
- 3 - more women working and/or looking forward to resuming work when children are launched to meet these expended costs.

With increasing conflict between the needs of parents and the goals of their children we can predict an increase in the amount of violence children use to control their elderly parents unless adequate support systems are available.

Homicides

Homicide, the most extreme form of violence, is also a part of husband-wife interaction. Domestic quarrels were a factor in 31 percent of 255 homicides occurring in Atlanta, Georgia during 1972 (Boston Globe, 1973), and based on F.B.I. reports accounted for 13 percent of homicides during 1969 (Truniger, 1971). In Detroit, 23 percent of the homicides were between husband and wife (Wilt and Bannon, 1976).

Wolfgang (1958), in an investigation of homicides occurring between 1948 and 1952, found that 24.7 of all victims and offenders were members of the same family and in 18 percent of the incidents they were spouses. There were no differences between the percent of husbands or wives as offenders. Based on F.B.I. statistics, over 15 percent of the homicides in 1975 were between husband and wife. In 7.8 percent of the cases the husbands were victims, while in 8.0 percent of the cases the victims were wives (Vital Statistics Reports, 1976). We do know that filicide is second to spousal homicide as the predominant form of familial homicide (Wolfgang, 1958) and over 2,000 were killed by their parents in 1975 (Besharov, 1975). Although nation-wide statistics are not available for sibling homicides, three percent of the homicides, which occurred in Philadelphia between 1948-52 (Wolfgang, 1958), and 3 percent of the homicides occurring in New York City during 1965 (Bard, 1971) were sibling homicides.

Why should we be concerned with Family Violence?

In spite of the pervasiveness of family violence and its effect on a large number of individuals, the cost to society goes beyond the destruction faced by individuals and their family, and extends to rape, murder, political assassination, severe mental

disorders and suicide.

A childhood characterized by relentless brutality, personal experience with violent death, and extremely unfavorable home conditions were found to be common background factors for 33 adolescents who committed murder (Bender, 1959). Sargent (1962) in a study of children who killed, reported that not only did parents use extreme cruelty towards the child, but their cruelty was condoned by other family members. Studies of adolescents who committed parricide (Tanay, 1975; Sadoff, 1971), reveal that the victim parent was cruel and frequently beat other members of the family especially the child's mother. Climent and Ervin, (1972) found that three-fourths of a sample composed of 30 individuals who were admitted to the emergency room as a result of violent behavior had been assaulted by their fathers, and one-seventh had been assaulted by their mothers. Only one-sixth of the control group of 30 emergency room admittances were assaulted by fathers and only one individual was assaulted by the mother in this study. Palmer, (1962) found that murderers were more likely to have suffered severe physical beating and traumatic incidents than the control group which consisted of their brothers.

Brutalizing childhoods were found to be characteristic of rapists (Brownmiller, 1975; Hartogs, 1951); split personalities (Schreiber, 1973) and suicide (Gayford, 1975; Bender and Curran, 1940; MacDonald, 1967). A study of the childhood environment of 14 political assassins revealed disorganized, broken families, parental abuse and rejection and marginal integration into society (Steinmetz, 1977b).

Cycle of Family Violence

Gayford (1975) in a study of battered wives discovered that both the batterer and victim had violent childhoods. Owens and Straus (1975) in a secondary analysis of a survey conducted for the Commission on the Causes and Prevention of Violence reported a strong association between exposure to violence, either as an observer or a victim, during childhood and violent behavior as an adult, a finding supported by Sedgley (1977) in a secondary analysis of NORC data. These patterns were found to continue over several generations in studies of child abuse - a cycle in which the battering parents had experienced abuse from their own parents (Craft, 1969; Bryant, 1965; Oliver and Taylor, 1971; Silver, et al., 1969; Wasserman, 1967; Zalba, 1966). Wilt and Bannon (1976) note that over one-fourth of the individuals who committed assault or murder reported having frequent arguments with their parents. Furthermore, their analysis of 90 intrafamilial homicides, revealed that 62 percent had been preceded by previous assaults on the same family member. Even in less violent forms, the use of physical force is passed on from generation to generation (Steinmetz, 1977a, 1977b).

Based on a study of 34 boys and 39 girls in a family treatment program, Gladstone expressed belief that "children who have received significant exposure to violent behavior before the age of two are likely to have identified with this pattern of response in a fashion that proves to be essentially irreversible, although a great deal can be done subsequently to contain it" (1975:375). He notes that intervention before the age of 18 months greatly enhances the possibility of modifying the child's violent behavior.

Intervention and Prevention of Family Violence

When attempting to develop mechanism for reducing family violence one must divide the mechanisms into short-term immediate needs and long-term goals.

Short-term needs for victims of family violence would include the providing of shelters for severely battered women who need immediate removal to a safe place. While this often amounts to replacing one "prison" with another, the alternative, removing the male and keeping him in prison (or providing the women with a 24 hour body guard) do not appear to be adequate alternatives. It should be noted that for spouse abuse cases, there is no reason why new statutes could not provide immediate removal of the male (or female if she is the perpetrator) and incarceration for 24 or 48 hours. This would allow the victim time to make alternative plans, as well as a cooling off period, and the opportunity to provide at least minimal legal and emotional counseling. Unfortunately, such laws do not exist. Hot-lines, with 24 hour operation for both spouse abuse and child abuse are needed. There is a need for regional directories, constantly updated, where individual communities could obtain information on shelters and support groups. Foster care and group homes for abused children must be available, as well as intensive therapy with the child and family to counteract the impact of this violence on the child. There is a need for cash grants to be available to victims of spouse abuse. Women often return home after their stay in the shelter simply because they have nowhere else to go. Even if the support group is able to efficiently arrange for welfare and child support payments, the security deposit, one month's rent in advance

and charges for installing utilities require considerably more cash than these women are able to accumulate. The need to provide short-term support services such as homemakers aids, day care, visiting nurses or homemakers would be a considerable help to "at-risk" parents as well as children who are caring for elderly parents.

Also the short-term intervention measures for reducing family violence must address the need to provide in-service training to those agencies that deal with victims of family violence: the police, the courts, the schools, hospitals, doctors, and ministers.

The measures suggested above, provide short-term, crisis oriented intervention. Unless we see, as the way to reduce family violence, mandating more and more shelters for abused women and children, we must begin to examine long-range, preventive measures. The measures being suggested, grow out of the research on family violence as well as research on violence in general. The issues being addressed include abortion for unwanted pregnancy, better birth control devices and birth control education; developing in each individual self-esteem and a better self-concept; providing non-sexist socialization of our young; providing adequate education for our children; including concepts on parenting and child development for all children in all levels of education; development of community based support groups for parenting and marital enrichment; changing our value system to deemphasize the acceptability of violence, and reordering our priorities to include a larger share of the national budget for preventive human service programs.

Abortion and Birth Control

Abortion is not an easy choice for any woman. Regardless of personal feelings on this topic, the research on child abuse clearly indicates that young mothers, poor mothers, uneducated and unskilled mothers, mothers without families to provide emotional and financial support, single parent mothers, mothers who did not want and/or resent the child, and mothers whose child is premature or is born with a mental or physical handicap all have a high probability of abusing the child.

The more factors from the above list, the higher the probability that the mother will abuse. Unfortunately this list also describes mothers who are now denied federally funded abortions. There must be a change in this stance. Furthermore, research into more effective, safer birth control must be continued along with comprehensive educational programs on birth control.

Improving Self-Esteem

Our research on abusing parents and battered wives has suggested that these individuals have low self-esteem -- a lack of an adequate self concept. It is difficult to love a child when you do not love yourself. Likewise, women who think they are worthless and deserve to be beaten are unable to find the courage to leave the batterer. My research on battered husbands is most enlightening in this respect. Men report that they stay with the battering wife for the same reasons women give for staying with an abusive husband: The children, stigma, economics.

However, when questioned, men consistently report that they could always leave when they wanted -- if things got too bad. Even men whose wives are the primary breadwinners will report this. Women, on the other hand, consistently report that they cannot leave. While many women are financially trapped, this same response is given by women who are economically independent, have established credit records and adequate resources.

Non-Sexist Socialization

Our sexist socialization process has really done a job on women. Marriage has been held up as the ultimate goal for women - - practically the only socially acceptable adult role for women. Women have been socialized to play the submissive, dependent role: "they cannot survive without their man" even when an objective analysis of the situation suggest otherwise. Men have been socialized into believing that they can leave an abusing home any time they desire.

Thus men believe they remain in the abusing home through free choice - women believe they remain because they have no choice.

We must educate our children, boys and girls, to believe that one chooses to marry, and stay married. It is the choice one makes because one chooses to spend one's life (or a part of it) with another individual -- not because one had no other options. I would think that any individual, man or woman, would find it insulting and degrading to know that their mate married them and remains with them because they have no other options. In order to have this prerogative to choose, we must be certain that all children receive education that will prepare them to independently

Maintain an adequate standard of living.

Educational Needs

In an educational system which has a wide range of academic and vocational courses as well as health education, physical education, drivers education, it seems ironical that we totally neglect the two major roles which almost all adults will fill -- that of spouse and parent. We need to incorporate marriage and parenting concepts into already existing courses at all levels of education.

Some high schools have mandatory courses in marriage preparation as well as child development courses complete with "hands-on" experience with small children. The responses of teachers and students in these courses are overwhelmingly positive. Many churches now advocate (or require) that couples participate in marriage preparation encounter sessions. The focus of these sessions is not on religion or its meaning to marriage, but rather using written and verbal exercises to help couples explore their expectations of marriage and each other. Other community based programs which give mothers time out or parenting experiences include mother's day out programs; mother/child school for two year olds; pre-school programs with a strong emphasis on parenting skills and parent/child interaction; programs which evolved from the natural child birth groups and continued into the child's third or fourth year, allowing a cohort of parents to share positive and negative experiences as well as providing a support group for these couples. Parenting education groups for adolescent, pregnant girls are available in some communities as well as pro-

grams for helping substance-addicted parents adjust to the return of their children who have been placed in temporary foster care while they were institutionalized.

There needs to be an evaluation of these programs to determine their efficiency and how they might be adopted in other communities. We must also encourage people to reach out for help. In our society, we are socialized to believe that seeking help is an admission of failure. One does not seek family counseling until a crisis occurs. We must provide centers where families can seek help in a non-threatening, non-punitive atmosphere. The emphasis must shift from emergency crisis intervention to prevention. This stance is especially necessary for care-takers "at risk" of abusing a child or elderly parent.

Examining Our Value System and Priorities

An evaluation of our value system and our priorities is in order. There is a need to develop a sense of responsibility in our youth. It is too easy to blame T.V., the system, the ghettos for family violence, violence in the schools, and violence in the street. We must recognize that as individuals we must share in the blame. There appears to be an all pervading atmosphere of "let Uncle Sam do it". While it is easy to recognize this attitude among minority families on welfare; we must also recognize that this attitude is also being fostered among affluent, middle class families. These children destroy their own and others property knowing that their parents will pay for the damage. One need only read about the vandalism in upper middle class schools to recognize that this attitude is not limited to inner city welfare children.

We must foster in our children a sense of responsibility for one's own actions. One such program, the Green Circle program developed by the National Council on Christians and Jews, is being widely adopted in school systems with positive results. This program, which starts in the lower grades, attempts to foster a sense of responsibility and care about one's self which is then extended to one's family, one's friends, one's neighborhood, etc. in an ever widening circle.

The acceptability of violence needs to be questioned. We must also examine the effect of "acceptable" violence on our society. We certainly had violence in the family before we had T.V., movies, and magazines. While we know that children who watch violence on T.V. exhibit increased aggression, we do not know whether they become child abusers or spouse beaters. However, violence in the media does act to reinforce the general acceptance of using violence to solve problems if you are bigger, stronger and "right". This attitude is, unfortunately, basic to our value system. Parents spank because it is their right as well as their duty to control "bad" children. Spouses hit because it is their right and duty to control a "bad" spouse. Police have the right and it is their duty to use physical force to control a "bad" citizen, and the military, likewise, has the right as well as the duty to use weapons to control members of "bad" countries. We need to deemphasize, at all levels, the use of physical force to control others. Similarly, while it has been suggested that laws which prohibit spouse abuse are destined to fail because you can't legislate morals, these laws serve an important function. They are a legally based public statement on the unacceptability of this behavior,

a considerable change from earlier laws which not only considered this to be permissible behavior, but even specified the weapon.

It is important to begin to consider not only the immediate needs of women and children as victims of violence, but also the effects on all family members who live in a violent home. When we focus on child abuse or wife beating the remedies suggested tend to be emergency measures such as crisis centers, emergency foster care and shelters. While these measures are certainly needed they are not a panacea. In fact, their track record has been rather poor in providing a positive alternative environment or changing violent family interaction. This is not to suggest that we should abandon these measures, rather we must place these measures in their proper perspective; one remedy within a context of total support systems -- system which encompasses adult education as well as K-12 educational programs; community based, readily available family counseling centers; well trained police, legal/judicial, officers; legislation mandating provisions to insure the emotional and physical security of abused victims; long-term basic research and evaluative research for monitoring the problem of family violence as well as the success of existing programs. Somewhere in our funding efforts aimed at eliminating domestic violence, we must make the same type of commitment that is made in the physical and biological sciences. When a rocket or satellite fails, there is a complete investigation into the problem, a reevaluation of the design, and a considerable effort expended to insure the future success. I believe the time has come to place the needs of family members to have a safe, secure, violent-free home, in at least a priority equal to that of building weather rockets, or telecommunication satellites. There needs to be a

long term commitment on the part of the government to recognize that the variability of human behavior insures the failure of most programs on the first try. This commitment needs to be extended to a recognition that when a program doesn't work properly, one goes back to the drawing board, reevaluates the program, re-designs it and replenishes it with new funds.

Our Declaration of Independence states that all men are... "endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness." For victims trapped in a violent family, these basic rights are denied.

Table 1 Extensiveness of Marital Violence

<u>Report</u>	<u>Locality</u>	<u>Degree of Marital Violence</u>
Yantowski (cited by Martin) 1976	Washington, D.C.	75 percent of all aggravated assaults
Barden 1974	New York City	82 percent of all aggravated assaults
Eisenberg and Nicklow 1974	Detroit	85 percent of all aggravated assaults
Edmiston 1975	New York Family Courts	17,000 wife abuse complaints in 1975
Lengley and Levy 1977	Dade County, Florida Citizens Dispute Settlement Center	1,000 battered women cases heard
	Salt Lake City, Utah	Police recorded 1,125 cases of wife beating a year.
	Fairfax County, VA	2,000 cases of wife beating- estimated to be under-reported by 40 percent.
Gelles 1974	New Hampshire	55 percent of 80 families experienced marital violence; 21 percent beat their spouses regularly.
Straus 1974	New Hampshire	16 percent of sample of college freshmen saw their parents en- gage in marital violence.
Stainmetz 1977b	Random sample New Castle County, Delaware	60 percent of 57 families ex- perienced marital violence. For 10 percent of couples physical violence was a regular occurrence.
Stainmetz 1977c	Random sample New Castle County, Delaware and County Police statistics.	severe physical abuse experienced by 7 percent of wives and 0.6 percent of husbands.
Straus, Gelles and Stainmetz 1977b	Representative sample United States	During a one year period, one out of six couples had a violent epi- sode. 5 percent experienced severe physical abuse. 4 percent used a gun or knife.

Table II Extensiveness of Child Abuse

<u>Report</u>	<u>Sample</u>	<u>Frequency of Child Abuse</u> 10's of thousands
Helfer and Kempa 1968		
Gil 1970	National Data and interview of sub- sample	6,000/year
Neuveuh 1971	New York City	7,000 cases reported during 1971
Pontana 1973	New York City	Increase of 549 percent in cases of child abuse between 1966 and 1970.
Stoerner 1972		25,000 incidents per year
Parade 1972		60,000 incidents per year
Light 1974	Re-analysis of Gil's data	Over 500,000 incidents
Lynch 1975	U.S. school sample	65 abuses/100,000 school children
Baldwin and Oliver 1975	British school sample	10 abuses/100,000 school children
Baraherov 1975		300,000 incidents of abuse and neglect each year. 40,000 cases require protective services intervention each year. 2,000 deaths each year.
Strawa, et al 1977b		20 percent hit with an object, 4.2 percent "beat up." 2.8 percent threatened with knife or gun on child. 2.9 used a knife or gun on child

TABLE III SIBLING VIOLENCE

<u>Sample</u>	<u>Degree of Violence</u>
57 randomly selected families. (Steinmetz, 1977a)	78 percent of sibling pairs 8 or younger used physical violence.
	68 percent of sibling pairs 9-14 use physical violence.
	63 percent of sibling pairs 15 or older used physical violence.
College Freshman (Straus, 1974)	62 percent reported using physical violence during past year.
Broad-based, non-random sample of 78 adults (Steinmetz, 1977b)	72 percent reported having used physical violence on siblings.
National Representative Sample of 733 families with children between 3-17 years. (Straus, et al, 1977)	During the past year 75 percent reported using physical violence. Average of 21 acts per year. 38 percent kicked, or hit. 14 percent "beat up." 0.8 percent threatened to use gun or knife. 0.03 used gun or knife.

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Senator CRANSTON. Ms. Tinker.

Ms. TINKER. I am Bonnie Tinker and I am the chairperson for the National Coalition Against Domestic Violence.

Mr. Chairman, during these hearings today, you will hear the painful stories of women who suffer great violence at the hands of those they love; you will hear the frustrations, anger, and the despair of victims, law enforcement officials, lawyers, and social workers, as they tell of being overwhelmed by the extent and complexity of the problem of domestic violence.

You will hear the personal feelings of what it is like to be beaten and the professional opinions of why it happens and how to respond to both the victim and the assailant.

And then you will make decisions on what the Federal Government should spend to address needs, and who shall do the spending.

I am here to speak to you on behalf of the National Coalition Against Domestic Violence. We represent grassroots community groups across the country and include women from diverse racial, social, and economic backgrounds.

Most importantly, I am here to speak to you on behalf of all of the women who have found the courage to say:

Enough. We will not live our lives in fear and degradation. We will not raise our sons to be violators and our daughters to be victims. We will rescue ourselves, and we will use what we have learned to help others who are trapped in the cycle of lies.

I would like to say to you, quite simply, we are here. We are the essential source of the great national outcry about domestic violence. We know our problems; we know our communities and we know what we are doing.

If you want to help us, give us as much money as you can, as quickly and as directly as possible.

Let me add, that I not only think this position is morally correct, I also think that it will work.

From my experience, I believe that funding these small community-based programs, which involve battered women in the decision-making process is the most effective way to aid victims of domestic violence.

As chairperson of the National Coalition Against Domestic Violence, I am in close contact with a nationwide network of grassroots, community-based direct service programs. Most of us began with little or no funding, administrative experience, or established community support.

During the last few years, however, we have sheltered thousands of women and children and established hotlines and support groups in most of the main cities as well as in many rural areas.

We have provided stepping stones for the battered woman to escape her world of isolation and violence. Our communities have recognized both the sincerity and the viability of our work. Established institutions and agencies are now turning to us for guidance as they begin to address the issue.

Public response is being expressed with growing concern and commitment to meeting the needs of victims of domestic violence.

Our programs do meet these needs. Many of the women who have come to us are now back in the communities, offering shelter and

support to other victims and their families. These programs are effective, and in the long run, they are self-sustaining. They represent an efficient use of resources.

Our programs work, because we begin with a personal knowledge of the effect of violence. We know that the battered women are almost always dependent upon someone else for their economic, social, and psychological survival. It is common to describe them as passive, having no self-confidence, and unable to set their own goals.

I have known strong, independent women, who have been reduced to being unable to make a single phone call on their own behalf. These women will not break the cycle of violence by becoming dependent upon us. They need an opportunity to exercise their own good judgement. They need the freedom from fear, so that they can put their own lives back together again.

We need support in defining and following these goals. If you can support us in this, together, we will find the solutions to domestic violence.

I urge you to support legislation which gives top priority to funding grassroots, community-based, direct service programs, which rely upon the guidance of the victims of violence.

I suggest that any research which is funded, be directly grounded in these programs.

Regional networks of grassroots groups are emerging. The National Coalition Against Domestic Violence represents a composite of these networks, and serves as a national clearinghouse and coordinating body for work against domestic violence.

I urge that the work and concerns of these programs be recognized as legislative and other remedies are developed.

On behalf of the National Coalition, I want to express my appreciation for your concern. We know that needs to be done. You know what the Federal Government can do to help us get it done. We look forward to working with you.

Senator CRANSTON. Thank you very, very much. [Applause.]

I would like to welcome the Honorable Suzanne Wilson.

Ms. WILSON. Thank you, and good morning to you, Senator Cranston.

I am Vice-Mayor Suzanne Wilson of the city of San Jose, and the chairperson of the National League of Cities, public safety policy committee.

As an organization which represents 15,000 cities throughout this country, we are encouraged by the fact that legislative hearings are being held on family violence.

I want to congratulate you for your willingness to move ahead to pursue Federal action aiding victims of family violence.

In February 1976, the National League of Cities, through its criminal justice program, held the first national conference on women and crime. I was privileged to be part of that conference, which truly was an historic first in addressing, at the national level, these issues.

We discovered that the problem of domestic assault was widespread and that there were actions that could be taken to aid these victims. We heard from a victim, who, with difficulty and pain in

her voice, brought the immediacy and tragedy of violence in the home, to local officials at that conference.

I brought a copy of the proceedings of that conference today to present to you, so that you might have that also for a reference.

The 1978 National Municipal Policy read:

The family violence problem could grow to crisis proportions unless the Federal Government acts immediately to aid victims of family violence by funding shelter counseling facilities for battered women and children; allowing battered women who have left their homes to receive emergency welfare payments; requiring the Legal Services Corporation to provide emergency services to battered women wishing to seek economic and legal redress against their husbands or mates; coordinating the various Federal programs that affect abused children and battered people; establishing a national family violence research program; and providing expanded training to police and prosecutors in the handling of family violence situations.

The necessity for providing funds for shelters and counseling is obvious. We cannot even begin to address the causes or the solutions to family violence unless we first provide a mechanism to take the victims immediately out of life-threatening situations. Shelters should not be seen as the answer to the problems of battered women and children, but as a first step in a comprehensive program to solve all facets of this problem. It is our belief, however, that until we can get shelters in those communities that need them, we will not be able to take effective action.

You, Senator Cranston, have already referred to my testimony on the Aid to Families With Dependent Children, in terms of emergency care. You have also referred to the Legal Services Corporation and have asked the questions, and Mrs. Cardenas has agreed with my testimony that actions should be taken to assure that family violence victims receive adequate and quality help from the legal services agencies.

Many Federal agencies have and are providing funds for a variety of programs which serve domestic violence victims. Although we are aware there is no one program that is designed to assist these people, we do know that some shelters have received local community development funds and staff through the Comprehensive Employment Training Act. In addition, the Law Enforcement Assistance Administration provides funds for police training and victim witness assistance in this area. ACTION's VISTA volunteers have also been instrumental in many cities helping to start programs. On occasion, title XX funds have been used for shelters and counseling. Some localities have also designated portions of their general revenue sharing allocation to programs and shelters for battered women.

What this shows is that we, at the local level, have been willing and able to allocate some of our Federal funds for these programs. However, we need a coordinating mechanism at the Federal level to make it easier for the State and local governments to combine these funds from different sources into a total program.

For example, it is our understanding that the new community development regulations will specifically state that funds can be spent on shelters. Often, Federal regulations are interpreted differently by the various Federal regional offices, and in some cases, differently by cities.

Furthermore, there have been no clear and uniform guidelines or mechanisms established telling us how to use these funds to aid battered women most effectively.

More research into the family violence problem is certainly necessary and is part of our national policy. A research program, however, should be closely tied to aiding and improving new and ongoing programs, and should not reduce greatly the funds for operating programs.

We need widely expanded assistance, if we are to deal effectively with family violence victims and offenders. There are plenty of program models that have been developed, both locally and by LEAA that could be implemented in support, and Federal encouragement of these programs and procedures can become widespread.

These are the principles that we believe should be incorporated into a Federal family violence program. We urge the Congress to act quickly, and pledge full support of NLC toward initiating and stimulating responsive policies and services for victims of violence in the home.

In closing, Senator Cranston, I would like to give a brief bit of testimony on violence, and how it touched even my family.

As I was leaving to come here to testify, my adult son, Bill, said to me, "Did I ever tell you what Rob, and I did, in dealing with hitting each other?"

I said, "No, Bill, you never did."

He said, "Well, one day, we were out on the front lawn and he hit me in the arm, and he paralyzed my arm because it hurt. And I, in turn, reached over and hit him on his arm and he winced—and even he, being a foot taller, winced." And Rob, at that point, said to Bill, "Bill, did that hurt?" And Bill said, "Sure did."

And then Rob said, "You know, we are getting too big to hit each other, because it hurts."

In America today, we have too many families who do not understand that it hurts.

Bill and Rob shook hands and stopped hitting each other.

Thank you, very much.

Senator CRANSTON. Thank you, very, very much and I thank you for your rather interesting closing to your testimony.

[The prepared statement of Ms. Wilson follows:]

Mr. Chairman, Members of the Subcommittee, I am Susanne B. Wilson, Vice Mayor of the City of San Jose and Chairperson of the National League of Cities' Public Safety Policy Committee. Thank you for inviting me, on behalf of the National League of Cities, to testify before you this morning on an issue which is vitally important both to NLC and the nation. As an organization that represents some 15,000 cities throughout this country, we are encouraged by the fact that legislative hearings are being held on family violence. I want to congratulate Senator Cranston for his willingness to move ahead in order to pursue federal action to aid victims of family violence.

In February of 1976, the National League of Cities, through its Criminal Justice Program, held the First National Conference on Women and Crime. I was privileged to be part of that conference which truly was an historic first in addressing, at the national level, such issues as the employment of women in criminal justice, the treatment of the woman and girl offender in the criminal justice system, and female victims of crime. There were 300 people attending that conference, most of whom heard for the first time about the nature and extent of what we called then -- wife beating in America.

Most of us attending the conference were vaguely aware that some sort of problem existed, and all of us probably knew some women who had been beaten by their husbands or male companions. What we didn't know, and what the session on wife beating at the conference really did for us, was to help us discover that the problem was widespread and there were actions that could be taken

to aid these victims. We heard from a victim who, with difficulty and pain in her voice, brought the immediacy and tragedy of violence in the home to local officials at that conference.

The National League of Cities has been since that time very active in bringing attention to the family violence issue. Our Criminal Justice Program co-sponsored a conference with the Women's Legal Defense Fund on services for battered women in the Washington, D.C. metropolitan area. We have held standing room only workshops on family violence at our annual convention, the Congress of Cities, for two consecutive years. We continue to assist elected officials, community groups, and women's organizations by answering questions and sending information to them regarding what they can do in their own communities to establish programs for family violence victims. The Women and Crime Conference Proceedings were published and are still in great demand, mostly because of the quality of and interest generated by the workshop on wife beating.

At the Congress of Cities in 1976, a policy was adopted calling for the establishment of a federal program to fund shelters and for better police training and criminal justice system handling of the family violence problem. We were the first national organization of elected officials to firmly call for resolving many of the problems surrounding violence in the family. In 1977, we strengthened and expanded that initial policy. The Board of Directors of the National League of Cities has also placed a priority on passage of federal legislation dealing with family violence in 1978. It should

be clear to members of the Subcommittee that our knowledge, interest, and our expertise in this area are extensive and continuing.

The 1978 National Municipal Policy reads:

"The family violence problem could grow to crisis proportions unless the federal government acts immediately to aid victims of family violence by:

1. Funding shelter counseling facilities for battered women and children.
2. Allowing battered women who have left their homes to receive emergency welfare payments [on a priority basis].
3. Requiring the Legal Services Corporation to provide emergency services to battered women wishing to seek economic and legal redress against their husbands/mates.
4. Coordinating the various federal programs that affect abused children and battered women.
5. Establishing a national family violence research program.
6. Providing expanded training to police and prosecutors in the handling of family violence situations."

These six actions called for in our policy all are in areas that should be addressed in the legislation. I will now speak to these six issues more fully and provide suggestions for ways the federal government can best achieve these goals.

The necessity for providing funds for shelters and counseling is obvious. We cannot even begin to address the causes of or the solutions to family violence until we first provide a mechanism to take victims immediately out of life-threatening situations. Shelters should not be seen as the answer to the problems of battered women and children, but as a first step in a comprehensive program to solve all facets of this problem. It is our belief, however, that until we can get shelters in those communities that need them, we will not be able to take effective action.

Women who leave their homes, by and large, leave their financial support behind them. In order for them to survive, to make decisions, and to find on their own a means to resolve their individual situation, our social service systems and other institutions must become more immediately responsive to their needs. One way to do this is for our aid to families -- primarily welfare programs such as Aid to Families with Dependent Children -- to provide emergency welfare assistance to these women. Family violence victims should be given priority and should not have to wait weeks and weeks just for an appointment to see a welfare worker to determine eligibility. This has been done in at least one state, Minnesota; and for that reason, we believe this type of assistance deserves exploration by the federal government to see how it can be implemented in other states.

The Legal Services Corporation exists to provide civil remedies to problems of poor people through the courts. Unfortunately, it is our understanding that the Legal Services Corporation does not

place a priority on family law. Consequently, women seeking civil legal action against abusive spouses such as a legal separation or a divorce, often do not receive help from the Legal Services Corporation. This occurs for a variety of reasons, but nevertheless, action should be taken to assure that family violence victims receive adequate and quality help from the legal services agencies.

Many federal agencies can and are providing funds for a variety of programs which serve family violence victims. Although we are aware there is no one program that is designed to assist these people, we do know that some shelters have received local Community Development funds and staff through the Comprehensive Employment Training Act. In addition, the Law Enforcement Assistance Administration provides funds for police training and victim witness assistance in this area. ACTION's VISTA Volunteers also have been instrumental in many cities helping to start programs. On occasion, Title XX funds have been used for shelters and counseling. Some localities have also designated portions of their General Revenue Sharing allocation to programs and shelters for battered women.

What this shows is that we at the local level have been willing and able to allocate some of our federal funds for these programs. However, we need a coordinating mechanism at the federal level to make it easier for state and local government to combine these funds from different sources in a total program. For example, it is our understanding that the new Community Development regulations will specifically state that funds can be spent on shelters. Often, federal regulations are interpreted differently by various federal

regional offices, and in some cases, differently by cities. Furthermore, there have been no clear and uniform guidelines or mechanisms established telling us how to use these funds to aid battered women most effectively.

More research into the family violence problem is certainly necessary and is part of our national policy. A research program, however, should be closely tied to aiding and improving new and ongoing programs, and should not reduce greatly funds for operating programs.

Finally, as we debated the National Municipal Policy in 1977, it became quite clear to us who have a special interest in crime, criminal justice, and public safety that the criminal justice system just is not doing its job in this area. Our local police department, district attorney offices, and courts need widely expanded assistance if they are to deal effectively with family violence victims and offenders. There are plenty of program models that have been developed, both local and by LEAA, that could be implemented in many cities throughout the country. It is only through federal support and federal encouragement that these programs and procedures can become widespread.

These are the principles that we believe should be incorporated into a federal family violence program. We urge the Congress to act quickly, and pledge the full support of NDC towards initiating and stimulating responsive policies and services for victims of violence in the home.

Senator CRANSTON. I would like to ask a few questions. We may have some more submitted in writing for our record.

I asked one question of the administration, and I would like your comments also, and that question was this—one way to avoid the fact of fragmentation that the administration cautioned against, is by granting seed money and providing technical assistance for the local and community groups, in order to help them now to battle for other resources in both the public and private sectors, rather than grant a few groups a large amount of money.

Such a program would emphasize the coordination of ongoing efforts, rather than any further fragmentation.

Do you think that type of approach is generally sound?

Anyone can answer, and if somebody wants to comment or add or subtract, please do.

Dr. STEINMETZ. I do not know why it has to be an "either-or."

I agree that we certainly need an awful lot of small programs. I resent it when we hear that there will be three contracts awarded for all the women in all of the United States to have a shelter.

At the same time, it takes large amounts of money to do large research projects and to keep monitoring them. If you have baseline data, which we have because of the national survey that was collected 2 years ago, it would be nice to know that 5 years from now, we could see whether we were making any progress or not. I do not understand why we cannot have both an adequate number of small projects as well as large research grants.

I get the feeling we are going to end up with a tiny little piece of money and we are all going to have to fight over it, and I think there ought to be a larger commitment to provide adequate funding. This is a basic human need. We are not talking about whether people need braces for their teeth. This is a basic human need that has to do with survival, in many cases. I think there should be adequate funds for all women, for all men, for all children who need services, whether it is shelters, housing, or education, and along with that should be a commitment that allows researchers to do basic research and evaluative research.

I think that we are aiming for too small a commitment on the part of Congress.

Senator CRANSTON. We obviously have problems in getting the money, that, I think, we would agree could be well invested. But, because of competing demands for Federal money, we will have to figure out what we can reasonably expect to get and try to move in that direction.

Do you think that money—

Dr. STEINMETZ. I was going to say, I think that the Congress can do a lot by changing attitudes about where our priorities should be.

I mean it is very nice to have men walking on the Moon, but not if you cannot walk on your own streets and you cannot walk in your own home—should we not have some higher priorities put on families' needs?

I think that you, as public leaders, could perhaps encourage this. I am not anti-defense or anything like that—I am just saying that we need to start reevaluating our priorities and that we want to

have safe streets and safe homes so that people can live in their own home without fear of brutality.

Most of us here know stories about women sleeping with knives under their pillows to ward off attacks from their husbands, and children doing the same thing.

This is really not a very healthy situation, and I just think that you could do a great service by pointing out to other legislators, that we need to start putting a higher priority on this. Do we really need all those Moon shots?

Maybe for a couple of years, that money should be redirected to help families—otherwise, there is not going to be anybody to send up there anyway. We will all be so debilitated.

Senator CRANSTON. I totally agree with you that we do not have our priorities in the proper form.

Do you feel that there should be emphasis on medical research?

Dr. STEINMETZ. Well, of course, you need to have broad based research, because there are so many basic questions unanswered. We have a lot of myths—like I would have told you 2 or 3 months ago that all violence is of similar nature and that husbands hit and then it escalates. And I am discovering from doing a very small study on battered husbands, that that is not true.

You need to study all the different components in order to get the total picture—medical, social, psychological. We have learned an awful lot, but we still do not know very much. And we are going to have to do more research—both basic research and evaluative research.

I do not think that anyone should be put in a situation where they are told "OK, here is the pot of money. Now, researcher, you fight over it and you fight against the people who need services." That is not morally right nor efficient.

We need service, and we also need to know if the service is working. And without evaluative research, we do not know that. Without basic research we don't know which types of services are best.

We need to be able to monitor programs that are in existence, and we also need to be able to monitor society. We know, for example, that in Seattle when the airplane industry closed down there was an increase in domestic violence of all kinds, as well as other kinds of problems.

We need that basic research so that we can see that something is happening which can be compared with. Without the research, you do not know what kind of programs to have. Right now, many of our programs are hit or miss. We know that you have to have a place to get the women out of the home, so that they will not be killed—at least not that night—so we are operating on a very low level of knowledge.

We need to know how to prevent domestic violence—we do not want to spend the rest of our lives running shelters. It would be very nice if we could stop this problem, or at least allow participants—married couples or living together couples—to recognize the signs of impending domestic violence and go out and get help.

I guess I cannot cop out and say you need one or the other, because I really think we need both research and service funding and

I think that as a group of people, the Congress needs to make a strong statement to place a high priority on these needs. Shelters alone will not do it. Shelters will help for this year's families at risk and that is all.

Senator CRANSTON. Ms. Davoren, do you have a comment?

Ms. DAVOREN. Yes.

It is hard to speak after Dr. Steinmetz' elegant plea, because although I really agree with everything she said, but also, I stand on the other side of the fence in some ways.

One is, one has to do with the fact that I have experienced money being spent on research instead of treatment, and what I find is counting how many of this and how many of that. We have learned over and over again in the child abuse field, that if you have a good treatment facility, then you learn an enormous amount about what is happening, and you learn how many people are out there, because the people come to the treatment facility and you learn what you can do because you are doing things to try them out.

The other thing—I want to reiterate what I said before, which is, it is the opinion of my organization, the National Association of Social Workers, and that is that we continue modest projects that we can continue, and of which we can have lots. And I think this would agree with your statement that we do not want three huge "somethings" somewhere. Rather, many all over the country. We have such a potential.

Dr. LOURIE. Yes.

I think it is important when we look at this whole research issue versus the service issue to try to find a right perspective for it.

My feeling is that the service organizations know a heck of a lot more about service and about abuse and about abused women and about abused children and about abused adolescents than the research community, and probably the professional community. [Applause.]

I hope they will excuse me for saying that, but when it comes to these real issues of treating a special population of people who are hurting, the service providers know how to do it—and they can teach us a lot about what is going on there.

One of the things we need to do, when we talk about demonstration, is to find some way to give those demonstrations some research capability—to put people in those demonstrations, to give them special pieces of money, along with their service money, as an adjunct to their service money, to look at their programs, and to begin to glean information.

And from my experiences with child abuse, what these service organizations want from the professional community and from the research community is not information about child abuse or battered wives—because they know it. What they want is some of the basic information about what goes on in families, what kinds of dynamics go on in families; what are the things that go on between husbands and wives and children and mothers and children and fathers—that is the kind of information that they finally come back to the professional community and into the research community to ask.

And as long as we can say, "This is what we know best and that

is what you know best." then the research communities and the service communities can begin to work together.

Ms. TINKER. Senator, I think one of the main things we—

Senator CRANSTON. Please comment very briefly, as we have another panel.

Ms. TINKER. Very briefly.

I think one of the main things we are learning, Senator, from our experience in these direct service programs, is what are the questions that we need answers for. What we need from the research community is the technical expertise to get these answers; we need to answer questions that will enable us to provide better service.

Ms. WILSON. I would just like to say that at the end of the 3 years, we would like to be able to have something that will aid us in the future of America, in terms of living with family violence.

We do not want just a program that says, "It happens, and now we can shove it, because we did what we were supposed to do."

That is what is important after 3 years, what happens?

Senator CRANSTON. Thank you.

If we go and target money with the seed money approach, do you feel that it would be necessary to rely on State governments to distribute minigrants, or do you have some other suggestions?

Ms. WILSON. I really believe another approach is very necessary, because when you add another layer of government—you are taking away the funds for the program itself, because you are talking about additional administrative costs, when States become passthrough agencies.

And we do not need more administration. We need more direct money at the local level.

Senator CRANSTON. There is a problem of small community groups reaching the Federal Government.

Ms. WILSON. Even closer than the States, though, are the Federal regional councils, if you could, perhaps use them.

Ms. TINKER. We also now have a national organization which is in very close contact with the small community groups and if that network would be used to funnel funds to the local groups, I think that would be a very efficient way to do it.

Senator CRANSTON. Do you think it would be useful to stimulate or create in each State, a citizens' advisory council?

Ms. TINKER. I think—I do not know what you mean by citizens' advisory panels.

We have citizens groups in each State which are together and represent a broad spectrum of the communities. What we need to do is to formulate the tapping of the existing expertise.

Senator CRANSTON. Well, the general objective would be to act as a catalyst for State and local advocacy of active assistance in domestic violence.

Do you think that type of thing could be begun now?

Ms. TINKER. I don't know as I would say it is adequately done now.

I think that the groups are adequately established for that to happen, and if we can support those efforts in their growth, it would be very valuable.

Ms. WILSON. When you are talking about citizens' advisory councils, you really are talking about how to involve the grassroots people themselves in the decisionmaking.

If you are talking about that, yes, very definitely, those people need to be involved in the councils, because you need to have the women, the people who have had the experience of what has happened in their lives should be able to be in control, rather than somebody who thinks they know what happens in those lives.

So if you are really talking about that, yes, I would be in favor of some sort of a council of these people who are really involved in trying to find a solution.

Dr. LOURIE. Senator. I would like to respond a little bit to the question of Federal versus local distribution.

I am somewhat skeptical of the concept of the Federal Government distributing vast amounts of money to demonstrations with the hope that then somebody else will pick up on those demonstrations—and I heard some testimony here earlier that that has happened, but I know that it does not happen. It happens in certain instances, but in most instances, it does not.

If we were to fund 300 demonstrations, my State of Maryland might be adequately covered, but I am not sure.

But if we could set up some system for States and localities to spend their own money, to set up their own funds appropriately, and use Federal funds to help States and help localities develop programs, then I think our Federal dollars will be spent a lot more efficiently.

Senator CRANSTON. Thank you very, very much.

You have been very helpful and I appreciate your very informative and thoughtful opinions.

Before our next panel comes forward, we are going to hear from one member of that panel alone, and that is Harriet, so would you please come forward now?

We are very interested in hearing your testimony, Harriet.

Thank you for being here.

STATEMENT OF HARRIET, A BATTERED WIFE, ST. PAUL, MINN.

HARRIET. Thank you.

My name is Harriet and I am a battered wife, married 7 years. I went through physical and mental abuse for the last 5 of those 7 years. I left my husband three times previous to my coming to the Women's Advocates Shelter.

To me, the shelter was a blessing, my only way of escaping my situation, which before I discovered the Battered Wives Organization, seemed inescapable. I needed a safe place to go, where I would not have to worry about my husband finding me, as he had previously been able to do. I had tried staying with relatives and friends, but my husband would either assault them or convince them to support him in getting me to return home. So I was made to feel unsupported and guilty about what I had done.

So, after realizing that I had gone through all the people I thought I could depend on for help, I decided the situation was hopeless. I

felt that I would never be able to get away from him safely. After the last return, my husband warned me that if I left again, I had better leave the State so that he could not find me.

I thought about how would I survive and where would I go and where would I stay with my children.

One day, I read about the Battered Wives Organization in the newspaper and decided to try and locate an organization in my city. I called a Women's Resource Center and was given the name of the woman in charge and her number. I called her and she told me to come down and discuss my situation with her. She told me all about the organization and what type of help was available. We discussed shelters out of State which was my basic need, and I decided to go to Women's Advocates Shelter in St. Paul, Minn.

She called ahead to let them know I was coming with my three children, Keith, age 10; Troy, age 8; and Ena, age 5. I went home that day, feeling so much relief, because I could not believe that I had finally found people who were willing to help me, and I knew I was going to make it this time.

I knew I would not have to go back to him this time, so when I got the opportunity, I got the children and some clothes together and left.

Upon my arrival at the shelter, I was immediately given a chance to talk about my situation and offered food and room for myself and the children. Within the first week, my children were enrolled in school that was very cooperative about my need for confidency and the need to help my children feel comfortable in this new environment. I also had help in getting financial and housing aid.

What was more important, I had people supporting me for a change. I was helped to get an understanding about myself so that I could realize I did not have to dump a lot of guilt on myself for my marriage not working, because I had honestly tried. There was no need to continue to punish myself by taking mental and physical abuse I had taken for 5 years.

I stayed at the shelter for 7 weeks and within those 7 weeks, I was feeling very positive about my future and in control of my life again and my children's. It really felt good to know that I could be me, and I did not have to be what someone else thought I should be.

I was ready to start organizing a new life for myself and my children and feeling very enthusiastic about what I wanted to do.

I have been out on my own for 5 months now and managing quite well, despite a few ups and downs. And I plan to attend the university in the fall. I am doing volunteer work for Women's Advocates, which I really enjoy doing a lot, because it gives me a chance to help and give the much needed support I got when I came to Women's Advocates.

I stop and think, I would never have made it if I had not found out about the Battered Wives Organization and came to the Women's Advocates.

I feel so much anxiety when I think about the women that do not know about the organization and how hopeless their situation must seem.

The need for shelters far outnumber the available shelters it is really disheartening to me to know that three out of every four

women that call for shelter have to be turned down and put on a waiting list because the shelter is full and all alternative shelters are full.

I know for a woman in that situation that that is very discouraging because by the time they get to your name, it may be too late.

Battered Wives Shelters are very much in need because there just is not any alternative that will work. Every woman needs to know that there is some place that she can come to and escape these situations. No woman should have to be subjected to physical and mental violence every day.

Shelters are an absolute must—there is no alternative.

Thank you. [Applause.]

Senator CRANSTON. Thank you very much, Harriet.

You can see your testimony was judged to be very helpful and you are very brave and again, we thank you very much for your time.

The members of the next panel, and final panel, are representatives from various projects, Cheryl Beardslee from Women's Advocates, St. Paul; Jennifer Fleming from Women's Resource Network, Philadelphia; Kathleen M. Fojtik, commissioner, board of commissioners, Washtenaw County, coordinator of the Domestic Violence Project, Inc., in Ann Arbor; Curdina Hill, vice president, Casa Myrna Vazquez, Boston; Sandy Ramos, executive director of Shelter Our Sisters, Hackensack, N.J.; James Walsh, executive director of Victims Information Bureau of Suffolk, Inc., Suffolk County, N.Y.

I would like to say for Sandy Ramos, that Senator Williams asked me to extend a warm, warm welcome to his constituent.

He wanted to be here, but he could not be, so he looks forward to reading your testimony, Ms. Ramos.

STATEMENTS OF CHERYL BEARDSLEE, STAFF MEMBER, WOMEN'S ADVOCATES, ST. PAUL, MINN.; JENNIFER FLEMING, DIRECTOR, WOMEN'S RESOURCE NETWORK, PHILADELPHIA, PA., HON. KATHLEEN M. FOJTIK, COMMISSIONER, BOARD OF COMMISSIONERS, WASHTENAW COUNTY, COORDINATOR, DOMESTIC VIOLENCE PROJECT, INC., ANN ARBOR, MICH.; CURDINA HILL, VICE PRESIDENT, CASA MYRNA VAZQUEZ, BOSTON, MASS.; SANDY RAMOS, EXECUTIVE DIRECTOR, SHELTER OUR SISTERS, HACKENSACK, N.J.; AND JAMES C. WALSH, A.C.S.W., C.S.W., EXECUTIVE DIRECTOR, VICTIMS INFORMATION BUREAU OF SUFFOLK, INC., SUFFOLK COUNTY, N.Y., A PANEL

Ms. BEARDSLEE. I am Cheryl Beardslee from Women's Advocates, St. Paul, Minn.

In the past few years, shelters have developed in response for the unmet need for safety for abused women and their children. Women's Advocates shelter in St. Paul, Minn., opened in October 1974. In the past 3½ years, we have housed over 2,000 women and children, while forced to turn away 3 out of every 4 families who request housing.

I will share with you the development of one shelter created in response to the plea of women in St. Paul for a place to seek shelter

with their children, the development of a program continually defined by the women and the children for whom it exists. In doing so, I share with you not only our own experience, but that of a growing network of shelters developed by women across the country, who at last initiated a response based on the right of each woman to control her own life, respecting and nurturing her own sense of what needs to be done to change her situation.

When we opened the house in October 1974, there were not enough beds and there was no food. We were confident that women working together had the resources to solve any upcoming problems. We began operating a shelter based on the belief that women could define a space and a program that would meet their needs.

Experience of 3½ years have strengthened that belief. In our shelter and other shelters across the country, programs for battered women gain strength and clarity through processes in which residents, staff, and boards cooperate and constantly redefine their programs.

Advocacy for an individual woman is the process of helping her reach goals she determines for herself. When a woman has the opportunity to make her own decisions about her life, she gradually begins to see herself differently. She feels sane, capable, and worthwhile. She sees herself as someone who deserves to be treated well, with a right not to be beaten.

Our work with community agencies focuses on ways in which they can provide services that will facilitate a woman's opportunity to make her own decisions. We work with hospitals, mental health workers, and police, the welfare department, legal assistance, and services for children. We provide information and training to the agencies and community groups as well.

I want to mention children, because they are a real significant part of shelters. When we first opened, we considered children to be the mother's responsibility and we focused on helping her. Though the majority of children who come to the house have not been the direct targets of abuse, the fact that they experience the effects of violence toward their mothers makes them victims and means they have special needs. The child advocates have worked with the public schools, Headstart and child care coordinators at the city, county, and State level to see that the special needs of children are met not only while they are at the shelter, but after they leave as well.

We are lucky enough to now be supported by public funds and get money through the county mental health board, the welfare department, and a grant through our State's shelter legislation. Support from the Federal level is necessary to see that public funds of all sorts are available to shelters all over the country. There is a great discrepancy in terms of what is available to shelters that was defined by the local level.

There are community groups all over the country who are ready to open shelters when funding is available. We all need funding that will be stable and will continue when some other social concern captures the public eye.

We have been able to be successful in our neighborhood through community groups, and that success is an objective observable quantity. The success of the program for women who use it, is more elusive.

There are objective ways to measure our success—women who stay at the house experience safety from abuse and fear. That is a success. Some women who stay at the house maintain contact with us and we hear about others, so that we know what has gone on in their lives. We want to know more about what happens to women and their children once they have left the shelter, but tracing families when they leave takes time and money that we do not have. I want to say that research funds that would be given to community programs would help with that and would give us an opportunity to find out more about that.

Subjective measures are also important to us—the way a woman looks and what she tells us about how she feels are the day to day feedback that tells us whether or not the house helps her meet her needs. We have been careful not to define a “successful” client. Each woman knows best what she needs to do for herself and her children, and only she knows if she has succeeded.

I have talked about providing an opportunity for women to take control over their lives. I want to erase any implication that that will solve the problem. It is not true that she is responsible for the violence, and if only she would act, would the problem be solved.

At Women's Advocates, we have heard from and/or housed women from all races, all economic classes, and all ages. As a society, we have an obligation to look, not just at the individuals involved in violent families, but at the ways our institutions support violence against women as an acceptable part of family life. Until we have made some real changes in our cultural view of the family, shelters are a necessary and immediate alternative to living in a violent home. Women and their children have a right to such an alternative.

Senator CRANSTON. Ms. Beardslee, thank you very much.

[The prepared statement of Ms. Beardslee follows:]

**SHELTER:
A VIABLE ALTERNATIVE**

**Presented to:
Child and Human Development Subcommittee
Washington D.C.
March 8, 1978**

**Cheryl Beardslee
Staff member
Women's Advocates
584 Grand Avenue
St. Paul, Minnesota**

Historically, women beaten in their own homes have been seen as recipients of justified punishment, participants in a private fight or masochists. As a result there has been little help given to assist abused women in changing their situations; more likely, responses to requests for help leave abused women feeling more responsible, more at fault.

In the past few years shelters have developed in response to the unmet need for safety for abused women and their children. Women's Advocates shelter in St. Paul, Minnesota opened in October of 1974. In the past three and one half years we have housed over two thousand women and children, while forced to turn away three out of every four families who request housing. I will share with you the development of one shelter created in response to the plea of women in St. Paul for a place to seek shelter with their children, to escape the fear and violence in their homes; and the development of a program continually defined by the women -- and the children -- for whom it exists. In doing so, I share with you not only our own experience, but that of the growing network of shelters developed by women across the country who at last initiated a response based on the right of each woman to control her own life, respecting and nurturing her own sense of what needs to be done to change her situation.

In 1971, with no intention of developing a shelter, a consciousness raising group decided to begin work that would be supportive to women. They began a telephone service designed to provide women with information about their rights in the area of family law. Women's questions about what they could do to get out of violent family situations spurred a search for available options. Legal options available to a woman in

an abusive relationship only presented increased danger, since she was expected to live with her assailant while proceeding against him in the courts. Possible sources of shelter were explored; the only emergency housing provided for a woman with children was a night or two in a run-down hotel provided by Emergency Social Service. Nearly every call from a woman who had been abused would begin with "you're going to think I'm crazy", or "you're not going to believe this". In previous calls for help or attempts to get support she had most often been discounted for exaggerating or told she was to blame for the violence. It was clear that she needed a safe shelter, time, and people who would believe her, validate her experience, and trust her so that she could begin to trust herself to make decisions for herself and family.

Women's Advocates incorporated as a Minnesota non-profit corporation in April 1972 and began reaching out to the community for financial support through letters and eventually a newsletter. As individual donations were received a small office-apartment was rented providing a bedroom for housing and office space for the phone service. Volunteers began housing women in their own homes. By continuing the phone service and beginning to meet the need for shelter, Women's Advocates was able to document the problem of woman abuse in St. Paul and demonstrate that emergency housing created an alternative for women living in violent homes.

The documentation and demonstration of an alternative were crucial in the search for funding over the next two years. In 1974 Women's Advocates received grant-in-aid money for salaries from the State Welfare Department, followed by private foundation money for a downpayment on a house and its rehabilitation. Program money then became available from private foundations and the local mental health board.

When we opened the house in October of 1974 there were not enough beds and there was no food. We were confident that women working together had the resources to solve any upcoming problems. No preconceived policies or procedures had been set out. House policies and procedures have been continually developed through decision making processes involving residents, staff, ex-residents and other members of Women's Advocates work groups. We had begun operating a shelter based on the belief that women could define a space and a program that would meet their needs. Three and one half years of experience have strengthened that belief. In our shelter and other shelters across the country programs for battered women gain strength and clarity through processes in which residents, staff and boards cooperate to constantly redefine their programs.

Advocacy for an individual woman is the process of helping her reach goals she determines for herself. The success of our shelter depends on that process. When a woman has the opportunity to make her own decisions about her life she gradually begins to see herself differently. She feels sane, capable and worthwhile. She sees herself as someone who deserves to be treated well; with a right to not be beaten.

Our work with community agencies focuses on ways in which they can provide services that will facilitate a woman's opportunity to make her own decisions. The welfare department is one example. When we first opened, women had to pay us room and board out of their own pockets, leaving little money for personal needs and none to find suitable housing after the shelter. Work between Women's Advocates and the welfare department has resulted in the creation of a vendor system for emergency housing. The county now pays a per diem for room and board for a family, leaving the woman with the financial resources to decide when she wants to leave the shelter and where she wants to live. We also worked with

the welfare department to develop consistent procedures so that the woman has control over who knows her whereabouts. Frequently, a search for a father for the purpose of collecting child support means a new seige of assault for a woman and her children.

So far, I have mentioned children only in connection with their mothers. When we first opened we considered children to be the mother's responsibility and we focused on helping her. We soon learned that children share the mother's fear, insecurity and lack of self-esteem. We made efforts to help children as we carried on our program with mothers and gradually decided that we needed child advocates. We now have two staff positions for child advocates. Though most of the children who come to the house have not been the direct targets of abuse, the fact that they experience the affects of violence toward their mothers makes them victims and means they have special needs. The child advocates have worked with the public schools, head start, and child care coordinators at the city, county, and state levels to see that the special needs of children are met not only while they are at the shelter but after they leave as well.

Other community agencies we have important relationships with are the police, Family Service, Community Planning Organization, Legal Assistance, and the county mental health center. We depend on the city police to provide protection for us and they depend on us as a referral source for women in domestics they respond to. Women's Advocates shares a chemical dependency counselor with Family Services. The Community Planning Organization provides a resource library on battered women and cooperates with us in community education efforts. Workers at the Ramsey County Mental Health Center refer women to our support groups and we use them as a referral source for women who want on-going counseling. Legal Assistance has worked out a system whereby a woman who has been physically abused can be seen on an emergency basis. We are also involved in

educating our community, and our legislature to facilitate the passage of legislation which would protect battered women wherever they are and provide funding for shelters.

Though we're now primarily supported by public funds; the county mental health board, the welfare department, and a grant through our state's shelter legislation our budget is not met. We must continually prove our need to present funding sources and seek new sources at the same time even though programs for battered women are in the limelight. There are groups of women all over the country who are ready to open shelters when funding is available. We all need funding that will be stable and will continue when some other social concern captures the public eye. The most pressing funding problem we've faced is the difficulty in obtaining capital funds for building, equipment and furnishings. Throughout our existence we have had to rely largely on private donations for capital investments. Private donations were the only way we were able to construct a fence to improve our neighbor relations.

Our relationship with our neighborhood is important to mention because it has been relatively smooth. Our arrival in the neighborhood went unheralded. We are licensed as a room and board facility and located within an area already zoned to permit room and boarding houses. In the three and one half years since our arrival we have received complaints from neighbors about the noise of children and children in their yards. We have taken such complaints seriously and negotiated solutions to the problems. Angry men have confined their threats and harassment to the house itself and our relationship with the police helps provide the immediate response we need to prevent threats from becoming assaults.

Our success with our neighbors and with agencies is a visible, objective quantity. The success of the program for women who use it is more elusive. There are objective ways we measure our success. Women who stay at the house experience safety from abuse and fear. That is success. Some women who have stayed at the house maintain contact with us and we hear about others so we know what changes they've made. We want to know more about what happens to women and their children once they have left the shelter but tracing families when they leave takes time and money that we don't have. Subjective measures are also important to us. The way a woman looks and what she tells us about how she feels are the day to day feed back that tells us whether or not the house helps her meet her needs. We have been careful not to define the "successful client". Each woman knows best what she needs to do for herself and her children and only she knows if she has succeeded.

I have talked a lot about providing an opportunity for women to take control over their lives. I want to erase any implication that that will solve the problem. It is not true that she is responsible and if she would only act the problem would be solved. At Women's Advocates we have heard from and/or housed women who were beaten by attorneys, doctors, business men, elected officials and police officers as well as women beaten by men who are laborers or underemployed. One researcher estimates that 50% of the women in the United States experience physical abuse. As a society we have an obligation to look not just at the individuals involved in violent families but at the ways our institutions support violence against women as an acceptable part of family life. Until we have made some real changes in our cultural view of the family, shelters are a necessary and immediate alternative to living in a violent home. Women and their children have a right to such an alternative.

HOUSING STATISTICS FOR PAST YEARS

As the oldest shelter for battered women in this country, Women's Advocates has accumulated much valuable information on the needs and problems of women and children whose lives have been disrupted by violence. However, up until recently no one has had time to compile statistics about the women and children we house from the resident forms that the women fill out. Statistics on the telephone calls we receive are compiled monthly, but resident forms have been largely ignored.

Somewhat more than a year ago, a volunteer, Betsy Gilman, set out to remedy this situation. She reread all of the resident forms from 1972 (when Women's Advocates staff were housing families in their own homes) through 1976. The results give an interesting picture of the women and children we serve and the difficulties they face.

It is important to note that the resident forms are not a researcher's dream. Many are incomplete, as the women who filled them out may have stayed only a few hours. All the information which the residents provide is voluntary, and they may elect not to answer any or all questions. Furthermore, over the years the forms themselves have changed; the information we requested in 1972-73 is not nearly as detailed as the information we request currently.

From 1972-1976, Women's Advocates housed 667 women and 686 children. The number has risen steadily, from 43 women and 41 children in 1972-73 to 334 women and 366 children in 1976. (It should be noted that the number of children first exceeded the number of adults in that year). The statistics that follow include only those women who stayed one time. Betsy pulled the forms of our "recidivists" to take a separate look at them. Hopefully some patterns will be highlighted this way: length of time between stays, changing nature of the problems women face over time, and varying lengths of stay for the same women.

Demographic Characteristics of the Residents

The forms show that the residents at Women's Advocates have been typically young (18-30 years for women; 0-5 years for children), but that women of all ages have stayed. The oldest one on record was 88. It appears that the population we serve has been growing older, though. In 1975 32.5% of the women we housed were 18-20 years old, and 19.9% were 21-25. The next year only 10.1% were 18-20, and 30.7% were 21-25. However, these figures could be misleading, as in 1975 10.5% of the women did not give their ages on the forms, while the next year all but 3.9% responded to this question.

The women and their children have predominantly been white, although the figures are sketchy because the forms did not ask the residents' races until 1976. Even so, it is clear that Women's Advocates population has consistently had a higher percentage of minority women and children than the metropolitan area in general. In 1976, about 20% of the adult residents and 33% of the children were of color. The metropolitan area is only 4.3% non-white, according to 1970 census figures.

The majority of W.A. residents come from Ramsey and Hennepin Counties, but an increasing number come from suburban counties (1.7% in 1974; 10.9% in 1976). There has been all along a small but consistent number of women who come from outstate counties (1-4%), and a few who come from other states (1.7% in 1974; 6.2% in 1976). This percentage is expected to rise in the 1977 statistics, as W.A. began to receive referrals from other shelters across the country.

Women's Advocates houses a large number of women without children: an average of 42% in any given year. An average of 25% have one child; about 16% have two children; about 7% have three children; roughly 5% have four children; approximately 4% have five children; and only six families in four years have been larger than that. The percentages of families in each category (no children, one child, two children, etc.) vary each year, but not in any recognizable pattern.

For 1976 the size of the family was correlated with the length of stay, with the result that we can now say statistically what we have known subjectively all along: that the larger a family is, the longer its length of stay is likely to be, due to the difficulties involved in trying to find housing with children. The overall average length of stay was 9 days (as compared with 14 days in 1975). Women without children averaged slightly shorter stays (8.5 days); one- and two-children families stayed an average of 9 days; three-children families averaged 10 days; four-children families 15 days; and on up to a 50-day stay for a woman with seven children. As always, averages can be misleading. Many women stayed only a few hours, whether or not they had children, while one single woman lived at Women's Advocates for a total of 189 days.

We have not kept very reliable records on the economic resources of women who come to stay; often they leave before we get that information. However, it appears (surprisingly) that in 1976 at least 106 of the residents were on welfare before coming to the house, and only 26 applied for it after arriving.

Problem Areas Common to the Residents

In compiling statistics on battering, some rather unexpected things came to light. The correlation between physical abuse of women and abuse of chemicals is not nearly as high as usually assumed by chemical dependency professionals. Each year from 1972-1976, about a third of the women reported that their husbands or boyfriends drank during abusive episodes or drank habitually. It is possible that other residents were being abused by chemically dependent men, but were not yet willing to identify the chemical dependency as a problem. However, the consistency of the figures (33% in 1972-73; 25% in 1974; 36% in 1975; and 30% in 1976) seems to point to their validity. As Women's Advocates staff seldom has contact with the abusers, there is little opportunity to evaluate their chemical use independently.

Similarly, it appears from the data we have collected that a man who abuses his wife does not necessarily abuse his children as well, although the figures aren't as consistent here. In 1972-73, 20% of the battered women we housed reported abuse to their children as well as themselves. In 1974, only 6% reported both. In 1975 the figure rose to 16%, and in 1976 it was 21%. However, we have not collected information on the incidence of battered women abusing their children, as can happen in the escalating cycle of family violence.

Incest is another area in which we have not gotten as much information as we would like to. W.A. staff members have speculated that most of the abused women who have lived at the house probably grew up in incestuous families, and very early learned the powerlessness of being victims. Compiling data to prove these suspicions is difficult, though, as it requires a basis of trust between residents and staff. As has been noted, residents often do not stay long enough for that level of trust to develop. The same may be said of collecting information on the frequency of abuse in the women's families of origin--another area in which we have not done very much.

Each year we have encountered a few cases of incest with the children we housed, but here again we may be aware of only the tip of the iceberg. Mothers may not know about the incestuous relationships between fathers and children, or they may not want to know. In any case, the statistics we have about incest are probably not very reliable.

Other data extracted from the forms give a picture in numbers of the work that Women's Advocates does--the number of attorney referrals we make, how often staff and police have accompanied women to their homes to collect personal belongings, how many times women and children have used medical services, and so on. These figures should be of interest to our past and future funders, and Betsy has plans to put her findings into pamphlet form so they can be shown to funders or groups trying to start new shelters. In addition, she plans to finish the statistics for 1977 and do a separate study on the needs of women who return to the house to see how they differ (if at all) from the needs of women who come only once.

Ms. FLEMING. Mr. Chairman, I would like to read to you from the

Senator CRANSTON. Now we will hear from Ms. Fleming.

Ms. FLEMING. I'm Jennifer Fleming, from the Women's Resource Network, Philadelphia.

I would like to read to you from the felonious assault file, Washtenaw County Sheriff's Department, Ann Arbor, Mich.:

Victim stated the first argument started over a pack of cigarettes. Victim stated accused, her husband, held her against the bathroom wall by the hair and continued to beat victim with his right hand. Victim is 6 months pregnant at this time.

Victim stated, accused kept telling victim, you are going to lose that baby, and then accused would beat victim in the stomach again.

After the assault in the bathroom, accused told victim to cook dinner. Victim stated that the accused picked up a butcher knife and put it to the victim's throat and told victim, "I am going to kill you and you know I can do it, too, don't you?"

Victim answered, "Yes" and accused laid the butcher knife on the table and turned around and hit victim on the face with his fist and knocked victim to the floor. Then the accused sat down on victim's stomach and put his knees on victim's arms so that the victim could not block any kicks from accused. Then the accused started beating victim in the head, face, and stomach.

Victim stated she blacked out.

Victim stated when she regained consciousness, the accused was still beating her.

I wish that I could say that this is not a typical assault description, but I am afraid that the reverse is true.

What happens when a battered woman, such as the women described here, turns to the various systems around her for help? By the way, let me mention that although I am focusing on the battered women in my testimony, I do recognize that the issue is broader than that, and involves some of the essential questions facing the American family today.

Usually the abused women finds the police hampered by laws which restrict their ability to make an arrest unless they witness the actual assault. She finds prosecutors and district attorneys so overloaded that they have to screen her out rather than help her build a case; and she finds courts that are ineffective and inefficient.

When she turns to traditional social service agencies, she often finds an attempt to rechannel her back into the relationships rather than an attempt to build her emotional and economic independence.

The Women's Resource Network, which I am representing, has received funds from national foundations to begin to provide training to the law enforcement system on coping with domestic violence. We will be working with the Philadelphia and Detroit Police Departments in an attempt to develop a model training package that can be used by groups throughout the country who are interested in improving the response of the law enforcement system.

We would like to see our police training accomplish a few very specific objectives. No. 1, we would like the police officer to understand that when he or she arrives at the scene of wife beating, that a crime has taken place and that there is, in fact, a victim. We would like to see some kind of successful connection take place between the victim and the helping agency. There needs to be greater

cooperation between law enforcement and social service providers, particularly grassroots groups who have been working on the problem, so that the victim's contact with the helper does not end when the police person leaves the premises.

As far as prosecutors and district attorneys' offices are concerned, we need to have special units established—one has been established in Philadelphia, under the new district attorney—to deal specifically with these cases.

At the court level, we need to explore diversionary programs, mandatory counseling programs, and other options which are outlined in my prepared testimony that I have submitted today, which is more detailed than the testimony I am presenting now.

All of these measures are important. All of them need to be undertaken. Shelters need to be established, hotlines need to be set up, counseling programs have to be created.

But any legislation that you develop must also, I think, address some of the underlying issues that are involved with this problem.

We need money for groups that are working on the development of educational programs that would do a couple of things—No. 1, create public advocacy for the victim of domestic violence. I am sure most of the people in this room remember the case of Kitty Genovese in Brooklyn, N.Y., several years ago, who was murdered on the streets; 39 people heard her cries but nobody called the police. During follow-up research, it was determined that the vast majority of people did not call the police because they thought that it was her husband beating her.

So, we need funds to deal with attitudes.

We also need funds to provide these programs with the means to educate teachers and social workers and parents about sex roles in families. I bring this up because often, when I appear on television shows or give talks, people say to me, "What makes him do it?" "What makes a man physically attack his wife?"

If I may, I would like to wax philosophical for the few seconds I have left. I think that each one of us, female and male, has two sides to our nature, whether you want to call it a hard and a soft side or a male and female side or whatever. I think that from day one, little boys are taught to suppress and deny the "female part" of themselves, and little girls are taught to deny and suppress what is considered the "male part" of themselves.

Often this results in unbalanced adults, in men who need to resort to violence against their wives in order to assert their manhood or in order to feel masculine.

So I think we have got to try to encourage our children to develop all sides of themselves so that we end up with balanced adults; so that we create a new definition of "personhood"; so that we will have families where both men and women strive to realize their potential as strong, self-confident, creative human beings, capable of developing violence-free relationships based on equality and mutual respect.

Thank you.

Senator CRANSTON. Thank you very, very much.

[The prepared statement of Ms. Fleming and additional material follow:]

FAMILY VIOLENCE: A Look at the Criminal Justice System

March 7, 1978

Jennifer Fleming, Director
Women's Resource Network

1 University Place
4025 Chestnut Street
Philadelphia, Pa. 19104

215/387-0420

Family Violence: A Look at the Criminal Justice System.

Victim stated the first argument started over a pack of cigarettes. Victim stated accused (her husband) held her against the bathroom wall by the hair and continued to beat victim with his right hand. Victim is six months pregnant at this time. Victim stated accused kept telling victim, "Bitch, you are going to lose that baby," and then accused would beat victim in the stomach again. After the assault in the bathroom, accused told victim to cook dinner. Victim stated that the accused picked up a butcher knife and put it to the victim's throat and told victim, "I am going to kill you and you know I can do it, too, don't you?" Victim answered, "Yes," and accused laid the butcher knife on the table and turned around and hit victim in the face with his fist and knocked victim to the floor. Then the accused sat down on the victim's stomach and put his knees on victim's arms so victim could not block any kicks from accused. Then accused started beating victim in the head, face, and stomach. The accused got to his feet and told victim to get up. Victim stated that she tried but was unable to do so and fell back to the floor. The accused started beating and kicking the victim and kicked over a chair on victim's stomach. Victim stated she blacked out. Victim stated when she regained consciousness the accused was still beating her.

4.1 Assault, Felonius, File #41,
Complaint #13626. July, 1974.
Washtenaw County Sheriff's Department,
Ann Arbor, Michigan

Statistics reveal that in New York State in 1973, there were almost 5000 rapes reported. Almost 3 times that number of wife abuse complaints went to family court. Unreported cases could perhaps double or triple that number. Husband-wife violence has been estimated to involve anywhere from 50% to 70% of American families.*

- 1 • In 1975 homicides within the family accounted for one fourth of all murders; more than half of these were spouse spouse killings.

Source: Crime in the U.S. - 1975 - The Uniform Crime Reports (Federal Bureau of Investigation; Washington, D.C.)

- 2 • In one study of 80 lower and middle-class families, University of Rhode Island sociologist Richard J. Gelles found that more than half described instances in which one spouse pushed, kicked or used some form of physical violence on the other. About 26% of his sample participated in husband-wife assaults regularly, ranging from a few times a year to every day.

Source: Gelles, Richard J. 1974 The Violent Home: A Study of Physical Aggression Between Husbands and Wives. Beverly Hills, California, Sage Publications, Inc.

- 3 • In a Kansas City study, police statistics showed that homicides due to marital violence had been preceded by at least one call to the police in 85% of the cases and five or more calls in 50% of these murders. The FBI says that 22% of all police fatalities occur while investigating domestic disturbance.

Source: 1977 Domestic Violence and the Police: Studies in Detroit and Kansas City. The Police Foundation, Washington, D.C.

- 4 • In Philadelphia, Pa., over 40% of those attempting to file criminal complaints with the district attorney are victims of marital assault.

Source: Philadelphia's District Attorney's Office.

- * Suzanne Prescott and Carolyn Lets. Battered Women: A Social and Psychological Perspective 1976. Unpublished.

5. 22% of all police fatalities and 40% of police injuries occur as the result of responding to domestic disturbance calls. Since 1966, 157 officers have lost their lives responding to domestic disturbance cases.

Source: Crime in the U.S. - 1975 - The Uniform Crime Reports (Federal Bureau of Investigation: Washington, D.C.)

There can no longer be any doubt that wife beating is a major social and legal problem. However, most concerned individuals, groups and agencies have little or no knowledge as to how to create an effective institutional response. This is especially true within the criminal justice system which bears the major burden for enforcing the battered woman's right to protection from violence.

Just how effective are current procedures, and what can be done to increase the effectiveness of the criminal justice system in the area of family violence?

Law Enforcement:

Inadequate training, call overload, poor attitudes, and fear of injury often result in the rejection of the rule of law which makes it a crime to assault another person. Instead, call screening and arbitrary decision making often determine how effective the police response turns out to be. If there is enough of a neighborhood disturbance, if the use of a weapon is involved, or if there is serious injury, the battered woman will find the police more responsive. Without these variables, however, calling the police can be of little help.

The attitude that a man's home is his castle, that what goes on behind closed doors is private, and that battered women either provoke, deserve, or enjoy violence quite often plays a role in the police officer's inability to assist the victim of spousal assault.

In addition, the police are hampered by laws in most states which require them to witness an assault before an arrest can be made. In many localities, a "stitch rule" is in effect, whereby an officer will determine that a felony has been committed only if the victim requires a substantial amount of stitches at which time an arrest will then occur.

Even when an arrest does take place, however, the abusive spouse is usually released within a short period of time, having either raised bail or having been released on his own recognizance.

For these reasons, many battered women do not report their assaults. For those that do, the police response, even when sympathetic, remains essentially ineffective.

James Bannon, Executive-Deputy Chief of the Detroit Police Department says that "the reason that the police avoid domestic violence situations to the greatest extent possible is because we do not know how to cope with them." *

How can the police cope?

As the first person that arrives on the scene, the police officer faces the task of restoring order and when appropriate, making an arrest.

There is a serious question involved here regarding just how much of a social work function police should assume when intervening in a domestic disturbance. Is it an officer's responsibility to address the underlying causes of the problem or to simply defuse the situation? Should he try to avoid arrest or not?

Our position is that the officer should attempt to defuse the situation in a manner that is sympathetic to the victim, and take steps to reduce the possibility of injury to himself. (We are aware of the fact that many battered women will attempt to physically attack an officer who is intervening on her behalf. Our theory is that it becomes "safer" for the victim to attack the officer than the husband since she will once again be at the mercy of her attacker once the officer leaves. Attacking the officer becomes her way of "fighting back.")

Although it has been demonstrated that the majority of police work (85%) is actually social work, we do not believe that it is the function of the police to attempt to solve the problems that contribute to family dispute. Instead, we would like to see police training and consultation that would have the following results:

- * 1975. Law Enforcement Problems with Intra-Family Violence.

1. Attitudinal changes that would result in the officer's awareness of the fact that when a wife beating has occurred, a crime has taken place, and there is a victim and a perpetrator.
2. Crisis intervention skills for defusion of the immediate conflict.
3. Reduction of police injuries.
4. A successful connection between the victim and a helping agency.

We see number four (4) as an important key. Some possible means of implementing this could be: police, social work teams that would respond to the initial call; family crisis intervention units that would be on call to back up the police, activated at the responding officer's discretion; cooperative working relationships between police departments and service providers, particularly grass roots groups which tend to be available on a 24 hour basis and usually have a sense of victim advocacy.

Some of these program ideas have already been initiated; police/social work teams and crisis intervention back-up specialists are in operation in various locations throughout the country. Information on current activities in these areas is available through the Law Enforcement Assistance Administration, U. S. Department of Justice.

Over the last ten years, there has been a significant amount of crisis intervention training for police departments in various localities. Known primarily as Family Crisis Intervention, police officers have been trained to defuse domestic disturbances. We feel that this training is useful, and it certainly is a basic prerequisite for an effective police response, but we see it as only a first step. There are some important gaps in the Family Crisis Intervention Training model that a more comprehensive training program should fill.

First, rather than attempting to reduce the number of arrests, police training should equip officers with the skills to determine whether an arrest is appropriate (are there internal injuries, etc.) and to conduct an appropriate investigation (interviewing witnesses, gathering evidence, etc.) Second, the training model should stress that wife beating is a crime and care should be taken to insure that training materials do not reflect traditional bias regarding the psychology of the battered woman.

Training should also provide officers with a basic understanding of the phenomenon of wife abuse, resource and referral information and information regarding substance, implementation and enforcement of any local wife abuse legislation.

The possibility of establishing special domestic disturbance squads within police departments should also be explored, although costs may be prohibitive. In addition, the importance of using female officers should be stressed since it has been demonstrated that male/female teams are more effective in intervening in domestic disturbance.

Any training model that is developed should be "transferable", that is, multiple copies of a training "package" should become available which, after brief training can be administered by local instructors and trainers to both in-service officers and recruits.

Women's Resource Network

National foundations have expressed serious interest in improving law enforcement's response to domestic violence. Grants have been made to WRN (a national training and consultation resource on family violence) by the Ford Foundation and the Rockefeller Family Fund. These funds will be used to develop a demonstration model for law enforcement effectiveness in Detroit and Philadelphia. Working in conjunction with experts in the law enforcement field, WRN hopes to test the validity of the training models described above, with the ultimate goal of developing a useful training tool for both law enforcement personnel and groups and organizations who seek to improve the police response to the problem.

Prosecutors

When the abused woman attempts to prosecute her spouse, she finds long delays, encouragement to drop charges and reluctance to issue warrants on the part of staff within district attorney's offices, reduction of charges from assault to harassment, lack of sympathy, and a general perception of her problem as trivial and unimportant. In addition, fear of retaliation by the husband leaves the battered woman reluctant to prosecute in the first place.

This fear must be well understood by those who come in contact with the victim. After all, if her husband has put her in the hospital for misplacing a pack of cigarettes, fear of serious injury or even death cannot be unfounded when she contemplates prosecuting him for assault. Even in situations where the victim is unnecessarily or inappropriately dropping charges, one needs to be aware of the psychological crippling that accompanies battering and its attendant lack of self-esteem, sense of powerlessness and emotional paralysis. The battered woman, living in terror and isolation has often become convinced that there is no way out even when avenues of escape appear before her.

Besides, many battered women have been through the prosecution process only to find that it does little good, if any, to follow through since the end result is generally not much more than a short non-reporting probation or an unenforceable agreement. In addition, abused women are often economically dependent on their husbands, and incarceration may mean a severe loss of income. So, there are a variety of factors that lead to withdrawal of complaints by abused wives, all of which combat the traditional belief that battered women drop charges because they have a neurotic need to be abused or they are all too willing to forgive and forget.

All of this does not mean however, that we should not encourage beaten wives to prosecute their spouses when appropriate. Changes need to occur that will insure an effective response when the severely battered woman seeks to prosecute her husband.

Training should be provided for the staff of district attorney's offices to insure that those persons coming in contact with battered women understand the "victim mentality". Where possible, privacy should be provided; interviewers should be sympathetic and helpful; complaints should be taken seriously; and attempts should be made to establish a case when appropriate.

In Philadelphia, the local shelter group operates a counseling service within the district attorney's office. This enables the victim to obtain appropriate assistance; relieves the staff of the D.A.'s office of the counseling function; and alleviates the case overload that usually exists at the beginning of the week.

We could see another important function that could be undertaken by local service providers in cooperation with district attorney's offices: screening. It may be possible that counselors could provide initial screening so that those women who turn to the

criminal justice system for help simply, because they do not know what else to do, could receive counseling and referral information. Civil remedies could be explored. Those women who are involved in serious batterings situations could be channelled through the criminal justice system with emotional support and back-up from the appropriate womens' groups. Counseling should reduce the victims' fear and isolation and the chances of her dropping the charges.

In addition, protection needs to be provided for the victim during the time that she is prosecuting. Red tape and delays need to be reduced.

Perhaps, as in Philadelphia, special units should be established within district attorney's offices to handle domestic violence cases.

Courts

As mentioned before, incarceration of an abusive spouse is certainly not the answer in many cases of wife abuse. If the husband is working and the wife is dependent on his income, then it may serve to add to her problems rather than reduce them. Many abusive men are not working, however and in this instance incarceration may serve as a deterrent. Even in the case of the working spouse, temporary incarceration, for a weekend, for example, could save lives and property, particularly when the abuse is severe. Another purpose that incarceration serves is to provide the wife with enough space and relief to develop her resources to move to change her situation.

Alternatives to incarceration need to be explored. Mandatory counseling is a possibility. Kathy Saltzman of the York Street Center points out:

"Past experience both with men who were forced to receive counseling as well as those who sought counseling voluntarily would seem to indicate some potential for success in certain cases."

(Program Summary: Methodology. York Street Center, Denver, Colorado.)

Another area for exploration is the establishment of diversionary programs where the defendant is tried and convicted,

and incarcerated only if he violates the terms of his parole. Violation, however, should result in certain and immediate incarceration. All too often, the thrust of the courts is towards reconciliation, the assumption being that family violence is a social rather than a legal issue. The fact is, however, that these assumptions allow a battering husband to believe that he essentially has the right to assault his wife. Since the vast majority of reconciliation agreements are violated within a short period of time, steps need to be taken that will afford the victim some relief from the violence, that if allowed to continue, will inevitably escalate to unavoidable and tragic consequences.

Conclusions:

Changing the response of the criminal justice system rests on a number of variables. First, funds need to be made available through the appropriate agencies (LEAA, etc.) Second, cooperation between law enforcement personnel and service providers must be established on an on-going basis. Policemen cannot be social workers, but if the cycle of violence is to be broken, they must be concerned and they must care. With help from those who have been committed to working on the battered woman problem, the criminal justice system can do much towards freeing the battered woman from her prison of fear, pain and isolation.

This does not mean that we think the police and the courts should solve the family violence problem. There are no easy answers. Improving the response of the criminal justice system must go hand in hand with improved social services, increased resources for the battered woman and better attitudes on the part of the public at large.

But, even more important, we must realize that the real solutions to family violence lie not so much in what we do to mop up the damage after the fact, but in what we do to prevent it.

We must look at our tendency to glorify violence; at our marriage laws which even today relegate women to a secondary and dependent role; at the historical roots of violence against women; at the legal, cultural and societal sanctions for wife beating. And we must find ways for both men and women to realize their potential as independent, strong, self-confident, creative human beings, capable of developing relationships based on equality and mutual respect.

APPENDIX:

Immediate areas of concern re: funds for family violence programs within the Law Enforcement Assistance Administration.

1. Several women's groups working on family violence have unsuccessfully applied for Community Anti-Crime funds. Can these groups receive technical assistance from the Community Anti-Crime Program that would enable them to develop proposals that will conform with present guidelines particularly by the April 31st 1978 deadline?

2. Can the family violence allocation be increased? There have been over 1000 requests for guidelines which would indicate a problem of mammoth proportions.

3. Are there any plans within LEAA to conduct research that would identify those factors that contribute to family violence so that appropriate prevention programs could be developed?

4. Does the office of Juvenile Justice have any plans?

5. What is the Office of Technology Transfer planning on doing?

6. How can grass roots community groups assure that there are family violence courses in Law Enforcement Education Program colleges and universities?

WOMEN'S RESOURCE NETWORK

A
National Resource
in
Response to Family
Violence



GOALS

- 1 To reduce the incidence of violence in the family.
- 2 To stimulate the creation of resources and institutional changes critical to the abuse victim's survival and well being.
- 3 To alter the climate of bias and misunderstanding that surrounds domestic violence with emphasis on wife abuse

SERVICES

- 1 Training and consultation to the law enforcement and criminal justice systems on coping with domestic violence.
- 2 Consultation and education for practitioners and administrative personnel within the mental health and social service fields on counseling victims of abuse.
- 3 Development of workshops, seminars, conferences and curriculum related to violence in the family.
- 4 Research and evaluation projects focusing on family violence.

CURRENT PROJECTS

- 1 Development of a demonstration model for law enforcement effectiveness in the area of domestic violence in Detroit and Philadelphia (funded by the Ford Foundation and the Rockefeller Family Fund).
- 2 Improvement of counseling techniques for battered women through support systems which reinforce their personal strengths and improve their coping mechanisms (funded by the Dolfiger-McMahon Foundation).
- 3 Development of treatment models for working with abusive males through group counseling which explores their use of violence as a resource and develops non-violent problem solving techniques.
- 4 Advocacy in connection with adequate legislation to combat domestic violence.
- 5 With university affiliation, the development of research and evaluation efforts that will:
 - (1) identify the factors leading to successful counseling of victims of abuse, and
 - (2) test the relative effectiveness of a variety of models of mental health consultation and education on family violence.
- 6 Training sessions which provide mental health practitioners with the skills, techniques and awareness necessary when counseling battered women.

- YES! WRN sounds fascinating. Please rush me all kinds of info.
- Please put me on your mailing list.
- I'll keep you in mind.

Detach and return to:
 Women's Resource Network
 1 University Place
 4025 Chestnut Street
 Philadelphia, Pa. 19104

NAME: _____

TITLE: _____

ORGANIZATION: _____

ADDRESS: _____

City _____

Street _____

State _____

Zip _____

TELEPHONE: _____

Area Code _____

FAMILY VIOLENCE

Violence within families is widely becoming recognized as a problem in the United States. While stranger-to-stranger violence is also prevalent in this country, much, if not most violence occurs between people who are in close relationship to one another.

- In 1969 homicides within the family accounted for one fourth of all murders, more than half of these were spouse killings.
- In a Kansas City study, police statistics showed that homicides due to marital violence had been preceded by at least five or more calls to the police in half of these murders.
- In Philadelphia, over 40% of those attempting to file criminal complaints with the District Attorney are victims of marital assault.
- The FBI says that 22% of all police fatalities occur while investigating domestic disturbance.
- More children die of child abuse than all other known childhood diseases combined.
- 10% of all rape victims have been assaulted by members of their own families.

Brochure Design: Portfolio Associates, Inc., Phila., Pa.

STAFFING

JENNIFER FLEMING

Jennifer Fleming is the founder and Director of the Women's Resource Network. Formerly, she served as Co-director of the Women in Transition Program. She has co-authored two books: *Women in Transition, a Feminist Handbook on Separation and Divorce*, and *For Better, For Worse, a Feminist Handbook on Marriage and Other Options*. She is currently working on a book on marital murder for Doubleday and has five years experience in the wife abuse field.

MURIEL FONDI

Muriel Fondi, MSW, has had twenty years of experience in all aspects of social work including training, direct practice, supervision and administration. She serves as Director of Training for WRN.

WOMEN'S RESOURCE NETWORK

1 University Place
4025 Chestnut Street
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215/387-0420

Senator CRANSTON. Ms. Fojtik.

Ms. FOJTIK. Senator Cranston, Senator Riegler, my name is Kathleen Fojtik. I am a county commissioner in Ann Arbor, Mich., and I hope you will excuse me—I have a cold and do not always sound this way. I am also director of SAFE House, a shelter for battered women in Washtenaw County.

I thank you for this opportunity to speak in favor of S. 1728, the Domestic Violence Prevention and Treatment Act, and to make recommendations for amendments.

I am speaking from the local perspective—from the point where Federal tax dollars meet the recipient of services, and a person is either helped or hindered by Government intervention. I am speaking as a local elected official, deeply concerned about this issue—deeply concerned, because as a child, I witnessed weekly beatings of my mother by my father, and I realize that children are truly innocent victims of domestic violence.

Today, I now know that my mother was not alone, and that too many women and families are victimized.

We, in Ann Arbor, started as volunteers only 3 short years ago, and we have come a long way. We worked diligently, we gained credibility and respectability in our community and we have truly helped people. At least 250 families have come to our volunteer project, and we were fortunate enough to secure a federally funded LEAA grant to help another 355 families.

We have excellent statistics I would like to share with you, Senator Cranston, we have tapped Federal resources, local resources, and State resources, but the resources are not enough. We have CETA money, we have VISTA money, we have CDBG, HUD money, we have LEAA money, we have United Way money—but still, we are volunteers working on very meager salaries, working long, hard hours, and just making great personal sacrifice to try to help others.

We have gathered statistics and we are proud of other research, and we think it is interesting that our volunteer research corresponds very closely with the LEAA funded research.

We found that over 50 percent of our clients were legally married. In the LEAA grant, 58 percent of their clients in their first 10 months were legally married. We found that approximately 25 percent of the victims reported that the assailant abused the children—not the victim, but the assailant, also was violent toward the children. Both programs reported over 25 percent. We found approximately 50 percent in both programs, that the assailant had witnessed routine violence between his parents as a child, and approximately 30 percent of the victims had witnessed routine violence between their parents as a child.

We found that over 60 percent of the cases, both in our project and in the LEAA grant, alcohol consumption was always present during an assault, and alcohol abuse was definitely a problem.

Again, I repeat that personally I have worked with over 260 clients, indirectly; on the board of directors of the Assault Crisis Center—the LEAA grant—I have worked with another 404 victims indirectly. It is a spectrum. There is no such thing as a "typical battered woman" or a "typical wife beater."

I can give you case study after case study of the Chicano mother of six—a terrible incest case where the 12-year-old daughter tried to commit suicide at school after at least six documented cases of rape against her. I can give you cases of prominent physicians' wives who come to us and ask for help. It does cover all economic brackets, et cetera.

I must say that we have had only one battered man that has come to our project for help in the 3 years we have been in existence in Ann Arbor.

I want to point out that over 75 percent of all the mothers of all the families who come to us have had children under 5 years of age. There are many minor children involved in this.

I am here mainly to make recommendations, if I may, please. My first recommendation is for an increased appropriation. I appreciate your questions about seed money. I understand the LEAA concept of seed money and I support that, however, we need more seed money. The current bill would only amount to \$180,000 per State for the first year and that is definitely not enough. I can document statistics of our project and what it costs to do things right for a county of about 250,000 people—it takes about \$250,000. I do not think \$1 per person is too much to ask of the U.S. Government to help victims of violence, who are truly—as Suzanne Steinmetz said, they are in basic need of food, clothing, shelter, and protection.

I am asking you, again, for \$200 million—a little less than the population of our country—less than \$1 per person over a 3-year appropriation to help battered women. That's less than 33 cents per person per year.

I suggest a Department of Victim Assistance or Victim Services. I recommend that the bulk of the funds—60 percent, if possible, or more—going directly to local programs and direct-client services.

I do not think there is a need for a nationwide hotline.

And I ask you please, all of you, to act this year, to pass needed legislation to provide alternatives to violence for millions of Americans.

Thank you.

Senator CRANSTON. Thank you very much. [Applause.]

[The prepared statement of Ms. Fojtik and additional materials follow:]



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 Victim Assistance Program
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WRITTEN TESTIMONY

in support of

THE DOMESTIC VIOLENCE TREATMENT AND PREVENTION ACT
 (S. 1728)

before the

SENATE SUBCOMMITTEE ON CHILD AND HUMAN DEVELOPMENT

March 8, 1978

prepared and presented by

COMMISSIONER KATHLEEN M. FOJTIK

DIRECTOR of SAFE House, Shelter Available For Emergency,
 and, THE DOMESTIC VIOLENCE PROJECT, INC., of Ann Arbor, Michigan;
 VICE-CHAIRPERSON of the SOUTHEASTERN MICHIGAN COUNCIL OF GOVERNMENTS,
 MEMBER of the STATE OF MICHIGAN CRIME VICTIMS COMPENSATION BOARD, etc.

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INTRODUCTION

Gentlemen, thank you for this opportunity to speak in support of S. 1728, the Domestic Violence Treatment and Prevention Act, and to make recommendations for amendments.

I will be speaking from the local perspective, from the point where federal tax dollars meet the recipient of services, and where people are either helped or hindered by government intervention. As a local elected official, I want to address the issue of domestic violence in as objective terms as possible, and therefore, I have included in my testimony statistics from the Law Enforcement Assistance Administration (LEAA) final evaluation report from the Assault Crisis Center in my home area of Washtenaw County, Michigan. I have also included research from affiliates of the University of Michigan.

One of the reasons I am so committed to the issue of violence in the family is that as a child I witnessed weekly beatings, and daily intimidation of my mother by my father. I now know that my mother was not alone in her victimization.

I am here today to ask you to help not only battered women, but also the innocent children who are as victimized by domestic violence as are mothers, the assaulted wives.

FROM VOLUNTEERS TO PAID PROFESSIONALS

In the past three years, I have worked overtime for very little pay, as Coordinator of a program for battered women in Washtenaw County. We organized ourselves in April 1975 as a task force of the local chapter of the National Organization for Women (NOW), and worked diligently to gain credibility and respectability from our community to become an established social service agency delivering services to needy men, women and children from all economic

political, and social backgrounds. It was a long and difficult road from part-time volunteer organization, to full-time professional service organization, but we worked hard, and our program grew from one with no budget, to one worth over \$250,000. in just three short years. We started with local donations and added resources including CETA (Comprehensive Employment and Training Act) positions, VISTA (Volunteers In Service to America) volunteers, CDBG (Community Development Block Grant - HUD) funds, LEAA (Law Enforcement Assistance Administration) funds, United Way money, and private foundation dollars. It was not easy, and I do not believe that our experience can or should be repeated in other communities. Clearly, there is a need for similar services in other communities; however, our program was built at great personal sacrifice which others should not have to duplicate. I am here to ask you to help others become paid professionals without having to go through the growing-pains of a volunteer organization:

CHARACTERISTICS OF VICTIMS AND ASSAILANTS

In Ann Arbor, we learned a great deal about victims of violence, and their assailants. An article which appeared in the Social Work Journal, November 1977, written by Bonnie Carlson of the University of Michigan details what we learned from a study sample of 101 cases. The similarities between Ms. Carlson's statistics and the LEAA-funded Final Evaluation Report are strikingly similar. For example, comparing a 10 1/2 month period during 1976 with an equal period of time in 1977, the following similarities were noted between the volunteer Domestic Violence Project research and the LEAA-funded research.

PERCENTAGE DVP vs. LEAA

- The percentage of clients legally married. 50.4% to 58%
- Victim reported physical abuse of children. 27.2% to 25%
- Assailant observed routine violence between parents. 49.1% to 55.2%
- Assailant was under the influence of alcohol during assault. 66.7% to 64.1%

Many other similarities were noted between the two sets of independently collected data, and I have attached both the Domestic Violence Project's statistics, and the LEAA statistics for your information.

I have worked directly with over 260 cases of domestic violence at our agency. These cases range all the way across the social spectrum, from the wife of a prominent physician to a poor Chicana mother of six, whose husband had also sexually assaulted their 12 year old daughter on at least six different occasions before the 12 year old attempted suicide at school. Let me emphasize that I believe there is no such thing as a "typical battered women", and there is no such thing as a "typical wife-beater". There is a continuum of violence, all the way from the once-in-a-life-time punch to the weekly and daily beatings that can and do exist in too many homes. It is the most severe forms of victimization that urgently need to be addressed with federal funds. I would also like to emphasize that no men ever contacted our volunteer agency as victims of violence. The LEAA statistics indicate only one battered man and 377 battered women sought assistance during their first 10 1/2 months of operation. Both agencies report that assailants in very small numbers have sought assistance in an effort to curb their violent behavior. Of the 260 women who contacted the volunteer project, 73% had one or more children under the age of 5 years. Of the 377 women who contacted the LEAA program during the study period, 84.3% had minor children.

I caution anyone attempting to set-up counseling or re-education centers for assailants. The research is incomplete, and any programs that might be established would be purely experimental. On the other hand, the research is clear that a need exists for services for victims of violence.

RECOMMENDATIONS

My first recommendation is for an increased appropriation, because 60 million dollars trickle-down to only \$180,000 per state for the first year of the three year funding cycle when the technical assistance costs and administrative costs are taken off the top, and a full 60% of allocated funds is divided by 50 states. \$180,000 per state will fund only one program of comprehensive services per state, based on the cost of services provided within Michigan. Clearly, \$180,000 per state is insufficient to assist state and local governments in meeting the needs of families-in-crisis.

After careful consideration, in consultation with members of the Michigan Coalition Against Domestic Violence, I would like to recommend the appropriation of \$200,000,000 over a three year period for comprehensive services for battered spouses and their children. This would be \$66,666,666 per year or \$1,333,333 per state/per year. In my opinion, this amount of money would adequately fund approximately six (6) programs per state at approximately \$216,666 per program/per year. If smaller grants are made to only partially fund the needed services, then a larger number of grants can be awarded.

\$200,000,000 is less than \$1.00 for each and every American, and is similar to the amount of money we currently have available within Washtenaw County to provide services. Washtenaw has a population of 250,000, and we currently have available \$240,000 worth of services for battered spouses. I would be happy to provide you with detailed budget information, and expenditure reports that verify the need for this amount of money to adequately administer a comprehensive program of services for battered spouses and their children.

Although my county currently has funds available, we are entering the third year of our LEAA grant, and these funds will not be available in the future. Therefore, my county needs additional federal tax dollars to maintain

the current level of services, and to continue to meet the needs of the 600 families that we project will seek our help and intervention during the coming year. The 600 families that require outside intervention represent a small percentage of the population within Washtenaw County. The problem is severe, and the need is great, but the numbers are manageable. Domestic violence does NOT seem to affect a majority of the population in my area, but even at these numbers the ramifications affect the entire community.

My second recommendation is for a Department of Victim Assistance or Victim Services to administer the direct grant program under this Act. This Department or Bureau would pass-through the funds to local programs. The intent is to keep the federal bureaucracy at a minimum, and to administer the funds in as simple a fashion as possible. The advisory committee to the Michigan legislature also recommended the creation of a Victim Assistance or Victim Services Bureau to administer state funds appropriated in the state of Michigan. This Victim Services Bureau could also administer the federal Victim Compensation Act which I understand is currently pending before congress and would be administered by the Attorney General if passed in its current form.

My third recommendation is to prefer the grant program specified in S.1728 over any other type of funding mechanism; however, to eliminate the "demonstration" project terminology, and simply award "grants" for the three year life of the Act.

My fourth recommendation is to award more than 60% of the funds appropriated to direct grants for locally administered, and controlled programs. If possible, I would suggest that 70% of the funds allocated go into direct services.

My fifth recommendation corresponds with the fourth recommendation and calls for a smaller percentage of federal funds to go for research purposes; national clearinghouse purposes, training purposes, and federal coordination purposes. I strongly believe in direct client services, and the need to place the vast majority of the resources into local, grassroots programs, so that victims of violence and their families will receive direct services in the form of emergency shelter, 24 hour crisis phone counseling, legal information and advocacy, assistance with social service agencies, transportation assistance, child care assistance, financial assistance, and support counseling services.

My sixth recommendation is NOT to create a nationwide hotline. I strenuously object to a toll-free hotline. Although local hotlines are needed, and necessary providing information and referral which is helpful to clients in need, a nationwide hotline could provide no pertinent information for assistance and would be a waste of money.

My seventh recommendation is that the United States Senate act this year to pass needed legislation to provide alternatives to violence for millions of Americans.

Thank you.

ASSAULT CRISIS CENTER
Statistical Information on Domestic Violence

The following information was gathered from domestic violence victims who contacted the Assault Crisis Center for assistance between November 15, 1976, and September 30, 1977. When interpreting this data, it is wise to keep in mind that those persons who did not seek help are not represented.

VICTIM INFORMATION

1. SOURCE OF REFERRAL

<u>34</u>	Law enforcement agency (20.1%)
<u>1</u>	Prosecutor's office
<u>2</u>	School
<u>27</u>	Hospital
<u>41</u>	Other governmental agency
<u>39</u>	Private organization
<u>24</u>	Walk-in
<u>1</u>	Other
<u>16</u>	Unknown

2. WAS THE VICTIM AWARE OF THE ASSAULT CRISIS CENTER PRIOR TO VICTIMIZATION?

<u>43</u>	Yes
<u>125</u>	No
<u>17</u>	Unknown

3. IF SO, WHAT BROUGHT THE CENTER TO THE VICTIM'S ATTENTION?

<u>16</u>	Media report
<u>3</u>	Media advertising
<u>0</u>	Attended public presentation by Assault Crisis Center
<u>2</u>	Saw materials distributed by Assault Crisis Center
<u>16</u>	Friend or relative
<u>1</u>	Heard of Assault Crisis Center through another organization
<u>3</u>	Police
<u>1</u>	Other
<u>1</u>	Unknown

4. VICTIM'S RESIDENCE

<u>64</u>	Ann Arbor
<u>84</u>	Ypsilanti
<u>16</u>	Out-county
<u>19</u>	Out of Washtenaw County
<u>2</u>	Out of state

5. SEX OF CLIENT

<u>180</u>	Female
<u>3</u>	Male
<u>2</u>	Unknown

6. AGE OF VICTIM

<u>0</u>	13 or under
<u>10</u>	14-18 years
<u>63</u>	19-25 years
<u>77</u>	26-35 years
<u>13</u>	36-45 years
<u>15</u>	46-64 years
<u>0</u>	65 & up
<u>7</u>	Unknown

7. RACE OF VICTIM

<u>130</u>	White	(81.2%)
<u>27</u>	Black	(16.8%)
<u>1</u>	Spanish American	
<u>1</u>	American Indian	
<u>1</u>	Oriental	
<u>5</u>	Unknown	

8. VICTIM'S EDUCATION

<u>7</u>	8 grades or less
<u>47</u>	Some high school
<u>40</u>	Completed high school
<u>46</u>	Some college or vocational education beyond high school
<u>8</u>	Completed college
<u>10</u>	Some graduate school or graduate degree
<u>27</u>	Unknown

9. DOES THE VICTIM HAVE CHILDREN?

<u>145</u>	Yes	(84.3%)
<u>27</u>	No	
<u>13</u>	Unknown	

10. HOW MANY CHILDREN ARE LIVING AT HOME?

<u>52</u>	One child
<u>44</u>	Two children
<u>26</u>	Three children
<u>9</u>	Four children
<u>4</u>	Five children
<u>1</u>	Six children
<u>1</u>	Unknown

11. IS VICTIM EMPLOYED?

<u>64</u>	Yes
<u>105</u>	No
<u>16</u>	Unknown

12. VICTIM'S INCOME

<u>35</u>	Less than \$1,000
<u>7</u>	\$1,000-\$1,999
<u>10</u>	\$2,000-\$2,999
<u>6</u>	\$3,000-\$3,999
<u>13</u>	\$4,000-\$4,999
<u>8</u>	\$5,000-\$5,999
<u>6</u>	\$6,000-\$6,999
<u>2</u>	\$7,000-\$7,999
<u>4</u>	\$8,000-\$8,999
<u>11</u>	\$9,000-\$11,999
<u>8</u>	\$12,000-\$14,999
<u>4</u>	\$15,000-\$24,999
<u>2</u>	\$25,000-\$49,999
<u>0</u>	\$50,000 or more
<u>68</u>	Unknown

13. IS VICTIM RECEIVING "WELFARE" PAYMENTS?
50 Yes (30.1%)
116 No
19 Unknown
14. DOES VICTIM HAVE A SUBSTANCE ABUSE PROBLEM?
133 No
2 Abuses drugs
6 Abuses alcohol
7 Abuses both drugs and alcohol
33 Unknown
15. WAS VICTIM ABUSED AS A CHILD?
25 Yes (19.6%)
102 No
48 Unknown
16. WAS THERE PHYSICAL VIOLENCE BETWEEN VICTIM'S PARENTS?
34 Yes (26.7%)
93 No
48 Unknown
17. WERE VICTIM'S PARENTS SEPARATED OR DIVORCED?
46 Yes (34.5%)
87 No
42 Unknown
18. WAS VICTIM IN A PRIMARY RELATIONSHIP BEFORE?
62 Yes
68 No
45 Unknown
19. IF SO, WAS THERE DOMESTIC VIOLENCE IN THAT PRIOR RELATIONSHIP?
20 Yes (38.4%)
37 No
10 Unknown

ASSAILANT INFORMATION

20. ASSAILANT'S AGE
0 13 or under
0 14-18 years
32 19-25 years
75 26-35 years (51.3%)
19 36-45 years
18 46-64 years
2 65 and up
28 Unknown
21. ASSAILANT'S SEX
6 Female
169 Male
6 Unknown

22. ASSAILANT'S RACE

103 White
55 Black
8 Spanish American
6 American Indian
9 Oriental
7 Other
12 Unknown

372

23. ASSAILANT'S EDUCATION

15 8 grades or less
33 Some high school
79 Completed high school
34 Some college or vocational education (28%)
19 Completed college
9 Some graduate school or graduate degree
45 Unknown

24. IS ASSAILANT EMPLOYED?

111 Yes
52 No
12 Unknown

25. ASSAILANT'S INCOME

20 Less than \$1,000
1 \$1,000-\$1,999
2 \$2,000-\$2,999
3 \$3,000-\$3,999
6 \$4,000-\$4,999
5 \$5,000-\$5,999
5 \$6,000-\$6,999
4 \$7,000-\$7,999
4 \$8,000-\$8,999
13 \$9,000-\$11,999
15 \$12,000-\$14,999
20 \$15,000-\$24,999
7 \$25,000-\$49,999
1 \$50,000 or more
75 Unknown

26. DID ASSAILANT SERVE IN THE ARMED FORCES?

54 Yes (42.5%)
73 No
48 Unknown

27. DOES ASSAILANT HAVE A CRIMINAL RECORD?

46 Yes (36%)
82 No
47 Unk

28. HAS ASSAILANT EVER BEEN IN COUNSELING?

57 Yes (40.1%)
85 No
33 Unknown

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29. WAS THERE PHYSICAL VIOLENCE BETWEEN ASSAILANT'S PARENTS?

58 Yes (55.2%)
47 No
70 Unknown

30. WAS ASSAILANT BEATEN AS A CHILD?

52 Yes (51.4%)
49 No
74 Unknown

31. DOES ASSAILANT HAVE A SUBSTANCE ABUSE PROBLEM?

63 No
6 Abuses drugs
62 Abuses alcohol (44.4%)
16 Abuses drugs and alcohol
22 Unknown

THE DOMESTIC SITUATION INFORMATION

32. WHAT IS ASSAILANT'S RELATIONSHIP TO CLIENT?

119 Husband
12 Ex-husband
0 Relative
26 Boyfriend or fiancé
11 Ex-boyfriend or ex-fiancé
0 Friend
0 Other
7 Unknown

33. LENGTH OF RELATIONSHIP

26 0-1 year
40 1-3 years
33 3-6 years
29 6-10 years
16 10-15 years
6 15-20 years
2 20-25 years
4 25-30 years
3 30-40 years
1 40 years and up
25 Unknown

34. DOES VICTIM LIVE WITH ASSAILANT?

123 Yes
46 No
6 Unknown

35. HOW LONG HAVE THE ASSAULTS BEEN GOING ON?

22 0-6 months
16 6 months-1 year
42 1-3 years
28 3-6 years
20 6-10 years
11 10-20 years
1 20-30 years
2 30-40 years
1 40 and up
19 Unknown

36. DID VICTIM'S CHILDREN EVER PHYSICALLY INTERVENE IN A FIGHT BETWEEN THE VICTIM AND ASSAILANT?
- | | |
|-----------|---------|
| <u>37</u> | Yes |
| <u>90</u> | No |
| <u>13</u> | Unknown |
37. DID VICTIM OR ASSAILANT EVER BEAT THE CHILDREN IN THE PAST YEAR?
- | | |
|-----------|----------------|
| <u>6</u> | Yes, victim |
| <u>29</u> | Yes, assailant |
| <u>1</u> | Yes, both |
| <u>92</u> | No |
| <u>11</u> | Unknown |
38. WAS THE ASSAILANT UNDER THE INFLUENCE OF ALCOHOL OR DRUGS AT THE TIME OF THIS ASSAULT?
- | | |
|-----------|----------------------|
| <u>25</u> | No |
| <u>2</u> | Yes, drugs |
| <u>59</u> | Yes, alcohol (64.1%) |
| <u>6</u> | Yes, both |
| <u>31</u> | Unknown |
39. WAS A WEAPON USED IN THIS ASSAULT?
- | | |
|------------|-----------|
| <u>29</u> | Yes (21%) |
| <u>108</u> | No |
| <u>81</u> | Unknown |
40. IF SO, WHAT TYPE OF WEAPON?
- | | |
|----------|---------------------|
| <u>6</u> | Knife |
| <u>6</u> | Gun |
| <u>7</u> | Household implement |
| <u>2</u> | Telephone |
| <u>2</u> | Chair |
| <u>2</u> | Shovel |
| <u>0</u> | Stick |
| <u>3</u> | Other |
| <u>1</u> | Unknown |
41. DID VICTIM ATTEMPT TO DEFEND HERSELF PHYSICALLY?
- | | |
|-----------|---------|
| <u>51</u> | Yes |
| <u>72</u> | No |
| <u>32</u> | Unknown |
42. WHAT EFFECT DID THIS HAVE ON THE INTENSITY OF THE ATTACK?
- | | |
|-----------|---------------------|
| <u>27</u> | No effect |
| <u>29</u> | Increased intensity |
| <u>5</u> | Decreased intensity |
| <u>3</u> | Unknown |

43. IF VICTIM CONTACTED POLICE AFTER THE ASSAULT, WHAT WAS THEIR RESPONSE?

3 Did not come
46 Concerned and helpful
2 Concerned but not helpful
3 More concerned with own safety than with victim's safety
4 Hostile, rude, or blaming
16 Provided protection
20 Referred victim to Assault Crisis Center or other agency
5 Not helpful at all
4 Other
3 Unknown

44. DID VICTIM REQUEST THAT ASSAILANT BE ARRESTED?

31 Yes (24%)
98 No
30 Unknown

45. DID CLIENT SIGN A COMPLAINT AGAINST THE ASSAILANT?

14 Yes (10.8%)
115 No
30 Unknown

46. DOES CLIENT INTEND TO SIGN A COMPLAINT AGAINST THE ASSAILANT?

33 Yes (33%)
57 No
15 Unknown

47. DOES CLIENT INTEND TO SEPARATE OR DIVORCE FROM THE ASSAILANT?

36 Yes, physically separate
10 Yes, legally separate
57 Divorce
16 No
3 Is already divorced or separated
37 Unknown

Shelter Services For Battered Wives

ANY POLICE OFFICER will tell you that the duty falls to the shoulders of the police officer, in many of these cases, there is a long history of domestic violence.

These are the ones who seem only gets hurt or killed, may even the police officer, in many of these cases, there is a long history of domestic violence.

The battered spouse, almost always the woman, is a problem which is finally getting the attention it deserves. For too long the attitude seems to have been a man's home is his castle and what goes on inside is nobody else's business.

WIFE BEATING: is a serious social problem. Rep. Barbara Mikulski, Maryland Democrat, cites some alarming facts about domestic violence.

—Only 2 per cent of the men who beat up their wives or female living partners are ever prosecuted.

—The fourth of American couples engage in an episode of violence during their relationship 10 per cent every each year and 70 per cent involve extreme admitted physical abuse.

—At least 10 per cent of the children who witness parental violence eventually become adult batterers themselves.

THE DOMESTIC VIOLENCE THREAT in Ann Arbor and other groups have been at the vanguard of a growing effort to aid the physically abused woman who is not safe in her home.

Washington County's Assault

Crisis Center has a counseling and referral program for the victims of spouse abuse and domestic assault which is a model for the rest of the state.

Often the most critical need of a frightened, battered woman is a safe place in which she is free from further harm and where she can calm her children, collect her wits and plan what to do next.

Without family or relatives, a woman may have no place to go. Since July of 1976, a system of volunteer emergency housing has existed in the county, and many women and children have been sheltered temporarily.

Unfortunately, emergency housing is on its rancid tail. Few volunteers have become large enough to house women with several children for very many days. Alternatives such as motels are impractical and costly.

A BETTER SOLUTION to the need for shelter services exists in the form of a building, currently vacant on state-owned land, about 10 minutes from Ann Arbor.

According to the local Domestic Violence Project which is helping to negotiate this building for use as a shelter, it would be ideal for temporary housing women and children until they can get squared away downstate.

The proposed shelter is a worthy project. Alternatives to intra-family violence need to be developed, and shelter services provided, with appropriate funding. To do nothing is to perpetuate a growing terror.

House of SAFETY

Shelter for battered women introduced to community

WILLAMETTE NEWS November 13, 1977 page 3

A SAFE house, a temporary home for battered women, was dedicated Monday afternoon in a home opening ceremony attended by Gov. William G. Milliken.

Organized by Washington County's Domestic Violence Project, for the home will be a refuge for battered women and a limited about 15 minutes drive south of Yonkers.

The ceremony had some 100 people in attendance. The home is a two-story house at least 1000 sq. ft. in size, located in Rosemead and Decatur streets in Rosemead. It is owned by the state.

According to the group's statement of philosophy, SAFE House (Shelter Available for Emergencies) will provide a home for Washington County women and their children who are victims of abuse. The house is located in an area of the county that is not far from the center.

Referrals will be accepted from county law enforcement and social service agencies as long as space is available. Reservations may remain for a maximum of four weeks.

Food, clothing and clothing will be provided while the women take the first steps toward beginning new lives free from domestic violence.

The shelter has been a woman and children of one town. Children will be expected to continue in school and their mothers will be expected to pursue a full program of counseling and child care services and continue working if employed.



LEFT: LINDA DAVEN — Checking the grounds of the county's new SAFE house are Gov. Bill Milliken, Gov. Mary Foy, John Hayes and Kathleen Tobin.

The location of the house is being kept under wraps so hundreds of abused women can find their way to the refuge there.

As important as protecting women from further assault is the shelter staff's role in providing women with additional resources and support. Alternatives such as criminal prosecution, divorce and restraining orders will be offered.

The staff hopes to prevent repetition of cases like recent Francisco Heights murder that is leaving Mrs. Hughes as a widow and guilty by reason of insanity of first degree murder charges in the death of her former husband. She claimed

she had suffered beatings for years before being driven to seek help in the bedrooms in which he was sleeping. SAFE House will be governed by its staff and the members of the board of directors of the Domestic Violence Project. Board members are John Hayes, Susan Carlson, Gladys Prosser, Mary Foy, Susan Thomas, Shirley Brown and Walter Henson, all of Ann Arbor.

The SAFE House staff has not yet been named but VISTA funds have been committed for a staff-care coordinator.

The National Organization for Women, the Equal Foundation and the Ann Arbor Foundation have contributed to SAFE House staff up to approximately \$20,000 has been collected.

Staff members of the Domestic Violence Project and the Assault Crisis Center have provided guidance to battered women since 1973 and 1976 respectively. Under these programs, however, only three days of shelter could be provided through a volunteer emergency housing network.

Page 2 - Tuesday, November 15, 1977 - The Michigan Daily

SAFE house opens

Domestic violence victims have a new place to go. The SAFE house, a temporary home for battered women, was dedicated Monday afternoon in a home opening ceremony attended by Gov. William G. Milliken.

Organized by Washington County's Domestic Violence Project, for the home will be a refuge for battered women and a limited about 15 minutes drive south of Yonkers.

The ceremony had some 100 people in attendance. The home is a two-story house at least 1000 sq. ft. in size, located in Rosemead and Decatur streets in Rosemead. It is owned by the state.

Referrals will be accepted from county law enforcement and social service agencies as long as space is available. Reservations may remain for a maximum of four weeks.

Food, clothing and clothing will be provided while the women take the first steps toward beginning new lives free from domestic violence.

The shelter has been a woman and children of one town. Children will be expected to continue in school and their mothers will be expected to pursue a full program of counseling and child care services and continue working if employed.

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SAFE House: A Nonviolence Milestone

By Ann Marie

Safe House, a nonviolence program to provide a refuge for battered women and their children from their abusive husbands.

The Safe House is a refuge for battered women and their children and for women who are being abused by their husbands.

In one hour we had thirty women and a half-dozen children in the Safe House. The first of the women and children who were admitted to the Safe House Program, for the first time in its history.

These women represent women who are battered and who are being abused by their husbands. The Safe House is a refuge for battered women and their children and for women who are being abused by their husbands.

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RENT REFUSALS
See Editorial Page

The Michigan Daily

CHIPPEN
High - 60°
Low - 30°
See Today for Details

Vol 1, 1977, No. 37

Ann Arbor, Michigan, Tuesday, November 11, 1977

See Page

18 Pages

New model center for battered women and children heralded

By BLANCK BROWN

Improved women and children in Michigan today will have a "Safe House" to turn to in times of crisis. The Safe House is a refuge for battered women and their children and for women who are being abused by their husbands.

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Safe House staff members and volunteers are seen in a meeting room. The Safe House is a refuge for battered women and their children and for women who are being abused by their husbands.



**DOMESTIC
VIOLENCE
PROJECT**

REPORT

APRIL 1975 - DEC. 1976

**A SUMMARY OF THE PROJECT'S
ORGANIZATION AND ACTIVITIES**

COMPILED BY SUSAN WALLENDORF, VOLUNTEER

PRINTING DONATED BY THE ANN ARBOR NEWS

4.1

OVERVIEW

In April of 1975, two law students from the University of Michigan presented a paper on wife assault in Michigan¹ to a meeting of the Ann Arbor National Organization for Women. It became clear from this meeting that there are a great many battered women who need special assistance, unavailable through existing social agencies. Consequently, the NOW Domestic Violence Project was launched. Since its inception, it has grown from a small group of volunteers into a non-profit corporation employing an Emergency Housing Coordinator and a Crisis Intervention Counselor. In addition, the Project has recruited a volunteer staff of over ninety. Volunteers surveyed local agencies to determine exactly what services were available to a battered woman and her family. Under the supervision of University of Michigan graduate student Ken Katahira, 740 cases of wife beating were documented using police reports for 1974. This represented 35% of all assaultive crime complaints filed for that year, and is considered to be a conservative number which may well represent only the "tip of the iceberg".

With limited funding and dedicated volunteer support, the NOW Domestic Violence Project, Inc., established a twenty-four hour crisis hot-line and provided the abused women who contacted the office with: emergency housing, transportation, advocacy with social service and criminal justice agencies, legal and medical information and referrals, and

emotional support via ongoing peer counseling.

In addition to direct client services, the ongoing objectives of the Project have been:

--to develop community awareness of the magnitude of wife abuse through information dissemination

--to challenge the community to offer services to battered women through established social agencies and to coordinate existing services.

--to establish a permanent shelter for battered women with paid coordinators, counselors and staff.

--to decrease the incidence of violence against women.

As a result of the heavy influx of clients (see page 11 Client Contacts--Statistical Summary) the Project staff, working with other agencies, helped secure a grant from the Law Enforcement Assistance Administration (LEAA) which funded the Assault Crisis Center beginning in November, 1976. This agency presently utilizes the skills of five paid professionals to extend and improve the services provided to victims of domestic violence and rape. This agency incorporated the crisis intervention services formerly provided by the NOW Domestic Violence Project, Inc., and is part of the Washtenaw County Community Mental Health Agency. Victims of domestic violence or rape may call (313) 668-8888 for assistance 24 hours a day.

PROJECT ACTIVITIES

1. Direct Client Services

From July of 1975 through November of 1976 over

260 victims of wife assault contacted the NOW Domestic Violence Project either by telephone or in person. Trained volunteers provided crisis counseling and emotional support either at the Project office or over the twenty-four hour crisis telephone line. For example, victims in a crisis state are often terrified and confused; the telephone crisis counselor has to provide calm reassurance and remind the assaulted woman of such practical considerations as locking doors and windows, checking for money and car keys, and notifying the police. Furthermore, the battered woman is often unaware of the extent of her own injuries, so volunteers were trained to help her ascertain whether she was in need of medical attention. Above all, crisis counselors were instructed to get the caller's name, address and telephone number so that the police could be notified in the event that she was suddenly "cut off".

Other volunteers worked in the Project office conducting intake interviews with clients who contacted the Project in person. Volunteer counselors assisted the client in sorting out options and in determining which alternatives would best suit her future plans. Volunteers were also available to transport the victim to social service agencies, lawyers' offices, housing facilities, etc. (see page 16 & 17 attached list of resources) to serve as the woman's advocate, and to offer emotional encouragement. After business hours supervisory personnel were on call to accompany the woman to

to the hospital or police station, if she was unable to arrange her own transportation.

The Project staff also developed a system of emergency housing whereby a victim lacking financial resources, and her children, could be safely housed for up to three days in volunteer homes within the community. During this time, the victim and her counselor (assigned to the victim for a minimum of six months) began to consider the client's options for permanently removing herself and her children from the abusive home, if that was her decision. If the victim decided to initiate a divorce or criminal proceedings, her counselor provided her with the necessary information to begin her suit. If the client was not ready for such action, she was encouraged to continue her contact with her counselor and the Project, and to feel free to request additional help at any future time. Marriage counseling referrals were also made.

For victims, assailants, or children in need of professional psychological counseling, referrals were made to public and private agencies providing these services.

2. Volunteer Training Program

Volunteers were recruited from a variety of sources including Project Outreach (a University of Michigan Department of Psychology course credit program in a work experience setting), United Way, VISTA, and women's groups such as the National

Organization for Women. Others came to the office from special courses in social work and law, while graduate students seeking MSWs used the Project for their field placement requirements.

The volunteers were screened through a personal interview with the Project's Volunteer Coordinator. He or she was told that a time commitment of at least five hours per week for a period of nine months was required to be accepted as a volunteer into the Project. Also, the volunteer had to agree to attend at least one orientation meeting, one formal training session, one clinicing session per month, and various scheduled seminars.

The orientation meeting consisted of general information about the history and development of the Project, its goals, client services and general office procedures. Training sessions introduced the volunteer to crisis intervention techniques both in face-to-face contacts with battered women and through the emergency telephone line. Role plays were utilized to develop empathy with the client, to raise the volunteer's level of consciousness in relation to the dynamics of domestic violence, and to develop and practice appropriate responses to the victim's often emotionally-charged plea for help. Each volunteer was required to read the Counselor Training Manuals I and II (see description page 8 & 9 listed under Community Outreach) and was encouraged to review relevant library materials available in the office. Before a volunteer was

assigned a client, a period of office training was required. This consisted of answering the telephone, attending to mailings, becoming acquainted with appropriate referral and information sources, and observing more experienced volunteers assisting clients and securing initial intake information. Once a client was assigned, the volunteer was expected to attend monthly clinicing sessions for the purpose of sharing experiences and securing suggestions from other counselors and supervisors. These sessions provided the volunteer with an opportunity to ventilate her own feelings and receive support in dealing with these emotionally-charged situations.

Each volunteer was expected to service no more than two clients at any given time and to keep accurate records of the client's progress. Follow-up was considered extremely important. Even after the client was safely housed and had determined the course she wished to pursue in the future, the counselor was expected to maintain a weekly one-hour consultation with her for at least six months.

3. Community Outreach

In addition to direct client services, the NOW Domestic Violence Project has served as a community resource agency, disseminating information about domestic violence to the general public, as well as to other social service agencies. As part of this effort, the Project established the Washtenaw County Domestic Violence Council in November, 1975.

Consisting of representatives from over forty criminal justice, mental health, and social service agencies, this council was organized:

- 1) to promote community awareness of domestic violence
- 2) to coordinate available services for assault victims
- 3) to promote agency involvement in problems confronting assault victims.

Three subcommittees were formed: a) the Service Delivery Committee, which has printed a pamphlet for interested persons entitled A Guide to Wife Assault Resources (available free of charge); b) the Public Education Committee, which has contributed to articles in The Ann Arbor News and the Ypsilanti Press; and c) the Legal Committee which has met with all area judges and investigated the possibility of implementing the peace bond concept, and/or the "super restraining order" concept within Washtenaw County. It is recognized that interagency communication is necessary in the area of domestic violence so that new developments could be shared and information exchanged with the ultimate goal of establishing more meaningful legal protection and improved social services for abused women and their children.

In addition, volunteers have organized speaking engagements locally, and in other communities, discussing topics ranging from the mechanics of organizing a domestic violence project to the

dynamics of family violence. The Project's publications are made available at these presentations, as well as through mail orders, and were compiled by the staff to make readily available the experiences and observations of the Ann Arbor Project. These publications may be obtained by writing to the NOW Domestic Violence Project, 1917 Washtenaw Avenue, Ann Arbor, Michigan, 48104:

- A. How to Develop a Wife Assault Task Force and Project by Kathleen M. Fojtik, 1975. Provides a step-by-step approach to setting up a wife assault task force and project. Contains a 60 item bibliography and a 19 item appendix which includes a legal definition of the crime in Michigan, organizational tips, mailing list, summary of statistics, a sample questionnaire for victims and numerous newspaper articles which provide a good, general overview of the situation in Michigan and approaches to the problem..... cost \$2.00
- B. Counselor Training Manual #1 by Mindy Resnick, MSW, 1976. The contents of the booklet: definition of the problem; domestic violence and wife assault; domestic violence counselors; the crime of spouse assault; step-by-step after the crime. It also contains a glossary of terms, extensive bibliography (63 items), a suggested questionnaire and release of information and liabilities form, along with a summary of the Task Force's services. This is a clear, concise and practical booklet. It contains

a wide variety of very useful information and presents it with sensitivity. An excellent resource.... \$2.00

C. Counselor Training Manual #2 by Barbara Cooper, MSW, 1976. Focuses specifically on crisis intervention with victims and families of domestic assault. Chapters include: crisis theory; problem solving; ability to respond to stress; self worth; abuse vs. assault; societal pressures; why victims stay; perceptions of alternatives; role of volunteer peer counselor/case manager. A specific resource for professional and volunteer counselors alike. Flow charts, victim intake questionnaires, resource lists, and other practical information are included to provide specific recommendations to counselors dealing with families in crisis.....cost \$2.50

D. A Guide for Assaulted Women by Carole Clasen, 1976, provides helpful information for women who are or who may become victims of violence. Briefly explains the alternatives available for a battered women.....cost \$.50

As a further effort to inform the public of the magnitude of the problem of domestic violence, the NOW Domestic Violence Project has supplied information for 19 different media presentations.

Radio, television, newspapers, magazines, and authors have consulted with the Project. Information has been made available at three major conferences, with volunteers and staff visiting programs for battered women in Toronto, Montreal, and Denver. Calls for information have been

received at the Project office each day, as were requests from around the country for the Project's publications.

The topic of victimization within the family has recently been discussed on major television network programs. NBC NEWS presented a documentary on battered women. David Susskind and Mike Douglas have had special interview shows featuring assaulted women and agency personnel. Locally, WXYZ-TV aired a one-hour special on August 26, 1976 entitled, "Battered Wives: Broken Dreams". The NOW Project was featured in that documentary, as it was on the AM Detroit Show. Reference to the Project's activities was also made by Lou Gordon in his broadcast on the subject of violence in the home.

The Project staff has also been organizing a lending library of books, magazines, journals, newspaper articles, and bibliographical materials which can be used at the office during regular business hours, or circulated on a limited basis.

Before the end of the year, plans were being made for a free community workshop on the subject of domestic violence and sponsored jointly by the Project and the University of Michigan. Erin Pizzey, author of Scream Quietly or the Neighbors Will Hear, was invited to speak as the Project's special guest. She is founder of one of the first shelters for abused women, located in Chiswick, England.

CLIENT CONTACT - STATISTICAL SUMMARY

Near the end of the Project's first year, Ms. Bonnie Jordan, instructor in psychology and social work at the University of Michigan, and Ms. Kathleen Fojtik, the Domestic Violence Project Coordinator, undertook a statistical analysis of the client information which was obtained through the records of intake interviews.

It was learned through Ms. Fojtik's analysis of the 260 victims who contacted the Project office either by telephone or in person, that since January 1, 1976, 150 victims had completed an initial intake interview through personal contact with a counselor and had received other services ranging from emergency housing to legal information. This was an average of 14 clients per month, or 3.55 clients per week, not counting the children and assailants involved. April, the busiest month, brought an influx of 20 new clients and their families.

Emergency Housing Of the 260 original cases that contacted the Project office, 51 (or 19.6%) utilized temporary three-day emergency housing through the Project's emergency housing system, or sought refuge in private housing facilities. Project staff were utilized to contact relatives, make hotel and motel reservations, and provide transportation. The records showed the following distribution:

<u>Facility</u>	<u>Adults</u>	<u>Children</u>
NOW Volunteer Homes	20	36
Hotels, Motels, YM/YWCA	9	21
Friends, Relatives	22	29
TOTALS	<u>51</u>	<u>86</u>

Thus a total of 137 women and children were assisted in finding refuge from an abusive home over the course of the project's first year.

Civil and criminal prosecution Of the 150 women who completed an initial intake interview, 68 (or 45%) initiated criminal and/or civil proceedings against their assailants. Of this group, as of December 31, 1976:

- 10 have completed criminal action with 9 found "guilty" and 1 found "not guilty".
- 9 have completed civil proceedings.
- 38 cases are still pending court action.
- 11 cases had criminal charges which were not authorized

68 total cases

All of the 150 women were offered full client services and continuing counseling with approximately 40 remaining in the ongoing counseling relationship for a period of six months.

From Ms. Bonnie Jordan's analysis of data of 101 cases, the following information about the victims, the assailants, and the dynamics of the assault was obtained. While it might be misleading to generalize from the following statistics to all situations

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of domestic violence, some notable dynamics are suggested by the Project's research.

SOME CHARACTERISTICS OF THE VICTIMS WHO CONTACTED THE NOW DOMESTIC VIOLENCE PROJECT

- 65.2% of the victims were between 20 and 30 years of age
- 50.4% were legally married
- 71.7% were Caucasian
- 32.3% had less than a high school education
- 57.4% were unemployed
- 48.4% had an income between \$6000 and \$12000 per year
- 33.3% had witnessed violence between their parents
- 86.1% had children (73% had between 1 and 3 children 5 years of age or under)
- 9.7% abused the use of alcohol
- 5.4% abused the use of drugs
- 45.9% required medical attention as a result of the assault

SOME CHARACTERISTICS OF THE ASSAILANTS

- 48.4% were between the ages of 20 and 30
- 63.3% were Caucasian
- 32.8% had less than a high school education
- 28.7% were unemployed
- 37.5% were employed as skilled laborers
- 45.7% had incomes between \$6000 and \$12000
- 49.1% had witnessed violence between their parents
- 27.2% abused their children
- 43.8% of the assailants had criminal records
- 41.4% had military experience

- 58.9% abused alcohol
- 20.7% abused drugs

SOME CHARACTERISTICS OF THE ASSAULTS

- 50.0% of the assaults involved the use of a weapon (59 % of these cases involved a household object as the weapon)
- 66.7% of the assaults involved the use of alcohol
- 12.0% of the assaults involved the use of drugs
- 49.5% of the victims defended themselves against the attack
- 76.6% of the victims who defended themselves reported that this escalated the intensity of the attack
- 67.9% reported between 3 and 8 assaults per year,
- *- 35.3% reported money as the cause of the assault
- *- 20.9% reported jealousy as the cause of the assault
- *- 14.8% of the assaults were triggered by the assailant's temper
- 21.6% of the victims called the police for assistance (46.7% of this group reported the police helpful)
- * Sexual difficulties, job frustrations, conflicts over the children, and pregnancy were also cited as causes for the attack.

While no causal relationships can be assumed from the data provided in Ms. Jordan's study, some observations seem reasonable. A husband whose status is threatened by his wife (because of her superior talents in educational attainment or occupational pursuits), who is under stress, and who has observed violence as a response to frustration in his personal background, may be predicted to be violent.

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In addition, it seems that alcohol contributes to violence. Alcohol is not the cause of domestic violence, but rather a symptom of the larger social problems which lead to violence in the home.

It is often assumed that because the victims of domestic violence do not leave the situation, they must enjoy or "need" to be treated in such a way. Clearly the research does not bear this out. In fact, lack of resources seems to be the crucial factor in a woman's decision to stay in a violent home. It has been demonstrated that women do not find in established community agencies the services they need: emergency housing, financial assistance, legal information and emotional support.

1. Susan Eisenberg and Patricia Micklow, Catch 22 Revisited: A Preliminary Overview of Wife Beating in Michigan, unpublished manuscript, University of Michigan Law School, 1974

RESOURCES FOR DOMESTIC VIOLENCE SERVICES
(Within Washtenaw County Only)
Revised 12/1/76

Emergency Services:

Assault Crisis Center	Bus.	434-9881
	Crisis	668-8888
	Beeper	668-5376
Drug Help		761-HELP
SOS (Ypsilanti)		485-3222
Crisis Walk In Center		994-9100
Ozone House		769-6549

Housing:

Normal Street House	484-1040
Allen Tourist Home	662-2763
Huron View Lounge	761-3800
Ann Arbor "Y"	769-6540
Ozone House	482-2700

Social Services (financial, emotional, etc.)

Washtenaw County DSS	994-1880
Ypsilanti DSS	481-1000
Catholic Social Services	481-1024
Ypsilanti Area Community Services	485-0440
Washtenaw County Community Mental Health Center	761-9830
Child and Family Services, Washtenaw Community Services Agency (CSA/OEO)	971-6520
Ypsilanti State Hospital	662-3172
Salvation Army: Ypsilanti	434-3400
Traveler's Aid (Detroit)	482-2700
	W01-1532

Medical Services

Ambulance	994-4111
	769-6226

Emergency Rooms (Hospitals)

University	764-5102
St. Joseph's	665-4141
Beyer	485-1000
Chelsea	475-1311

(cont'd.)

General:

Gyn Clinic U of M Outpatient	764-4155
Child Abuse Team (SCAN)	763-3201
U of M Outpatient Psych.	764-5190
St. Joseph's Outpatient	665-4141

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Police/Law Enforcement:

Ann Arbor Police Dept.:	
Emergency Assistance	994-2911
Chief Walter Krasney	994-2848
Duty Command Officer	994-2875
Detective Bureau	994-2880
EMU Police Department	487-1849
Michigan State Police (Ypsi)	434-2568
Sherriff's Department	971-8400
County Jail	994-2569
Ypsilanti Police Dept.	483-2311
U of Michigan Hosp., Security	764-4244

Legal/Judicial:**Washtenaw County Circuit Courts:**

1 - Judge Ager	994-2551
2 - Judge Campbell	994-2552
3 - Judge Deake	994-2553
4 - Judge Conlin	994-2554

Washtenaw County District Courts:

	Court Services	994-2523
(14th)	1 - Judge Fink	971-6050
	2 - Judge Shea	483-1117
	3 - Judge Arkinson	475-8606
	4 - Judge Bronson	971-6050
(15th)	1 - Judge Elden	994-2757
	2 - Judge Thomassen	994-2759
	3 - Judge Alexander	994-2660
	Criminal Division	994-2747

Legal Aid Society - Ann Arbor	665-6181
Ypsilanti	481-0500

Friend of the Court (Attorney)	994-2466
(Marriage Couns.)	994-2473

Prosecuting Attorney:

Service Center	994-2518
Ann Arbor (County Bldg.)	994-2380

Public Defender:

Court Services, Community Mental Health	994-2444
	761-9830

BOARD OF DIRECTORS
of the
NOW DOMESTIC VIOLENCE PROJECT, INC.

Rev. Erwin Gaede, President
509 Dartmoor, Ann Arbor, Michigan 48104

John Hayes, Vice President
1405 W. Stadium, Ann Arbor, Michigan 48103

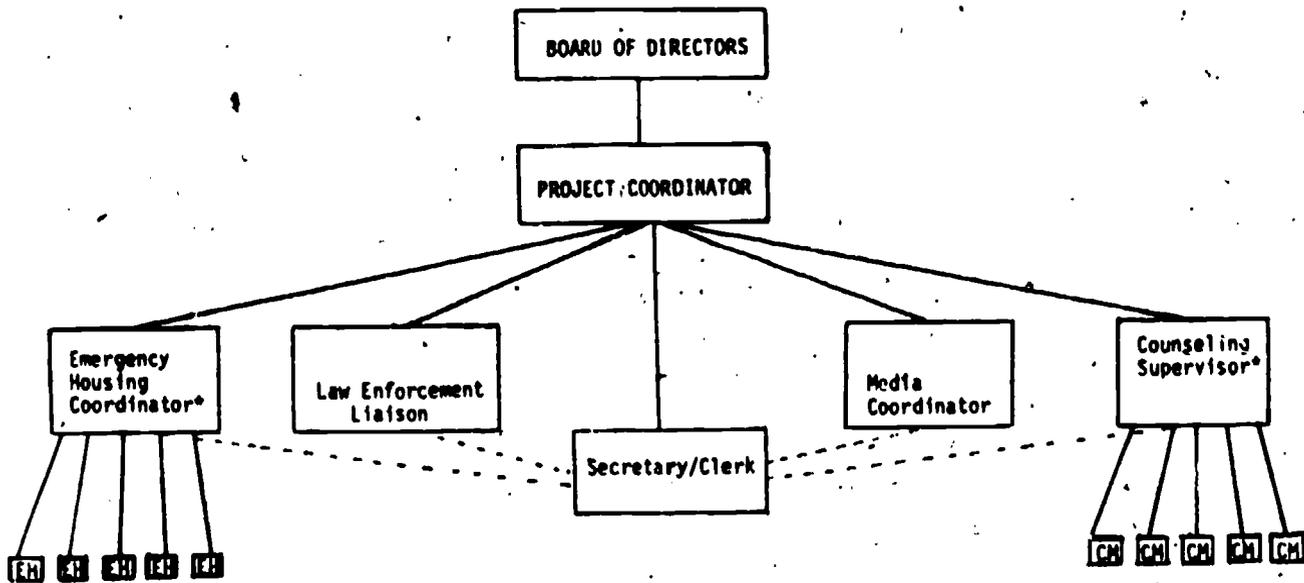
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Mindy Resnik
3424 Stowe, Ann Arbor, Michigan 48103



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EH=Emergency Housing Volunteers, currently 15 volunteers

CM=Case Manager Volunteers, currently 20 volunteers

*Staff funded positions by CETA

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FINANCIAL REPORT *

Jan. 1, 1976 thru Dec. 31, 1976

INCOME

C.E.T.A.	\$15,083.28
Publications	2,533.23
Speaking	150.00
Ad Book Donations	1,095.00
Dinner Ticket Donations	880.00
Plant Sale Donations	594.83
Rent paid by N.O.W.	350.00
	<hr/>
	\$20,686.34

EXPENDITURES

Personnel	\$15,083.28
Printing (publications)	1,494.78
Printing (non-publications)	598.36
Telephone	799.62
Postage	220.23
Pager & Communication Equipment	266.24
Rent	575.00
Fundraising Expenses	1,080.32
Client Expenses	146.00
Fees	53.00
Educational Materials	51.15
Misc.	7.03
	<hr/>
	\$20,375.01

Balance brought forward 12/31/76	\$311.23
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*This financial report does not include desks, typewriters, and other equipment donated by the Inter-faith Center for Human Needs, the professional assistance provided by Catholic Social Services and other organizations, the rental subsidy provided by the Unitarian Church, or the thousands of volunteer hours provided by local attorneys and citizens. Without this support, the Project would not have succeeded.

NOW DOMESTIC VIOLENCE PROJECT, INC.

1917 Washtenaw Avenue

Ann Arbor, Michigan 48104

(313) 995-5444; 995-5460

Domestic Violence:



the
hidden crime

Domestic Violence: The Hidden Crime

The focus of this booklet is on women who become victims of domestic violence. Although we realize that men are also victims, it is the women in domestic violence situations who have come to the attention of public agencies most often.

Historically, domestic violence has not been recognized as a social problem and the issue has been clouded with misconceptions. The primary goals of this booklet are first, to provide the public with basic information so that individuals can better understand the position of the domestic violence victim; and secondly, to help women who are in violent situations to realize that other alternatives are available.



Nancy J. is 24 years old, a homemaker and the mother of five small children. Her husband, Jerry, drinks heavily and often beats Nancy. "Once he beat me when our oldest got the measles. He said it was my fault, that I'm not a good mother." Nancy often feels like a prisoner in her own home. "I've got no friends since we moved out into the country, Jerry won't let me drive anywhere without him and we don't even have a phone." Last month, right after Nancy tried to leave, Jerry bought a gun. "He said he'd shoot me if I ever tried it again and I know he'd do it." Nancy feels there is no way out. "I've never worked and I don't have any money. How could I ever support five kids? I could die out here and no one would ever know."

Mattie B. is a 63 year-old homemaker and Curtis is a retired doctor. They have been married for 40 years. To their friends they seem as happy as any other married couple. However, Mattie has been beaten regularly ever since her first pregnancy. "Curtis has a terrible temper and I never know when he's going to explode. He's careful never to hit me in the face so I can usually hide the bruises." Last week Mattie was hospitalized with a broken leg. "I was too ashamed to tell the doctor the truth, so I said I fell down the stairs." Mattie is afraid to go home, but, "At my age where else can I go? The children have their own lives and my friends wouldn't believe me if I told them what Curtis was really like. It's only when he's angry that he beats me."

Anna T. is a 27 year-old graduate student and has a 7 year-old son. Her boyfriend, John, is unemployed and his drinking problem has been getting worse. "When he's drinking he throws things at me. I've tried hard to be good to him but nothing I do seems right. I've left before, but he always finds me and promises to change. Last night my son got in the way and was hit in the face with a salt shaker. That was the last straw. I feel sorry for John, but my son and I can't live like this anymore."

The Hidden Crime

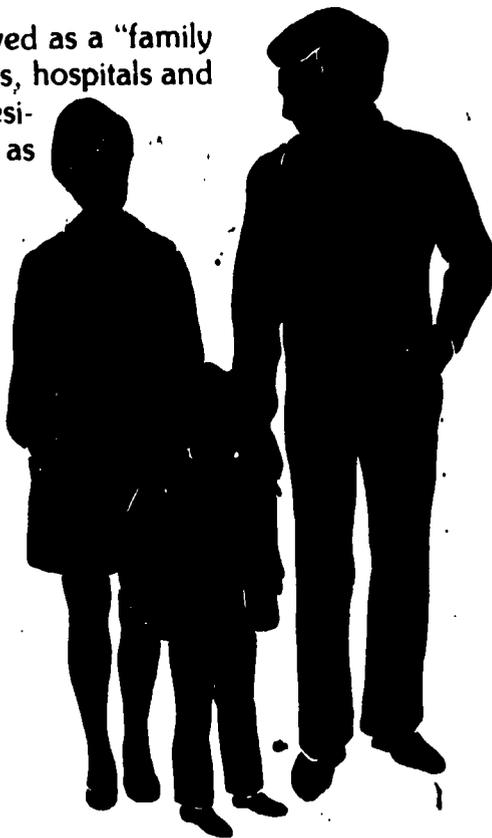
Domestic violence is a term which is used to refer to many types of abuse. In this booklet, domestic violence is defined as the use of verbal abuse and physical force between husband and wife or couples in an on-going relationship. It may start with angry words and a shove or slap. Once a pattern of abuse is established, the assaults can become more frequent and more violent over time. It may result in permanent physical injury. Sometimes it ends in death. Almost always it leaves the persons involved feeling isolated, angry, disappointed, lonely and bitter.

Little research has been done on domestic violence because few people are willing to admit that they beat, or have been beaten by, their partner. However, doctors, the police, and mental health professionals have been increasingly aware that the problem does exist. Within a nine-month period, the Assault Crisis Center in Washtenaw County received 346 contacts concerning victims of domestic violence. Nationally, the President's Crime Commission estimates that from three to ten times the known number of assaults are never reported to anyone. It is believed that the single, most unreported crime occurring in this country is domestic assault.

The Causes

Violence between partners can be triggered by the stress of life changes such as pregnancy or job loss. Frustration, alcoholism and drug abuse can contribute to the problem. Attitudes also play a large role in the underlying causes of domestic violence. Many of us have grown up hearing these phrases: "Show the woman who's boss"; "a man's home is his castle"; "a little slap is good for her." Common beliefs are that the woman somehow provokes the attack, deserves to be beaten or enjoys being hurt. These misconceptions are frequently used to blame the victim and to justify the physical abuse.

Domestic violence is often viewed as a "family problem," and police, the courts, hospitals and social service agencies have hesitated to intervene. However, as part of the growing concern with women's rights and with violence in general, these agencies and other community groups are beginning to look more closely at the causes of violence within the home.



The Victims

There is no typical domestic violence victim; in fact, anyone could become a victim. Because they see themselves as the weaker sex, without resources and other options, women have traditionally borne the brunt of physical abuse. Young, old, black, white, single, married, the professional and the unemployed, the rich, the poor—all may be potential victims.

Children are also affected. When children witness violence between their parents, they may learn violence as a way of life and may later become involved in abusive relationships themselves. And a new cycle of domestic assaults could begin.

The Assailant



There is no typical abuser; like the victim he comes from all walks of life. To the public, he may seem to be a good provider, a warm and loving father, and a law-abiding citizen. However, he frequently has a low opinion of himself and alcohol or drugs are often present at the time of the assault. Usually he refuses to accept responsibility for his abusive behavior: "I was drunk"; "I didn't know what I was doing." He may, in fact, believe the abuse is justified, and the assaults continue.

For Better or Worse

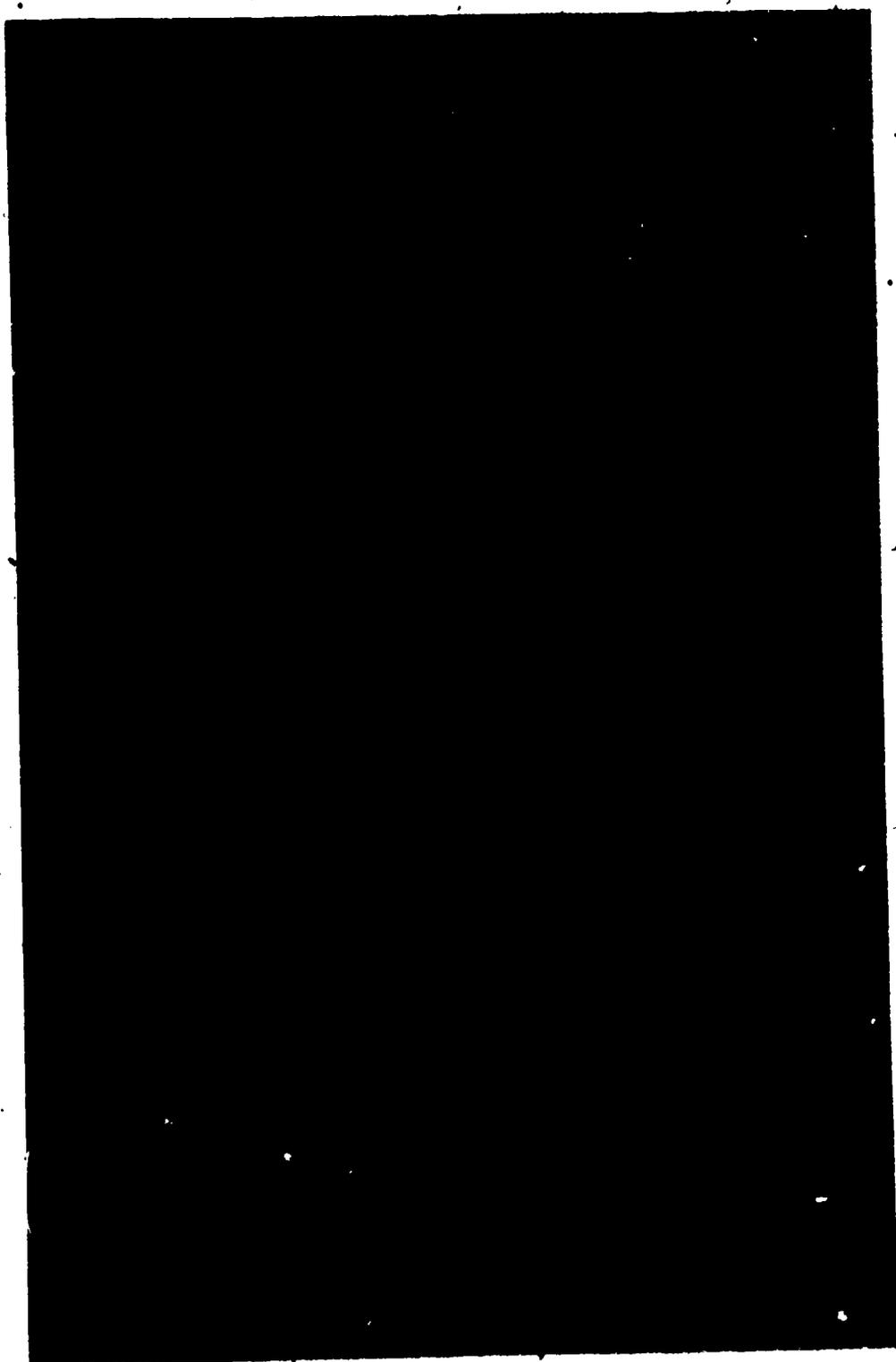
There are many reasons why a woman stays in a violent relationship. She often does not know that physical assault is a crime, even if the assailant is her husband or boyfriend. Perhaps she feels that it is up to her to make the relationship work, or that she is a failure as a wife and mother if she leaves. She may be ashamed or embarrassed to admit that she is being beaten or that she chose her partner unwisely. When he's not beating her, her partner can be a kind and caring person—she loves that side of him and hopes he will change. She may firmly believe in her marriage vows "for better or for worse, till death do us part." Her religion may not permit divorce and her pastor or priest may, in fact, encourage her to "stick it out." Her partner may have prevented her from keeping in touch with family and friends, and she feels she has no one to turn to for emotional or financial support. Often, there are several children to care for and she may have no money or job skills. Violence could have been part of her background and is now accepted as a part of life. Perhaps she feels that her children need a father and provider. She may have tried to leave before, only to have her partner find her. Her partner may have threatened to kill her if she leaves and she believes that he can carry out his threats. She may not know that help is available. The list goes on and is different for each individual. But there is one feeling that all women who are battered share: fear of leaving and fear of staying.

The Need For Change

For many women, the day finally comes when they can no longer take the physical and verbal abuse. It may have been the first or fiftieth assault. Perhaps one of the children was involved. The woman could be injured and in need of medical attention. She is often mentally and physically exhausted. Perhaps she wants help for her partner or help in understanding him. She sees that her children are being affected by the violence. She feels angry, frightened, desperate and terribly alone. She feels trapped in the situation and sees no way out. She may feel certain that the next assault will kill her. These and other reasons can trigger a woman to think about change.

Alternatives to Violence

A woman who is involved in a violent relationship has several difficult choices to consider. She can confront her partner and request that they seek out marriage or family counseling. If he refuses, she can get counseling for herself. She can consider the possibility of separation or divorce. She can consider pressing criminal assault charges with the police. She can think about getting out.



The Civil System

The civil system deals with divorce, separation, child custody, property and other matters not of a criminal nature. A lawyer is usually needed for legal representation.

Divorce is a legal petition to end a marriage. It can be filed by a woman who is a resident of Michigan for six months and of Washtenaw County for ten days. The only reason she is required to give for wanting a divorce is "irreconcilable differences." If there are children by the marriage there is a mandatory wait of six months before the divorce can become final; without children the mandatory wait is two months. A woman should be prepared to go to court several times with her lawyer before the divorce becomes final. Issues such as child custody, visitation rights and property must be settled by the court.



Order for Separate Maintenance is also known as a legal separation. The procedure and requirements are similar to filing for divorce with one major difference: there is no request to end the marriage. The separation can remain in effect indefinitely. A woman who later decides to file for divorce may pay legal fees twice.

Personal Restraining Order is a temporary or permanent order to prohibit the husband from harassing the wife in any way. A temporary order is included with the divorce or separate maintenance petitions if the woman requests it, and is effective while the divorce and separate maintenance petitions are pending. If the order is violated (if she is harassed or hurt by the husband) the woman should contact her attorney who will request that the offender be brought to court. For the order to be effective, a woman should be prepared to do this each time there is a violation. If a permanent order is desired she should consult her lawyer before the divorce becomes final.

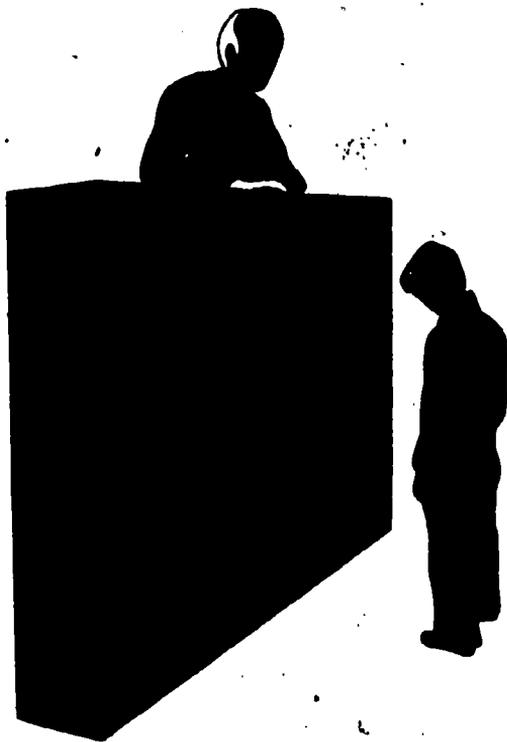
Suing for Injunctive Relief results in a personal restraining order and is available to people who are not married.

Order to Vacate is another option one has to legally remove a husband from his home while divorce or separate maintenance petitions are pending. A woman should discuss the matter with her attorney.

Order to Quit is a request for eviction. If the assailant is living in a woman's apartment or home and they are not married, she may be able to have him legally evicted through the District Court. There may be a small legal fee involved and no lawyer is needed.

The Criminal Justice System

The criminal justice system deals with the infringement of laws. The victim of violence does not need to hire a lawyer since, in effect, the Prosecuting Attorney represents the victim in a criminal action.



The Laws state that physical abuse is a crime no matter who is involved. There is no special set of laws governing domestic violence; in this state all assaults are covered by the same statutes. Depending upon the nature of the crime, assaults can be classified as misdemeanors or felonies.

A Report is the victim's statement to the police describing the assault. The police take a statement each time they respond to a call for help. The victim can also make a report at the police station.

Signing a Complaint or "pressing charges" puts the criminal justice process into motion. When a complaint is signed the police present it to the Prosecuting Attorney who decides if a warrant to arrest the suspect should be issued. The decision to sign a complaint rests with the victim. If a woman decides to press charges it is very important that she have a firm desire to follow through with the legal process.

The Trial may not be scheduled for several months and the suspect may or may not spend that time in jail. The victim should be prepared to testify in court at least once, and the assailant may or may not be found guilty.

Punishments can vary from probation or a fine to a jail sentence. For a misdemeanor there is a maximum penalty of \$100 and/or 90 days in jail. The punishment for a felony varies but is usually more severe than for a misdemeanor. A guilty verdict does not guarantee that the assailant will spend time in jail or that he will be required to receive counseling.

The Police in most cases cannot arrest an assailant unless they see the actual crime take place. The police cannot force a man to leave his home unless there is an Order to Vacate or they are arresting him. Often police officers are sympathetic to victims of domestic violence but their actions are bound by the above laws.

In order to stop the violence a woman may use both the criminal and civil systems. None of the actions described above guarantee the end to violence, but each can be a statement on her part that she will no longer tolerate physical abuse.

How You Can Help



Physical assault is a crime—do something about it. Talk to other people about domestic violence. Make them aware that it is a serious problem.

Write to your state and national representatives and ask them to support legislation providing services for victims of domestic violence. Encourage your group or organization to sponsor a program on domestic violence. The Assault Crisis Center can provide you with speakers or more information.

If you know or suspect that a woman is being abused, give her this booklet. Listen to her if she wants to talk and try to understand why she may be afraid to seek help.

The Assault Crisis Center

If you are being assaulted, contact the Assault Crisis Center. We are available 24 hours every day to listen and to talk with you about your situation. We can give you information about police and court procedures, and about emergency financial assistance and possible temporary housing. If you desire, we can accompany you to police interviews, appointments with your attorney, court proceedings and to other social service agencies. All Assault Crisis Center services are free of charge. Let us know if we can help.



Important Phone Numbers

Police Departments

Ann Arbor Police	Emergencies—911
Chelsea Police	475-9122
Dexter Police	426-8221
EMU Police	487-1222
Manchester Police	428-8505
Michigan State Police—Ypsilanti Post	482-1211
Milan Police	439-1551
Saline Police	429-2511
Washtenaw County Sheriff	971-8400
Ypsilanti Police	483-2311

Hospitals

Beyer Memorial	485-1033
Chelsea Community	475-1311
Saline Community	429-5435
St. Joseph Mercy	572-3858
University	764-5102

Legal Services

Lawyers Referral Services	(800) 292-7850
Legal Aid:	
Ann Arbor Branch	665-6181
U of M Branch	763-9902
Ypsilanti Branch	481-0500
Prosecuting Attorney	994-2380

Assault Crisis Center

Business line	434-9881
24-hour Crisis line	668-8888
561 N. Hewitt Road	
Ypsilanti, Michigan 48197	

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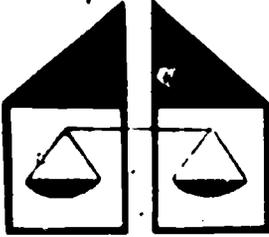
assault crisis center

The Assault Crisis Center is Funded by the Law Enforcement Assistance Administration, Grant No. 21431-1A77.

Assault Crisis Center, 1977

Design FocalPoint Graphic Communications

SAFE HOUSE



Shelter Available For Emergency

A program of the

**DOMESTIC
VIOLENCE
PROJECT**

1917 Washfenaw Avenue
Ann Arbor, MI 48104

(313) 995-5444 or 995-5460

WHAT IS DOMESTIC VIOLENCE AND WIFE ASSAULT?

- An increasingly visible social and legal problem wherein women are physically abused by their partners
- A problem with wide ranging ramifications for the wife, children and husband, including
 - the future of the family as a unit,
 - the effect of violence on the children,
 - the reluctance and discomfort of revealing the abuse to family, friends, medical, social, legal, and police personnel, and others,
 - the difficulties to be encountered on leaving home and partner, and trying to obtain financial and emotional support as well as housing,
 - the obstacles to obtaining legal and social services quickly
- A problem with equally broad ramifications for all segments of the community, in particular
 - police
 - social service agencies
 - lawyers
 - courts
 - doctors
 - emergency services

WHAT IS SAFE HOUSE?

- An emergency shelter for battered women and their children
- A warm, protected environment where a woman who has been physically assaulted can come with her children to make decisions about her future
- Temporary, emergency shelter for up to 30 days with a capacity for six families

WHAT SERVICES ARE AVAILABLE?

- Safe, comfortable accommodations in a home-like atmosphere
- Regular meals
- Emergency clothing if required
- Information and referral to community resources, legal, social, employment, child care, etc.
- Volunteer peer counselors and Big Sisters are available in the House to help
- Assistance in the form of transportation and company to attend appointments at agencies if required
- Re-establishment services, e.g. locating housing, furnishings and assistance with moving
- Weekly House pot-lucks for former guests
- A resource library on Domestic Violence and services around the country
- Public speaking to organizations interested in relevant issues on violence within the family
- Consultation with agencies initiating services
- Publications of counselor training materials in the area of domestic violence, available through purchase

WHO PAYS FOR SAFE HOUSE?

- The women and their children in residence pay according to ability
- Washtenaw United Way
- Many concerned individuals and organizations (Tax deductible donations are accepted, make checks payable to Domestic Violence Project- SAFE House Fund)

WHO MAY USE SAFE HOUSE?

- Women and their children from Washtenaw County who have suffered physical assault from their partners and who need to leave to insure safety.

WHO OPERATES SAFE HOUSE?

- A non-profit publicly supported corporation known as the NOW Domestic Violence & Spouse Assault Fund, Inc. d/b/a the Domestic Violence Project and SAFE House

WHAT TO DO IN CASE OF AN EMERGENCY?

- Call the police
 - Ann Arbor 911
 - Ypsilanti 483 2311
 - County Sheriff 971 8400
 - State Police - Ypsilanti Post 482-1211
- Go to a safe place
- Call the ASSAULT CRISIS CENTER 24 hour crisis line, 668 8888 for crisis counseling
- Record the names of police officers, and others who come to the scene, or have witnessed the assault
- Plan ahead to avoid future assaults

HOW ARE REFERRALS MADE TO SAFE HOUSE?

- In emergencies call the ASSAULT CRISIS CENTER at **(313) 668-8888**
- For non-emergencies, Monday through Friday 9AM - 5PM, call the DOMESTIC VIOLENCE PROJECT at **(313) 995-5444**

PUBLICATIONS

A. *How to Develop a Wife Assault Task Force and Project* by Kathleen M. Fojtik, 1975, provides information on initiating a domestic violence service. . . . cost \$2.00

B. *Counselor Training Manual #1* by Mindy Resnik, M.S.W., 1976, a general training manual with information on counseling techniques, court procedures, and guidelines for criminal prosecution . . . cost \$2.00

C. *Counselor Training Manual #2* by Barbara Cooper, M.S.W., 1976, focuses on crisis intervention techniques useful to helping victims in a domestic crisis. . . . cost \$2.00

HISTORY

The Domestic Violence Project, Inc. evolved from the Wife Assault Task Force of the Washtenaw County National Organization for Women (N.O.W.)

Through the efforts of committed staff and volunteers the Task Force began providing direct client services in July of 1975. By April of 1976, the Task Force had incorporated as a non-profit private corporation dedicated to aiding victims of domestic violence and wife beating.

Since July of 1975, over 260 battered women have received the following victim support and assistance services:

- twenty-four hour crisis intervention,
- information and advocacy with legal, law enforcement, and social service agencies,
- crisis and peer-support counseling,
- emergency shelter, and other support services.

On December 20, 1976, the direct, client, crisis services offered by the Domestic Violence Project were discontinued due to the formation of the LEAA funded ASSAULT CRISIS CENTER for victims of sexual assault and domestic assault. On March 1, 1978, SAFE House opened.

Senator CRANSTON. Ms. Hill.

Ms. HILL. My name is Curdina Hill. I am a board member of Casa Myrna Vazquez, Inc. I am also volunteer staff at Casa Myrna.

Casa Myrna is an emergency shelter for battered women, women who have been raped, evicted, burned out, or in other crisis situations. We are located in the South End of Boston which is a neighborhood in Boston. This is a very highly mixed neighborhood, containing a very sizable population of blacks and Hispanics.

I would like to briefly describe how CMV got started and mention some of the kinds of things that we are doing for battered women—because I feel that our story has already been counted here several times as the story of other shelter groups, and I feel that we have primarily been responsible for bringing this problem to public recognition and bringing it as a widespread problem.

We started 3 years ago, with just a few South End women, getting together, talking over coffeepots about women we knew personally who were—who had been beaten or battered. Over those—at the end of the 3 years, we finally managed to organize more women and put together the resources to get a house, and to provide staffing for that.

Finally, in July 1977, we opened full time. And this would not have been possible had it not been for our whole corps of about 30 volunteer women. I think not enough has been said about all of the unpaid hours of women who have been going to these shelters.

This situation—I particularly want to mention this problem, because it concerns minority women—because I feel that very little, even, is being done now as far as reaching these women, and I feel that the incidence of family violence is even higher among minority women who live in urban environments, because our problems are intensified by poverty, they are intensified by high unemployment, higher—poor housing conditions, poor access to social service, and health services.

I feel that outbreaks of violence are probably increased because of these things that I mention.

One of the things I really want to urge—particularly—I came here today because I wanted to urge the support of funding for grassroots community groups and also expressing my concern—it was already expressed by Ms. Fojtik, but I want to really go over them again—I think we not only provide information and counseling services, but we also do different educational things around just for survival—nutrition, hygiene, how to deal with women's service agencies, how to—we also believe a very strong priority for us has been not only direct service, but community education and advocacy. We are not only helping improve the ability of women to reconstruct their own lives, but we want to improve family relationships and improve the family support system. We feel that the only way of going about this is to change the societal attitudes about this and societal conditions creating family violence.

We have worked on community education advocacy in a number of ways at a number of different levels. First of all, because we are community-based, we have been able to hold neighborhood meetings when there have been problems around—a Hispanic woman or a

Latin woman coming to the house, her husband being very concerned.

We have also done a lot for media, as far as news announcements and this type of thing.

The other thing is the police, which is a very large problem, I think—police attitudes and the treatment of women are a problem for shelters and it is something that I think is going to have to be worked on for a long time, and we are working on it. One of the things we have done is to, with individual policemen, talk about the shelter, and they have served as referral sources for women coming in. But it is a very big problem and it is one that also has to be dealt with.

Another thing I want to mention here in terms of the victim is what happens when money becomes available to deal with a large, complex problem like family violence, and I think that what is one of our big concerns is that we will have to share that money. What often happens, you see, is researchers and administrators come in and clean up most of the money and very little trickles down to the local level. And we would like to see, like she said, at least 60 percent of it go to direct-service providers and to grassroots community groups.

We also—one of the things about research is that we would like to be involved in the planning and decisionmaking of research projects which deal with family violence. That is because so many of the projects we have heard about are irrelevant to our needs. But we would like to hear more about—we would like to know more about the problem, the incidence, the—identification problems with the hospital, the courts, and the treatment of women. We would like to see more done as far as evaluation of small models for delivery.

There are a lot of things we would like to see done which would not and are not probably being done now, and I want to know whether research priorities would cover some of these problems. But we feel that we would like to be a part of the planning and the decisionmaking apparatus—not only for the research, but with the clearinghouses and resource networks.

Again, I think—the other important aspect I would like to mention about this is that the proposed allocation of money—about \$25 million, is really very inadequate to meet the needs—especially when we are talking about \$200,000 per State, and we know—our budget alone—again, we get—also, our funding sources come from title XX, CDBG, church funds, private sources—and it is not enough. I mean it does not even cover our staffing—it barely covers our staffing and operating expenses. And we would like to see money allocated for shelters, so that they can actually buy their houses that they are in—the houses or facilities that they are in—because this problem is not going to disappear overnight. The long-term problem is going to be here with us for quite some time. We need to get a large-scale community education to promote awareness.

Thank you.

Senator CRANSTON. Thank you.

Ms. RAMOS. My name is Sandra Ramos and I am the executive director of SOS—Shelter Our Sisters. I have been sheltering women

in my home as individuals for the past 8 years and coordinated with the group of SOS for the last 3 years.

When I was invited to come here, my first reaction was, how could I spare the time? We are constantly dealing with emergency situations. But I waited and discussed it with other people and decided to come here, because knowing the possibilities and the power that this committee has, I come here with a full heart, really hoping that help will be forthcoming.

Everyone who has spoken before me has described the urgency, the immediacy of the problem. I would like to also echo that. Help is needed so desperately and so urgently—there are women right now that may be calling someone on the phone and the person is here—so in other words, many of us have sacrificed coming here. We really need help; we want help; and what we would like is for money to be brought down to the grassroots groups, so that they can do the work that is needed immediately—just, I mean, as simply as possible.

Many of us—our groups has been working. We have applied and received title XX money, but the money has not come down yet, so we are very frustrated by the slowness of that process. We are very happy that we have been chosen as a grassroots organization that knows the problem and can deal with it, but we just cannot urge enough how the money is needed right away.

One of the other things that we deal with all the time is that the local law enforcement people do not teach statistics and they do not recognize it as a serious problem. It is very hard for us to get the local police to recognize that their buddy who is on the same bowling team as them is a criminal. I think that has to come from up top—from the people here. They have to be recognized as someone who has committed a crime and be punished for it. Now I do not like to send anyone to jail, but I would like to recommend that the perpetrator of this violence be given a choice of maybe 5 to 10 years in jail or a residential treatment center where he can go and be given help and be kept away from committing further violence toward his family. Because if we do not break the cycle now; if we do not stop the families that are living these patterns and take away the cancerous limbs—that is, the beating spouses—from the family, we are just going to perpetuate a new generation of violence.

All the people that we speak to tell us the same thing—“Well, I really—he is very mean and he is very cruel, but his mother did it to him or his father did it to him or he had it in his family or he saw his mother beaten.”

We would like to urge immediate breaking of the cycle. We cannot—like I say, we work 24 hours a day and we are all volunteers at this point, but we cannot give the women what they deserve and the children what they deserve because we do not have the facilities.

We would like to also urge help with local zoning. Everybody says it is OK for a battered women to live on my street, as long as she keeps quiet. As soon as she speaks out and says, “I cannot live like this any more. I do not want my children to go through this,” and goes to a place to get help for a battered woman, she becomes one of “those” people and nobody wants her in their neighborhood. This

is very frustrating. We would like to have the help. We have mandated that a shelter is considered a home where women and children live together and we do not need special zoning ordinances.

We would also like help for immediate emergency welfare all over all the States. When a woman is battered and she leaves her home for fear of her life, we would like to see that she is given immediate emergency welfare for herself and the children.

We would also like to see help with housing, because a woman cannot leave—she cannot leave her home until she has shelter and she cannot leave the shelter until she has housing.

This problem is like incredibly deep and incredibly complicated, but the people that have been working with it have begun to touch the surface. I, myself, would not like to see the studies go to outside groups. We would like to work along with groups that are doing it—but the grassroots people who understand the problem and have been dealing with it and giving of their time and energy—and energy is really a key word—must be able to work along with it.

The immediacy cannot be stressed enough. The help with police and the courts is another help that we need mandated. The first time a man hits a woman, it is considered a gift—it is very rare that he will be given anything more than a slap on the wrist—and that is very frustrating. When a man hits a woman and she calls what she thinks is the place to go for help and if that source, the police, do not respond because maybe they think that she will drop the charges—which in many cases is true—because the battery of women and wives is the only place where the person who had had the crime perpetrated against them, has to live with the perpetrator of the crime. And we feel that that is incredible.

So, we need shelters and we need more enforcers—real enforcers, like if they get a violent person out of the home and give them help—give them immediate help, and long-term help; not just where they will promise that they will not do it. And we need the recognition of the need for shelters in the neighborhoods—that is a good neighborhood. I mean, a shelter is not anything that should be frowned on. I would much rather see a shelter in my neighborhood, than to see women living and being beaten and tortured and children doing the same.

Thank you very much.

Senator CRANSTON. Thank you very much.

We are very grateful for your testimony. [Applause.]

Mr. WALSH. Mr. Chairman, my name is James Walsh and I am the executive director of the Victims Information Bureau of Suffolk.

The bureau is located in the easternmost county of Long Island, N.Y. The area served is primarily middle and upper middle class.

The Victims Information Bureau of Suffolk began in June 1976 and is a community-based, autonomous victims assistance program, which is funded by money from LEAA through the Suffolk County Criminal Justice Coordinating Council.

VIBS provides crisis intervention, individual, group, couple, and family counseling to victims of spouse abuse and sexual assault.

In addition to counseling, the bureau offers advocacy to assist the victims as they move through the various criminal justice, social

service, and health care systems. Within 3 weeks, we hope to be opening a shelter for battered women and their children.

Since beginning operation, we have received over 9,000 calls on our hotline and have seen 875 clients in our counseling center; 96 percent of the callers and clients are victims of spouse abuse.

In addition to direct service, VIBS has conducted research, community education, and training programs. The research has looked at the extent and attitude of spouse abuse in Suffolk County, N.Y. Through that research, we have been able to accurately project that there are 25,000 abused spouses in Suffolk County—and 96 percent of them are battered women.

The VIBS public education component has reached more than 15,000 county residents and has been heard on every major radio and television network in the New York metropolitan area. The training component has developed and participated in innovative training of police, probation, court, district attorney, and hospital personnel on how to deal with victims of spouse abuse.

In offering services to victims of spouse abuse, we found that the vast majority of battered women we saw did not want to end their marriages, but wanted to remain with their husbands, without the violence.

To assist our clients in reaching their goals, we had no alternative but to draw their husbands and children into counseling. Because at that time, few services were offered, to battered wives we had to develop a treatment model on how to work with the victims of spouse abuse and their abusing spouses. The clinical director of our program developed a treatment model which is unique to the field. By using this model, we have had 135 couples in counseling for at least 3 months, and we have seen the violent behavior eliminated in every case.

By any societal measurement, the marriages are not what they could be, but the violence has been eliminated.

Our experiences taught us a great deal about the victims, the abused, and the children, and that experience has also raised some questions about the legislation now being considered before this committee.

Some recommendations that we would like to make is that—first, that any programs coming out of this committee be housed under the Office of Children, Youth, and Families and not under the National Institute of Mental Health; second, that a greater proportion of direct service funds be available on State and local level; third, make a clear distinction between the amount of money available to Government agencies and private, grassroots, not-for-profit autonomous agencies; four, provide a greater portion of resources to direct service programs, while still allowing some money for research, but a smaller percentage; five, provide a portion of the resources for training or retraining existing services personnel on how to work successfully with victims of spouse abuse and their families; six, create economic penalties for States unwilling to make spouse abuse an illegal act. This could closely mirror present statutes which penalize States that do not deinstitutionalize dispositions for young persons who are status offenders. Last, develop national and regional

resource centers which would provide information and technical assistance to local government programs or to the victims of spouse abuse as well as the community at large.

The very fact that national attention is now being focused on the issue of spouse abuse and family violence is the first step in providing the needed services. Until we make an active effort to address these issues, people will suffer, future generations will be scarred and we, as a society, will be at fault for giving sanction by not acting.

Thank you.

Senator CRANSTON. Thank you very, very much.

[The prepared statement of Mr. Walsh and additional information follow:]

victims information bureau
of suffolk

TESTIMONY PRESENTED BEFORE THE
SENATE COMMITTEE ON HUMAN RESOURCES

MARCH 8, 1978

Presented by:

James C. Walsh A.C.S.W., C.S.W.
Executive Director

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Although domestic violence, specifically spouse abuse, has existed for many thousands of years, it has only recently come to the attention of the nation as an issue worthy of research, intervention and services. Indeed, we have just begun to see victims of battering as a group requiring special protection under the law. Local, state and federal efforts must be concentrated on developing a network of workable alternatives for the victims of domestic violence.

The police, courts and social service agencies have long realized the importance of support and intervention when dealing with juveniles who are the objects of intra-familial violence. Few of these agencies, however, have ever given adults the same level of consideration when they are the victims of violence within the family unit. The family may receive special attention for the benefit of its juvenile members. However, when children are not directly involved agencies do not have the same level of concern or expertise for the protection of the victim and creation of stability within the family unit.

Underlying the lack of services are several assumptions such as (1) when people reach legal majority they are capable of protecting themselves from assaults by family members; (2) to intervene would destroy the family unit; (3) what happens between related adults, short of murder, is not the concern of the general society but is a matter better left between the members.

These assumptions are false and serve to hinder proper services being made available. Traditional agencies have been reluctant to intervene in on-going relationships between adults and this reluctance only victimizes the abused again.

It is imperative that we understand and accept the fact that spouse abuse is a crime whose primary victims are women, 96% according to the most credible studies. Sexist attitudes about women result, as we all know, in discrimination against women in general. However, the effect of sexism creates further suffering when women become victims of spousal abuse. Pervasive cultural attitudes preclude female victims from services since they are perceived as masochistic, guilty of provoking the assaults or even enjoying being beaten. Legally, spousal immunity is a common feature in many of our states' laws. In essence, a wife beater is given legal and social freedom to assault his wife.

Because spouse abuse has yet to be properly addressed it is difficult to have an accurate estimate of the extent of the problem in America. But available data does indicate that spouse abuse is wide spread. A recent report of the President's Commission on Law Enforcement and Administration of Justice stated that "Family altercations... are probably the greatest cause of homicides in the United States." F.B.I. statistics show that nearly two thirds of aggravated assaults which occur in the United States involve relatives. In a series of in-depth case studies Dr. Richard Gelles found that

56% of couples studied use physical force on each other. Dr. Levinger found that "40% of working class women and 23% of middle class women seeking divorce mentioned 'physical force' as a reason for seeking the divorce." Further data indicates that 25% of men and nearly 18% of women approve of slapping a wife under certain conditions. Dr. Murray Straus and Dr. Susan Steinmetz have completed a number of studies which indicate that spouse abuse crosses all racial, religious, economic, geographic and social lines with the same level of occurrence. Even though the data is limited and in its infancy there is strong argument that spouse abuse and other forms of family violence are prevalent and have major consequences for the victims, the families and the community.

The cost of family violence to individuals and society is difficult to calculate. Police departments receive family violence calls more than any other. Over half of the police in this country injured on the job are injured at a family disturbance. More than 32% of the police killed in this country are killed responding to family violence calls. Since the police are only able to respond to the symptoms, they are called again and again to the same household. Dr. James Bannon, Commander of the Detroit Police Department, noted that family violence calls to the police are usually repeated a number of times before any concrete action is taken "...so that only where the injury was extreme or the offence repeated would a warrant have been issued, you can readily see why the women ultimately take the law into their hands or despair

of finding relief at all."

One must also consider the external costs to the criminal justice and social service system. Valuable time and money are spent in probation intake, probation investigation, probation supervision, family court, criminal court, medical treatment, aid to dependant children, welfare, foster care, child protective services, legal aid, community mental health, as well as personal loss in terms of medical treatment, private legal services, time off the job and destruction of private property. This does not even account for the emotional cost to the victim, the children and the abuser. Nor does it consider the price in terms of the family's alienation from its community, the shattering of belief in society's ability to protect its citizens and the continual erosion and eventual destruction of family life.

The victims of family violence present a very complex set of problems. The battering and violence have usually existed for a number of years, often since the beginning of the marriage. The violence usually begins at the first stressful point in the marriage: the honeymoon, first pregnancy, first child, first job loss or first job advancement. The abuse and violence rarely ends with one or two assaultive incidents but continues as long as no outside services are available. The violence does not involve a single traumatic experience but a series of traumatic experiences that will develop into a pattern of behavior on the part of the abuser as well as the victim. Often this pattern becomes a

"way of life" and once a way of life, major intervention and well coordinated services are the only hope of freeing the family from this destructive pattern. Without appropriate services the family is doomed to continue this pattern and damage will result, not only to the adult members but to the children as well.

We learn how to be adults by watching our parents. When violence is presented to the child as an acceptable mechanism for resolution of conflict, the child begins to accept violence as normal. There is a positive correlation between one's exposure to violence as a child and one's attitude and acceptance of violence as an adult. Children exposed to violence in their homes are adversely affected in a number of ways. They commonly experience and are prone to delinquent behavior, poor learning development, poor school performance, and poor socialization. If violence is learned and accepted during childhood, it is more likely to become a part of the behavior pattern for the adult. We have ample evidence from child abuse research to indicate that these conditions do arise when a child is the direct recipient of violent behavior. However, we are only now coming to grips with the fact that children who live in violent homes, even though they may never be the direct recipient of violence, are as prone to exhibit poor development indicators as their counterparts who are actually being assaulted by their parents.

If children learn that violence is acceptable during their early developmental years, they are prone to using violence as their model of behavior when they become adults. This model of behavior then becomes a primary aspect in the continuum of a cycle of inter-generational violence.

If we are to assist future generations in escaping this cycle of violence we must have services available to the victims, the children and the abuser. Traditionally, services available to the victims of family violence are inadequate. Intervention by these agencies has usually addressed factors which provoked the most recent incident and rarely addressed are the underlying causes of that incident. Most service providers, while well trained to cope with family violence symptoms must limit their attention to a particular incident and are not adequately equipped to deal with the causes of that violence. In order to properly address family violence special services must be made available to the victims, children and the abusers. In addition, special training should be provided to existing practitioners to teach them how best to work with victims of family violence.

One example of a program which is providing many of these services now is the Victims Information Bureau of Suffolk, Inc. The Bureau is located in the eastern most county of Long Island, New York. The area served is predominately middle and upper middle class. The area relies heavily on metropolitan New York City and the defense industry for much of the income of the county's 1.3 million residents.

The Victims Information Bureau of Suffolk, Inc. began in June of 1976 as a community based, autonomous victims assistance program which is funded through the Suffolk County Criminal Justice Coordinating Council. V.I.B.S. provides crisis intervention, individual, group, couple, and family counseling to victims of spouse abuse and sexual assault. In addition to counseling the Bureau offers advocacy to assist the victim as they move through the various criminal justice, social service, and health care systems. Since beginning operation we have received more than 9000 calls on our hotline and have seen 875 clients in the counseling center; 96% of the callers and clients are victims of spouse abuse.

In offering services to victims of spouse abuse we found that the vast majority of the battered women we saw did not want to end their marriages but wanted to remain with their husbands, without the violence. To assist our clients in reaching her goals we had no alternative but to draw her husband into counseling. Because no one else was offering this alternative to battered wives we had to develop a treatment model to work with the victims and their abusing spouse. The Clinical Director of the Victims Information Bureau of Suffolk developed a model of treatment, unique to the field. By using this model with 135 couples, in counseling for three months, we have seen the violent behavior eliminated in every case. By any societal measurement the marriages are not what they could be, but the violence has been eliminated.

In addition to direct services V.I.B.S. has conducted research, community education and training programs. The research has looked at the extent and attitudes of spouse abuse in Suffolk County, New York. Through that research we have been able to accurately project that there are 25,000 abused spouses in this county, 96% of whom are battered wives. These results fall in line with a study recently completed, on a national basis, by Dr. Murray Straus.

The V.I.B.S. public education component has reached more than 15,000 county residents and has been heard on every major radio and television network in the New York Metropolitan area. The training component has developed and participated in innovative training of police, probation, court, district attorney, and hospital personnel in how best to deal with victims of spouse abuse and sexual assault.

Our experience has taught us much about spouse abuse, the victims, the abusers and the children. And that experience has also raised some questions about the legislation now being considered by this committee. As the first national piece of legislation to be produced, it must be applauded. However, I must raise some concerns.

- 1 There is no question that research is badly needed but the proposed legislation appears to provide too much of the limited resources for research.
- 2 There is a desperate need for direct service programs throughout the country to offer assistance to today's

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and future victims of family violence. This legislation all but ignores direct service programs.

- 3 Through this legislation, very little money will be available on state and local levels. Applications will be heard on a national basis, thus eliminating allocations which can accommodate local needs.
- 4 None of the funds are earmarked for training or re-training practitioners and service delivery personnel on how to adequately work with victims of spouse abuse, their children and the abusing spouse.

With these concerns in mind I would, therefore, respectfully recommend that the committee consider changing the present legislation or initiating new legislation which would:

- 1 Be housed under the Office of Child, Youth and Families rather than under the National Institute of Mental Health.
- 2 Make the greatest portion of direct service funds available on state and local levels.
- 3 Make a clear distinction between the amount of money available to governmental agencies and private, not-for-profit autonomous agencies.

- 4 Provide a greater portion of the resources to direct service programs while still allowing money for research, but a smaller percentage.
- 5 Provide a portion of the resources for training and retraining existing service's personnel in how to work successfully with the victims of spouse abuse and their families.
- 6 Create economic penalties for states unwilling to make spouse abuse an illegal act. This could closely mirror present statutes which penalize states that do not de-institutionalize dispositions for young persons as status offenders.
- 7 Develop a national and regional resource centers which would provide information along with technical assistance to programs working with victims of spouse abuse as well the community at large.

The very fact that national attention is now being focused on the issue of spouse abuse and family violence is the first step in providing the needed services. Until we make an active effort to address these issues people will suffer, future generations will be scarred and we as a society will be at fault for giving sanction by not acting.

Mr. Chairman, members of the committee, I want to thank you for this opportunity and your attention.

SPOUSE ABUSE: COUPLES IN CONFLICT



VIBS HOTLINE
24 hours a day
7 days a week
(516) 360-3806

VIBS COUNSELING CENTER
Monday through Friday
9:00 A.M. to 5:00 P.M.
Evening appointments available
(516) 360-3730

Victims Information Bureau of Suffolk, Inc.
501 Route 111 - Hauppauge, N.Y. 11787

FAMILY VIOLENCE AND NEW YORK STATE LAW

Sometimes spouse abusers curse or yell at their victims in a public or private place. They often frighten or threaten to hurt their spouses. They may physically harm them.

All of these actions are illegal. The legal words for these kinds of behavior are:

DISORDERLY CONDUCT
HARRASSMENT
MENACING
RECKLESS ENDANGERMENT IN THE
SECOND DEGREE
ATTEMPTED ASSAULT
ASSAULT

As of September 1, 1977 victims of spouse abuse can go to either Criminal or Family Court to get help.

TEMPORARY ORDER OF PROTECTION: If victims of spouse abuse have bruises that can be seen, medical records of recent injuries, have been threatened with a weapon or hurt within the past week they can ask the Court for a Temporary Order of Protection. They can get it right away.

PERMANENT ORDER OF PROTECTION: This court order can state how the spouse abuser, the victim or both must behave for one year. It can tell the abuser to stay away from his spouse or even his home. The Order can tell the abuser to take care of his spouse, the children and the home. These Orders generally take four to six weeks to get.

VIBS is a private, non-profit agency funded through the Suffolk County Criminal Justice Coordinating Council. The VIBS Counseling Center is located at 501 Route 111, Hauppauge, NY 11787.

FAMILY VIOLENCE AND SPOUSE ABUSE

Family violence is as much a part of American home life as the morning cup of coffee. In 1976 the Suffolk County Police Department received 11,938 domestic dispute calls. That alarming figure represents only a small fraction of the households in which someone in the family is being hurt — by someone else in the family.

Spouse abuse is one of the many forms of family violence. In overwhelming numbers it is the women who are being hurt emotionally, physically, or both, by the men they live with. Wife-beating seems to be the most common and under-reported crime in America. Sometimes men are the abused spouses.

It can happen in any family. Spouse abuse cuts across all lines — racial, social, economic, religious and ethnic.

After centuries of silence, spouse abuse is finally receiving public attention. On TV and radio programs, in magazine and newspaper articles, victims are describing what it feels like to live in households dominated by fear, anger and frustration. They talk about feeling like prisoners, trapped in their own homes. They live with the constant threat of physical violence. The abuse may be emotional: a broken spirit is as painful to bear as a broken arm.

The abuse may have started on the honeymoon, during the first pregnancy, when there was money trouble, when drinking got out of control — or at any point when the stresses of family life became too difficult.

Some people think that victims of family violence like to be hurt, provoke the attacks, could do something about their problems if they "really wanted to." **These are all myths, all false.**

Most victims of family violence often feel too ashamed to ask for help. They believe they have to learn to live with their fears and their pain. They feel they can't do anything to change the way they live. Most people do not seem to care about the victims' problems.

Some victims in their struggle to stop being hurt are able to ask for help. But when they go to the police, the courts, family or friends, they find what little help there is, is not enough.

Some abusers want to stop but don't know how. Even though they know what they are doing is wrong, they are too ashamed to ask for help.

Finally, there is a place where victims of domestic violence and their families can go for help — the **Victims Information Bureau of Suffolk, Inc.**

**VICTIMS OF
VIOLENT CRIMES:
SEXUAL ASSAULT**



VIBS HOTLINE
24 hours a day
7 days a week
(516) 369-3606

VIBS COUNSELING CENTER
Monday through Friday
9:00 A.M. to 5:00 P.M.
Evening appointments available
(516) 369-3700

Victims Information Bureau Of Suffolk, Inc.
501 Route 111 - Hauppauge, N.Y. 11787

VICTIMS INFORMATION BUREAU SERVICES

VIBS PROFESSIONALLY TRAINED staff provides free and confidential services to the victims of sexual assault and spouse abuse. VIBS services are available to women, men and children.

CRISIS INTERVENTION: Professionally trained counselors staff the VIBS HOTLINE (516) 360-3606. Victims of sexual assault can call for immediate help and information 24 hours a day, seven days a week. An on-call counselor can be dispatched to meet victims any time, day or night.

COUNSELING: It does not matter if the attack took place this morning or years ago, it is never too late to get help. VIBS counselors provide individual, group, couple and family counseling to meet the needs of the client.

CLIENT ADVOCACY: VIBS staff has a thorough knowledge of health care and criminal justice services, as well as other services in Suffolk County that provide help to victims of sexual assault. VIBS staff can escort clients through these agencies to insure proper treatment.

REFERRALS: VIBS has a complete referral file listing all resources, public and private, available to sexual assault victims in Suffolk County.

OTHER SERVICES: VIBS operates a shelter for battered women and their children, a public education program and a professional training component.

VIBS is a private, non-profit agency funded through the Suffolk County Criminal Justice Coordinating Council. The VIBS, Counseling Center is located at 501 Route 111, Hauppauge, New York 11787.

**ALL VIBS SERVICES ARE FREE.
CONFIDENTIALITY IS GUARANTEED.**

SEXUAL ASSAULT: IMPACT ON THE VICTIM

If you have ever been made to have any sexual contact with another person against your will, you have been the victim of sexual assault.

The violence and humiliation of sexual assault totally disrupt a victim's life. Even if the attack was only attempted, the victim may feel the same anger, shame and guilt common to all sexual assault victims. Without counseling these feelings can affect the victim's relationships with other people. Also, victims will continue to experience the world as a frightening and dangerous place.

These crimes of violence occur mostly against women and girls. Sometimes, men and boys are victims of sexual assault.

Some people try to make crime reasonable by blaming the crime on the victim. Blaming the victim includes believing dangerous and familiar myths - victims of rape and other sexual assaults "wanted" to be attacked, they "asked for it" by dressing or behaving in a certain way, they "provoked" the attack, and they "liked it." Many people believe that sex offenders were "suddenly overcome by sexual lust and natural passion." *These are all myths - all wrong.*

Victims do not cause the crimes. Blaming the victim does not make crime understandable or the community safe. Blaming the victim just makes it more difficult for victims to get the legal, medical and emotional help they need and deserve. As a result, victims suffer first from the attack itself and then again and again from the treatment they receive from the people they turn to for help.

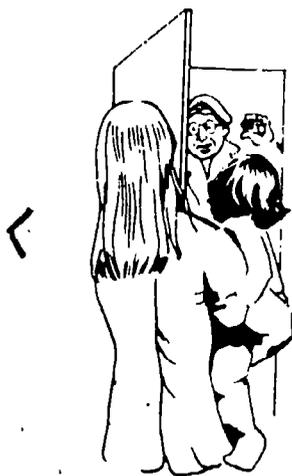
However, many victims - especially victims of rape and other sexual assaults - do not even get what little help is available. Perhaps they suspect they will be treated as if they are the criminals.

Now there is a place where victims of sexual assault can go for help - the Victims Information Bureau of Suffolk.

PROTECTION AGAINST SEXUAL ASSAULT

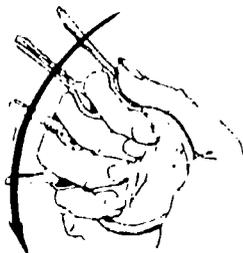
The majority of sexual assaults occur at home between people who know one another — acquaintances, neighbors, relatives. Offenders plan their attacks, seeking any vulnerable person — from infants to older citizens.

Offenders often approach their chosen victims in ways that seem harmless at first. Awareness and simple safety measures may help protect you against sexual assault.



AT HOME

- Establish safety rules with the children in your care. Believe them if they tell you about being assaulted.
- Trust your instincts. Call the police if you feel suspicious of someone.
- Legitimate service people will have proper identification. Demand to see it.
- If strangers or someone who makes you uncomfortable asks to use your phone or wants to enter your home for some reason, have them wait outside your locked door while you place the call for them or get help for them in some way.
- Use dead bolt locks on your doors and secure locks on your windows.



ON THE STREET

- Establish safety rules and safe routes with the children in your care.
- Don't talk to strangers. Remember, it's better to be rude than to become a victim.
- Walk purposefully and wear shoes you can run in.
- Carry your keys in your hands, ready to use them as a weapon if necessary. Attach a whistle to your key ring.
- Be alert when walking alone, especially near dark or isolated places.
- Trust your instincts. If you think you're being followed, head towards the nearest lights and people.
- If you suspect trouble, yell FIRE and keep on yelling.
- Don't hitchhike. If you have never been assaulted while hitchhiking, you've been lucky, so far.



IN YOUR CAR

- Keep your car doors locked when driving or parked.
- Check the inside of your car before getting in. Check your surroundings before you get out.
- If you have car trouble, raise the hood and remain in the locked car until someone you know or trust arrives.

WHAT TO DO IF YOU ARE ATTACKED

Even if you take every precaution, you can be the victim of sexual assault. Your goal is to stay alive. Whatever you do to stay alive is right.

- Try to escape if you can.
- If you are able to resist and fight, do it immediately.
- Try to attract attention. Yell FIRE and keep yelling.

IF YOU CANNOT ESCAPE

- Try not to panic.
- Use self-defense tactics only if you are very well trained and practice regularly.
- Do **NOT** challenge your attacker if he or she has a weapon.
- Sometimes trying to talk your way out of danger works. Say you are pregnant or mentally ill or have VD.
- Observe everything you can about your attacker: age, height, scars, complexion, clothing, conversation, mannerisms.
- Observe everything you can about your attacker's vehicle: make, license, color.

AFTER THE ATTACK

- Try not to destroy evidence of the attack. You will want to wash, bathe, douche and put on clean clothes. Please try to wait. You can clean up after the medical examination. If you decide to press charges, you will need every bit of evidence.
- To report the attack, call the police emergency number right away. • In any of the five western townships of Suffolk (Huntington, Islip, Brookhaven, Smithtown or Babylon), call 911. You can ask for a female police officer from the Suffolk County Police Department Sex Crimes Unit. • In the townships of Southold, Riverhead or Shelter Island, call 911. • In the townships of East Hampton or Southampton, call the police department.
- Call the VIBS Hotline 360-3606. A Counselor can be sent to meet you anytime, day or night.
- Get medical attention. You may have internal injuries. You may have gotten VD. You may need pregnancy counseling. The police or the VIBS counselor can help you get the medical care you need.

REPORTING THE ATTACK TO THE POLICE IS COURAGEOUS

You do not have to report. However, sex offenders count on their victims' being afraid to report the crime. As a result, offenders remain free to hurt more people.

Reporting the attack does not mean you will have to prosecute.

If you do not want to report the attack to the police but you want to help the police look for the offender, you can file an anonymous third party report.

Whatever you decide to do, VIBS Counselors can help.

SEXUAL ASSAULT LAWS: NEW YORK STATE

RAPE: A male is guilty of rape when he has sexual intercourse with a female by force or if she is not capable of consent or physically helpless or less than 17 years old. All three degrees of rape are felonies punishable by imprisonment from one to 25 years.

SEXUAL MISCONDUCT: A male is guilty of sexual misconduct when he has sexual intercourse with a female without her consent. A person is guilty of sexual misconduct when he or she engages in deviate sexual intercourse with another person without that person's consent. Sexual misconduct is a misdemeanor punishable by imprisonment of no more than one year.

SODOMY: A person is guilty of sodomy when he or she has deviate sexual intercourse with another person by force or if that person is not capable of consent or physically helpless or less than seventeen years old. All three degrees of sodomy are felonies punishable by imprisonment from one to 25 years.

SEXUAL ABUSE: A person is guilty of sexual abuse when he or she subjects another person to sexual contact by force or that person is not capable of consent or physically helpless or less than eleven years old. Sexual abuse in the first degree is a felony punishable by imprisonment from one to seven years. Sexual abuse in the second and third degrees are misdemeanors punishable by imprisonment of no more than one year.

Senator CRANSTON. I want to assure all of you that I fully agree that any Federal legislation developed should seek to encourage and should utilize for the maximum potential, the various grassroots organizations that you represent.

Senator RIEGLE will complete the hearing, because I have to go elsewhere at this time.

I thank you very much and I thank each and every one of you for your presence, your interest, and your helpful comments. We will do our best to act upon them and I hope we will come up with legislation which will mean a very, very great deal.

Senator RIEGLE [presiding]. Thank you, Senator Cranston.

I take it that every one on this panel has had the chance to speak already.

If I may, then, I would like to make some comments myself.

From what I have heard and what I earlier said this morning in discussing it with my staff, first of all, I agree very much with what is being said here—that we have not even begun to scratch the surface in terms of the Federal acknowledgment, let alone response, to the problems of domestic violence. And the bill that several of us have been working on together is intended to really get started at the Federal level. I grant you that \$25-million-a-year figure as a total commitment is a very small beginning; in fact, if you compare it with the \$125 million defense budget, it is almost a cruel figure to talk about.

On the other hand, any amount of money constitutes a beginning—constitutes a focused start—something that we are way behind in recognizing and stepping up to. And I have hopes that we may even go a bit beyond \$25 million by the time we introduce our bill.

So one of the problems here is the problem of committing ourselves collectively to the initial step. If you get us on the road in the direction of a Federal recognition and response, which we can take and build upon, we may be able to followup that.

Now, I must say that the \$25 million figure does not satisfy me at all, but I am a principal cosponsor of the legislation, and it pained me very much to even have to acknowledge that maybe we have to start at that scale in order to get started.

And on that issue is a bigger question—and this is something that I want to share with you, because it is as important, I think, as what you are saying, because it relates to recognition of whether or not we are going to be serious about doing something about it as a national response. The Congress basically does not show a real understanding of what it is you have been talking about today. It is reflected in our spending priorities, it is reflected in our attitudes on a wide variety of issues.

We have, as you well know, essentially a male Congress. We have not had any women in the Senate until just recently when Muriel Humphrey was named to take the late Senator Humphrey's seat. We have a very tiny handful of women, effective as they are individually, a fraction of a percentage in the House of Representatives. So that in the Congress today, we are essentially—and we have been for years—since the beginning our Government—a male-dominated Congress. And quite frankly, our sensitivity about issues of these

kinds is still primitive—and even that is oftentimes a generous description.

There was a press conference the other day, where—several of us were talking about the need to change that profile, and to assist in the development of women as candidates for public office, for the Congress—and other positions across the country—to a much greater degree than we presently have. Part of this problem in changing the attitudes connected with the Congress really means changing the Congress—changing who is the Congress, who is in the Congress—and unless a major effort is expended along this line, I think that even if we get \$25 million a year for 5 years, we are still going to be looking for comparisons of \$25 million dealing with this aspect of family life versus \$125 million dealing with the manufactured items that go through the Defense Department and everything related to that.

The Congress is not the whole problem. So is the executive branch, quite frankly. When I look at the Carter administration, I see essentially, as we have for so many years, a male-dominated executive branch, which again carries with it the predominance of attitudes and feelings that we have experienced for such a very long time. And while I am pleased, for example, that Midge Costanza is in the White House, it would be a cruel joke to even suggest that that is sufficient in terms of the kind of inside presence and feeling and sensitivity and understanding of the needs that would start to shake the executive policies and the budget setting, and the struggle with OMB. And I intend no disrespect to Midge as an individual. But neither she, nor any single person, if they are the only one in the policy circle at the top level having a chance to weigh in on these debates, could possibly have more than just a tiny fractional effect, so it is not surprising that we see budgets that reflect priorities that are a continuation, for the most part, of priorities that we have seen for decades in this country. And the fact is that you should have to come today and make this profound an appeal for this in the hopes that we can get \$25 million for 5 years, recognizing that once that sort of trickles its way down, that it does not begin to put us in a position to deal with this problem. This bill is, in its worst light, another way of saying that despite the fact that the problem exists, we are going to have to wait and make a start at it. At least, facing up to it, we are going to have to wait at least another 5 years, and presumably another 5 after that, and 5 after that before we become serious about making a commitment to what life is like for people here in the United States.

More policy problems notwithstanding, we have a lot of things we have to deal with today, but it seems to me that we are going to have a very hard time being very effective with foreign policy, if we cannot demonstrate that the quality of life here in the United States is something that people would like to have for themselves. And so even in terms of a preoccupation with foreign policy, we have to be led finally back around to what is going on here in the United States and what is going on in families in our own country.

So that if somebody wants the United States to be strong abroad, it really has to start by being strong at home, and so again, there is

a justification even in that area for a kind of new seriousness and a new commitment on these kinds of urgent and domestic and human problems in the United States that we are just not seeing.

What I am saying to you is this—I think it is going to require a great deal more militance, speaking out, pressure, legal action, people running for office, people running against incumbents who hold public office, and not just in one party—in both parties. I think that the administration, which happens to be a Democratic administration headed by Carter, has to be approached in the most direct fashion in terms of an appeal and an urgent sense that things have to start to be done quite differently than they have been done in the past.

Unless there is a very strong response to that, an affirmative response, and a positive response, starting with the President and going right through the top echelons of the executive branch, and at the same time, coming from the leadership in the Congress in both parties, then I think you are called upon—and those of us who feel this way are called upon—to try to set in motion some political initiatives that can change the players. It is as simple as that. Because otherwise, you are going to be destined to repeat this very same process year in and year out, scratching for the tiniest sums of money, when in fact, we have got a budget that is in excess of \$500 billion.

I mean, it is not as if we do not have the resources. It is not as if we are not spending them. We are just not spending them on things like this:

And if the people who have those predispositions and who make the decisions that way are not prepared to change, then I say you have got to change the people.

Now this is an election year. Every Member of Congress is running for reelection. You all come from congressional districts. I think each one of you has to make it a point to track down the candidates who are running in your area and address these issues to them very directly—and if they are not prepared to respond, then I think you have got to find somebody else to support in this campaign. And if you cannot find somebody else to support, then I think you have to run. And you will become the person that people can rally around and support.

But I think the issue is that basic, and when I see things like I have been reading in the paper the last few days—people writing an obituary for Bella Abzug politically, because she pressed hard with things—it suggests to me that there is still too many of us who are falling asleep in terms of the basic human issues in this country—that we are still sidestepping and not facing up.

And if this hearing today has any basic purpose at all beyond getting this sort of tiny start that we feel that we can get through the Congress, it is, I think, to make it clear that there is a much stronger sustained effort that is required right now in this critical human area, and 10 others that we could mention—the health care problems of senior citizens and so forth—and unless we are going to start getting this country focused on these things, the Government is as much a sham as it is anything else.

So I would hope that when you leave today, you leave not thinking that this hearing was an end in itself, because clearly it is not. Clearly it is not.

The scale of effort and the scale of breakthrough that has to be made is so large, that unless we start grabbing hold of some of the levers of this Government and make the things happen, then we are going to be locked in these same patterns for another generation. And I just do not think we can afford it, and so I appreciate very much, the fact that you have been here today and I want to say, especially to Commissioner Fojtik from Ann Arbor, that I am delighted that you were here and I appreciate your testimony and the others who spoke here today.

But I just hope—I just hope that we can understand that this level of effort that is required here is actually a question of getting this Government rebuilt and reordered in terms of its internal sense and feeling. And that is really the task that we have to address ourselves and commit ourselves to.

I appreciate your being here today.

Ms. FOJTIK. Senator, if I may say a word, I would like to say that we are activists and we are hard workers and we will take your message back to our congressional districts and relate it to the candidates running for office. And if there are not any good ones running, then maybe some of us are going to have to.

Thank you for all that you have done to get us together.

Senator RIEGLE. We have another person who has asked to be permitted to testify here today.

Our next witness is Edith Blackhall from Milwaukee.

**STATEMENT OF EDITH BLACKHALL, PROGRAM ADMINISTRATOR,
CHILD PROTECTION PROGRAM, MILWAUKEE, WIS.**

Ms. BLACKHALL. My name is Edith Blackhall and I am from Milwaukee, Wis., and I am testifying this morning as a professional social worker for the past 16 years and a citizen, and also as a program administrator of the child protection program in Milwaukee County.

I have seen the problem of child abuse and domestic violence, with this kind of background, and therefore, I strongly support Senate bill 1728.

I do not believe that the East nor the West Coast does have a corner on the domestic violence market. In Milwaukee County, it is estimated that between 30,000 and 50,000 women are battered each year. Each month, a shelter must be found for at least 50 women and their children. Each day, the crisis line for battered women receives 10 calls per day for help. We have found that every three children reported as battered, it is estimated that in one of these referrals, there is also a battered woman.

Senate bill 1728 is a positive bill with excellent goals and objectives, however, I would like to present today, some specific recommendations to the committee for its consideration in the implementation of the bill, if approved.

I have seven recommendations:

First, to develop strong identification, treatment, and prevention programs which include the primary child abuse referral sources, such as child protection services, medical and health centers, law enforcement agencies, and the district attorney's office—because of the strong correlation between child abuse, woman abuse, and the family violence.

Two, provide interdisciplinary training for the persons identifying, treating, and preventing domestic violence, in order to insure effective and efficient teamwork in reducing family violence in our communities.

Three, provide strong linkages with the already existing employment and training services in the United States in order for women to become self-sufficient and self-supporting. This, I believe, will reduce the woman's risk of becoming psychologically and/or physically battered again.

Four, develop a network directory of the following—a listing of shelters, emotional and economic counseling services, legislation of the States and other related resources.

Five, provide treatment and prevention counseling services for men who batter, using men who are compassionate, but who do not condone battering as acceptable behavior—and I do not believe that this was mentioned today.

Six, employ compassionate and understanding men in the day care facilities where both child and his or her mother will also be given the opportunity to interact with a positive nonviolent male human being.

Seven, create a cultural advertising council to embark on a nationwide cultural advertising campaign, to help the public become more aware of the social problems, as well as provide positive solutions. And I have seen this demonstrated in various European countries and it has worked very well.

I believe that the time has come to battle domestic violence. Battering children, as I have seen, grow up to batter or to allow battering. I believe that with a strong commitment and cooperative effort, we will deescalate the war at home, and reclaim that batter or are battered, and prevent us further battery that is very costly to each and to every one of us.

I would like to thank the committee this morning for the opportunity to present my viewpoint and to present my recommendations. You have my support and my concern.

Thank you very much.

Senator RIEGLE. Well, thank you very much for coming here from Wisconsin.

I appreciate your testimony and we will see that it is brought to the attention of the other members of the committee.

At this point I order printed all statements of those who could not attend and other pertinent material submitted for the record.

[The material referred to follows:]

STATEMENT of
Roger Langley and Richard C. Levy,
co-authors of Wife Beating: The Silent Crisis (E.P. Dutton)

Before
Subcommittee on Child and Human Development
on
Spouse Abuse Legislation

Early into our research, it became obvious to us that too many sociologists, psychologists, academics, government officials, law enforcement officers, and even volunteers take a type of game approach to solving the problem of family violence. These well-meaning people gerrymander the family unit into areas of special interest and tend to sacrifice those members and/o problems that do not fit into their narrowly defined limits of interest. While we agree that it is necessary to divide types of violence into manageable departments for the purpose of research (similar to how the medical community handles the study of disease), we feel that it is absurd and confusing to maintain this configuration when attempting to service the human race with the results of such study.

Today we have special interest groups offering assistance to battered wives, battered husbands, battered children, battered grandparents, alcoholics, drug abusers, run-aways, potential suicides, et al. We have shelters for some, hot lines for others, and social agencies galore. The system has become laden down with sub-divisions of sub-divisions and our experience tells us that people are confused in many cases as to where their particular case fits. Battered husbands cannot go to just any wife beating shelter, rape victims cannot go to just any social service agency, and battered children have no place to go without adult guidance since nothing carries their plight on the billboard.

We would like to suggest that this ~~is~~ committee look at the family as a unit in need of help, desperate help. It is a fact that leaving aside wars and riots, physical aggression occurs among family members more often than it occurs among any others. Moreover, the predominant position of the family as a mise-en-scene for violence seems to apply to every type of physical violence running the gamut from slaps to torture and homicide. In fact, some form of physical violence between family members is so apt to occur at some point in the human life cycle that it can be said to be almost universal. We believe that violence is at least as typical of family relationships as is love.

In the FBI's 1976 Uniform Crime Reports, aggravated assault is shown to be up 21 percent over 1972. It says this type of patrol duty is hazardous to the officers. Since 1967, 164 officers have lost their lives responding to disturbance-type calls, which frequently involve family or neighborhood arguments.

The nation's police respond to more than 10 million family disturbance calls each year.

According to the FBI, the most frequently used weapons are hands, fists and feet.

In murders involving the husband and wife, the wife was the victim in 52 percent of the incidents and the husband was the victim the remaining 48. These statistics have remained remarkably consistent over the years.

What we propose is a centralized system on the line. What America needs are Family Violence Shelters that do not discriminate; umbrella refuges for any and all human beings. A fine example of such a catch-all system might be our hospitals. For example, a person suffering from a broken arm goes initially to the same hospital as a person complaining of gastrointestinal disturbances or a gash on the face. While there are health care institutions specializing in esoteric areas, a victim of an ailment need not seek out one of these organizations when first feeling the need for help. In fact, a person need only go to an emergency ward.

We do no less for animals. The humane society provides care throughout the country for animals in need. We have no hesitation about taking a horse or a mouse to a dog and cat hospital because we know help is available. Humane society shelters are in most cases one-stop centers.

Not only do we not have Family Violence Shelters but with the disorganization and lack of central leadership, too many shelters are dressed in professional rubrics designed to grace, through classi-

ication, the work of inferior daubers.

We must stop looking at family violence and thinking that it happens only in the other person's house. We must stop looking at family violence and thinking of it in terms of sex rather than in terms of humanity. After all there is but one human race and if we do not care to help it who will? And we must put selfish objectives aside and not lose sight of the real problem - ourselves. We are all in this together. Quibbling over the extent of the problem will not make it any better. Numbers and studies serve merely to raise our awareness.

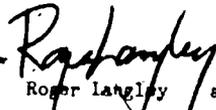
The problem of making an accurate total examination of family violence is somewhat akin to a game children play in upstate New York's snow-belt region. When the snows are high and the drifts are deep, kids amuse themselves by trying to correctly guess what an object is by the shape of the mound of snow covering it. From the outlines and shapes, children make assumptions that lead them to conclusions about the nature of the object. Sometimes they are exactly correct, and other times only partially right. For example, it is often easy to identify a buried automobile but, extremely difficult to be specific about the year and the model.

This is similar to the problem of determining a precise extent of family violence in the U.S. today. Without disparaging the undoubted need for more research and evaluation, we feel enough is already known to provide the basis for meaningful action.

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We would also like to present to the Subcommittee, a copy of the bibliography from our book which may be useful to the staff conducting its own research into family violence.

Respectfully submitted,



Roger Langley

and



Richard C. Levy

March 8, 1978

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SECONDARY BATTERING: BREAKING THE CYCLE OF DOMESTIC VIOLENCE

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1977.

SECONDARY BATTERING: BREAKING THE CYCLE OF DOMESTIC VIOLENCE

INTRODUCTION

Woman-battering is one topic which arouses immediate response in almost any setting in which it is introduced. The phenomenon of physical abuse of women by men has only recently surfaced as a social problem of apparently significant magnitude. In the early 1970s, English women began seeking refuge from their batterers, usually husbands or men with whom they had established intimate relationships (Pizzey, 1974). Refuges were established, and as soon as their doors opened, they were filled (in most cases, beyond capacity) with women and children. Similar activities occurred in other European countries, such as Holland, at approximately the same time (Andersen, 1977). Some women in the United States were concerned with the issue of woman battering, but recognition of it as a major social problem did not occur until the National Organization for Women (NOW) directed attention toward it in their newsletter in March, 1976, and established a task force to encourage research and to deal with the issues. During the same month, the Brussels International Tribunal on Crimes Against Women disclosed that woman battering may well be a universal phenomenon (Russell and Van de Ven, 1976).

Shortly after these events, and in response to them, I initiated an exploratory study into woman battering which concentrates on the victims of this crime, as well as the personnel of legal, judicial, medical, and religious institutions who come into contact with it. Descriptive data have been gathered largely, but not exclusively, through the facilities of the Women's Transitional Living Center (WTLG) in Orange County, California. The staff of this shelter for battered women and their children has given me access to confidential files, and has given me the opportunity to gather data from the clients themselves. As a result, the pilot study yielded twenty case histories and

fifty-one comprehensive, self-administered questionnaires. Methodologies employed, in addition to records analysis and survey instrument, were in-depth interviews, participant observation in group discussions, and observation during hours spent as a week-end volunteer staff member. This part of the study was designed to gather demographic data from victims about themselves and their batterers, the nature and extent of injuries, and institutional response. It was, to a large extent, an effort to explore the problem as experienced by the women and their own perceptions of it, such as called for by the National Women's Aid Federation (NWAF), a coalition of women's groups that are involved in the struggle for battered women in the British Isles. (Wilson, 1976).

Field interviews of varying length and depth were conducted with medical personnel, lawyers, a judge, social workers, clergymen, and law enforcement officers. This part of the study was to determine both official policy of various institutions, as well as the personal attitudes and responses of individuals at various levels of responsibility in the institutions to which these victims of domestic violence are most likely to turn for assistance.

OVERVIEW OF CURRENT THEORIES

Although some theories advance provocative and plausible ideas, none adequately explain why some women are battered by men with whom they have or had relationships, nor do they explain why some of these destructive relationships continue over long periods of time. Despite the lack of systematic, large-scale research and replication, a variety of theories abound. These range from individual psychopathology (Gayford, 1975a, 1975b, 1975c; Saul, 1972; Schultz, 1960; Snell, et al., 1964) to a "violent culture theory" or "social-structural theory of violence" (Gelles, 1972, 1975, 1976; Goode, 1969, 1971; Steinmetz and Straus, 1974; Straus, 1971, 1973, 1974a, 1974b, 1976, 1977; Straus, et al., 1976). Even a handful of case histories has provided the basis for generaliza-

tions of psychopathology (Schultz, 1960; Snell, et al., 1964). The violent culture theory, briefly summarized, identifies woman battering as one of many manifestations of violence learned in the family which is legitimated by a violent society. The point these theorists seem to overlook is somewhat akin to the point overlooked in the "subculture theory of violence." What is ignored is that *all* men are not physically violent toward spouses, and women are recipients of violence, not the perpetrators, to a far greater extent than men, despite socialization in the same violent culture. Why, then, are some men physically abusive toward women while some are not? And why are women almost exclusively the victims, rather than men? (cf. Gelles, 1972:50, 1976:665). Few of us would argue that ours is not a violent culture; we are surrounded by glorification, or at least acceptance, of violence as a fact of life in American society. However, upon closer inspection, we may note that it is a society largely dominated by men, with laws created and enforced by men, with wars declared and fought by men, and with contests of physical strength, particularly body-contact sports, almost exclusively by men. While it is a violent culture, only one-half of the population is encouraged in violence, while the other half is encouraged to avoid and fear violence. The study reported by Stark and McEvoy showed a high rate of approval of slapping one's spouse, yet men were more likely to approve of this behavior than women (1970). It seems safe to assume that not all men use force and violence on women, and probably very few women see force and violence as acceptable behavior when it is directed at themselves. As some proponents of the subcultural theory of violence have tried to explain high crime rates in poverty areas as manifestation of approval of anti-social behavior, including rape, they fail to account for the victims' disapproval. Weis and Borges criticize Amir's adoption of this perspective to explain rape; these authors state:

Among the variety of sociological theories available, the subcultural theory of violence and juvenile delinquency is selected (by Amir) to describe the dynamics of the rape situation. ...To envelope the entire phenomenon of rape, reference is made to a theory developed to explain lower class male adolescence. Now assuming that it pertains to all ages and socio-economic groups the net is cast wide to include the lower class female. ...The assumption is that sexual aggression is accepted within that class and therefore not deviant.... Victims and offenders, it is pointed out, are from the same subculture. They were socialized in the same tradition of violence and sexual aggressiveness. The female is a transmitter of this subculture and contributes to the male activities in the sexual realm. Following this logic, then, there would be neither a rape nor a victim (1976:239).

In agreement with Weis and Borges, I suggest that a theory which can only "explain" the violent behavior of one segment of the population, but which ignores the nonparticipation of other segments of the same population (nonviolent men and most women) is not an explanation at all. In sum, the paradigms which have been offered to date have been either too broad and all-inclusive to be tested, since they merge spousal assault in with a variety of other social problems, or subsume it with other forms of intrafamily violence. Conversely, other paradigms are too narrow to be tested beyond the interacting dyad level, since they single out spousal assault as a relatively rare manifestation of individual psychopathological behavior, with no attention directed toward the social institutions that encourage or support such behavior.

A NEW PERSPECTIVE

As an alternative to these paradigms, this paper proposes some new ideas that were stimulated by observations, impressions, and preliminary analysis of data obtained thus far from the pilot study, reported in an earlier paper (Pagelow, 1976). It is hoped that they will provide some direction for future investigations, provoke new ways of looking at the issues, and replace some theses of questionable merit and unsupported generalizations.

A tripartite theoretical perspective on woman battering is outlined: it contains suggestions about the causation (Model I), the initial response of

victims (Model II), and the continuance of some women in battering relationships (Model III). The major focus of this paper will be on Model III. Due to the complexity of the problem, it would be counterproductive to attempt to build one comprehensive, overarching viewpoint to try to explain a three-stage problem. It is necessary to develop three models of distinct temporal orderings that have underlying commonalities, connecting one to the other. This explanation is an attempt to cut through some of the present confusion and dissension, and to avoid misunderstandings by presenting ideas in a clean, orderly way.

Definitions and Scope

In the context of this paper, "battered women" refers to adult women¹ who have been intentionally physically abused in ways which caused pain or injury, or who were forced into involuntary action or restrained by force from voluntary action,² by adult men with whom they have or had established relationships,³ usually involving sexual intimacy, whether or not within a legally married state. Scope conditions are expanded from conjugal relationships to encompass as well: sexual relationships not involving cohabitation, marital relationships terminated by separation or divorce, and kinship relationships which include females residing in the same household with a father, brother, step-father, step-brother, or foster-father.⁴ Although the vast majority of battered women appear to receive abuse from men with whom they share intimate sexual relationships prior to, or at the time of the assault/s, it is clear that many women are battered by men other than husbands or lovers (Brownmiller, 1975; Martin, 1976a; Russell and Van de Ven, 1976).⁵ The sample of battered women from the WTLC reveals case histories of all the above situational relationships. For simplicity and consistency, references in this paper to male-female interpersonal relationships will be categorized as "conjugal," and the interacting

person will be designated as "spouse."

These then are the boundary conditions of this conceptual viewpoint. Beyond the scope of interest are two phenomena frequently confused with issues concerning woman battering: sado-masochistic practices⁶ and mutual combat.⁷ The former are excluded if they are mutually agreed upon for the purpose of sexual arousal and enjoyment. The latter is a term coined to describe activities engaged in by some couples that differs from woman battering in that neither combatant is a victim in the same sense as battered women are victims of frequently unprovoked, unexpected attacks from which they may (but usually do not) even attempt to defend themselves.

Some writers, particularly those who adhere to the violent culture theory, prefer to view the problem of women battered by men as only one of many manifestations of violent behavior in the home that are fostered by the social structure. Parents batter children and vice versa, siblings fight among themselves, and husbands batter wives, all of which are subsumed under the category "domestic violence." On the other hand, some writers insist that women being battered by men is a manifestation of the control and ownership of women by men fostered by the patriarchal institution of marriage (Dobash and Dobash, 1976a, 1976b, 1976c). Although both Straus (1977:3) and Gelles (1972:153) have made the comment that the marriage license also functions as a hitting license, Dobash and Dobash claim that the major thrust of cultural theory deflects attention from the basic issue of woman battering because it fails to make clear the distinctions between woman battering and other forms of violence between intimates. Some other writers agree that the violent culture theory does not go deep enough to get to the roots of the problem (Kremen, 1976; Martin, 1976a, 1976b; Warrior, 1977; Yung, 1976). These critics agree with some components of the violent culture thesis, but insist that it is not a causal variable,

rather that it serves to deflect interest in questions of why woman battering exists, and prevents possibility of effective solutions. Dobash and Dobash propose that "sociology will develop more meaningful and valid theoretical proposals through the utilization of a context specific approach to social phenomena, in this case marital violence" (1976a:1). These authors denounce efforts to create a widely generalizable theory at a higher level of abstraction because:

We maintain that the most fruitful procedure for the sociological analysis of violence, and perhaps for all sociological analysis, is the development of theoretical or conceptual schemes which are meant to apply to clearly delimited empirical contexts (1976a:3).

On the other hand, Steinmetz and Straus insist:

the whole system must be considered. If one wants to change the occurrence of violence in the family, it is not sufficient to deal directly with such aspects of intra-familial violence as child abuse and fights between husband and wife. To confine attention to such events and their immediate antecedents is analogous to treating the symptoms of a disease (1974:20).

This perspective is confined within narrower limits, in agreement with Dobash and Dobash that there are considerable differences in forms and extent of violence and the contexts in which they occur, as well as differences in motivation and public response. The phenomenon which Steinmetz and Straus refer to as "fights between husband and wife" is by definition excluded from the phenomenon being addressed herein; this is "mutual combat"--a phenomenon frequently confused with woman battering--not the issue being addressed here. But even more importantly, there are problems of measurement and with testing a theory of such broad scope, regardless of its sophistication. For example, can one accurately measure and compare on the same yardsticks slaps exchanged between siblings under ten years of age, and a slap administered by an adult man to his spouse which breaks her jaw? Are the causes, effects, and implications the same? It seems highly unlikely.

In their latest study, Straus and others employed the Conflict Resolution

Techniques (CRT) scale that utilizes eight violence items arranged on a continuum of seriousness (1977). Couples were asked the number of times in the previous year they had engaged in these acts of violence; the women in this sample reported only slightly fewer incidents of violence than their husbands. Straus shows that these women predominate in throwing objects at spouses and kicking, but he points out that this may stem from the differential in size, weight and muscle development of females vs. males. There is another suspected differential not referred to in this report which is of great importance: was there any measure of the extent and severity of the injuries sustained by victims? As noted in another paper, there is a vast difference between a kick with an open-toed sandal and a pointed Western boot! (Pagelow, 1977a:28).⁸ In addition, hitting and *trying* to hit a person with an object are decidedly different--yet they are measured in the same category item. Straus also explains there was no attempt to discern precipitation; he states: "these data do not tell us what proportion of the violent acts by wives were in response to blows initiated by husbands" (1977:9).

It seems apparent that there are problems inherent in resting broad conceptualizations which may be avoided by addressing a more narrow theoretical scope. Some writers besides Dobash and Dobash prefer to limit theoretical and empirical research attention to marital and spousal relationships. There is an accumulation of evidence that the institution of marriage itself is "not good for women" (Laws, 1971:510; see also Bernard, 1972, 1973; Eisenberg and Micklow, 1974; Field and Field, 1973; Martin, 1976a, 1976b).

Although these points seem to be well-founded, a compromise position is adopted herein: conceptual boundaries are expanded beyond the marital relationship, as suggested by Dobash and Dobash, and those of the violent culture theory proposed by Straus and some others. Within these parameters are crimes

of physical violence perpetrated by men against women, both within and outside of marriage. This framework eliminates many other far-ranging forms of interpersonal violence. Russell and Van de Ven explain the interrelationship:

Assault of women, or "woman battering" as it is now commonly called, both within marriage and outside of it, has much in common with rape. The fear of men that both rape and battering instill in women as similar political consequences. Both are often accompanied by an agonizing fear of death, and both sometimes result in womanslaughter--or femicide (1976:127).

A review of these crimes against women--rape and battering--reveals striking similarities in victim response to the crimes, institutional response to the victims, and common myths and stereotypes (Pagelow, 1977b). Gillespie states that power is structurally held by men; she sees woman battering as only one form of coercion among many (1971). She says, "I am...positing that, in fact, this is still a caste/class system rationalizing the preponderance of the male sex" (1971:444). Other writers address male violence against women and abuse of power (Pogrebin, 1974; Komisar, 1975). Following such reasoning, these new ideas are presented here. Since they are newly emerging ideas, specific to woman battering, they have not been developed sufficiently yet to attempt an explanation of other forms of physically violent acts of aggression by men against women such as rape and incest. There are serious implications that variables such as male dominance and control, aggression and power, and unequal resources are related to each of these crimes--and this is the direction in which the more general theory will eventually be developed.

The present schema, however, is restricted to woman battering, and is distinguished by three major components: Model I: Causation; Model II: Primary Battering; Model III: Secondary (or Second-Stage) Battering. Each model addresses distinct aspects of woman battering, particularly those which occur at different points in time. Model III is the major focus of this paper; it is singled out because it is believed to explain a central question: why some

women remain in destructive relationships, and why some others are able to break the cycle of violence. Models I and II will be briefly described because of their important connecting links, but because of space limitations they are not central to the present concern.

Model I: Causation

Many laymen and professionals alike introduce ideas such as male sexual jealousy, status inconsistency, low self-esteem, insecurity, defense of male authority, dependency, etc. to explain why men batter women (O'Brien, 1971; Straus, 1976). Some choose to focus on alcohol to explain it, while others prefer to evoke Freudian concepts of female masochism, depending on the point of view or professional training of the speaker. On the contrary, causal inferences can not be drawn from the contemporary setting alone. We must analyze the socio-historical foundations of the family if we want to understand why modern men in industrial societies still demand positions of "head of household," and domination and control of women and children in the home. Concepts of male superiority/female inferiority, subordination of women and children, the caste/class system of male power (Gillespie, 1971), inequality in social institutions--all have been fostered for centuries and are evident today. They are the symptoms of power long ago assumed, and since maintained, by men over women. Boulding claims this assumption of power began as early as 2500 B.C., when women's products, because the diversity of their tasks prevented specialization, were accorded lower market value than men's products (1976). Seeing economics, rather than biological inequities, as the underlining cause of social inequality, Boulding states:

The emergence of law contains the emergence of the concept of the male-headed household and of the administration of property by the male. The earlier, more fluid, clan rights to land and property that left resources available to the women and men who were prepared to work with them were transformed into rigidly spelled out male rights. This was no simple process; as late as 1751 B.C. the Code of Hammurabi contained sixty-eight

sections on family and women... (1976:100).

Also seeing economics as the driving force, Hartmann proposes a three-stage process whereby increased sexual stratification occurred, causing decreased social status for women (1976). She builds a provocative account of the role played by the patriarchy in social stratification. Discussing the decline of Anglo-Saxon and Welsh tribal society, she points out that the emerging English nation-state usurped resources of the tribes (land and labor power) and:

(the state) finds it convenient to use the traditional gender division of labor and resources in tribal society and places them in a hierarchal relationship both internally (husband over wife and children) and externally (lords over peasants and serfs). The king...levied obligations on the males as "heads" of individual households. Tribal groups lost collective responsibility for their members, and women and children lost their group rights and came under the authority of their husbands (1976: 145).

Although Hartmann is not writing in reference to issues concerning woman battering, some others would tend to find these statements supportive of their own theories on woman battering (Dobash and Dobash, 1976a, 1976b, 1976c; Hammer, 1977; Martin, 1976b; Sutton, 1976; Young, 1976). These writers have generally singled out, as the starting point, the patriarchal foundations of the institution of the family itself, and the hierarchal power structure which provides the framework of modern social structure. In fact, Hartmann says:

some men assert their power over other men through the state mechanism by elevating these subordinate men in their families, using the nuclear family against the kin group. In this way the division of labor between men and women becomes a more hierarchal one. Control over women is maintained directly in the family by the man, but it is sustained by social institutions, such as the state and religion. The work in this school of anthropology suggests that patriarchy did not always exist, but rather that it emerged as social conditions changed. Moreover, men participated in this transformation. *Because it benefited men relative to women, men have had a stake in reproducing patriarchy* (1976:146, emphasis added).

These ideas need further development and analysis, but they seem to offer the most fruitful areas of study for a causal explanation of woman battering. Careful socio-historical research appears to be the best avenue to understand-

ing why some men today believe they not only have the right to own, control, and dominate women and children, but sometimes even see such behavior as their duty.⁹ Today's women and men perform according to culturally transmitted ideologies which were implanted many centuries ago, and the sociologists who uncover the socio-historical basis for control and domination of women by men will ultimately explain the cause of present-day woman battering. Sex role socialization which defines woman as perpetual child and property of a superior being, man, had its basis back in time, in earliest civilization. It was an act of man, not of nature, biology, or deity, that defined man as superior and woman as inferior. Many writers have addressed the topic of the social and cultural determination of women's inferior position relative to men, and have shown that political and economic motivation, not nature, have put, and kept, women at the bottom of the caste/class system.¹⁰

Full development of a socio-historical causal theory of woman battering is beyond the scope of this paper, but the two most important concepts central to its development are borrowed. Patriarchy and the hierarchal social structure are used to create "Traditional Ideology," a new theoretical construct (cf. Willester and Webster, 1970). Traditional ideology is an important construct, central to the development of a perspective on battered women. It is a merger of patriarchy, of which the family is one of its most important institutions, and hierarchy, which demands an ordering of power positions. It is the common thread which binds the components of this tripartite perspective, and is a major variable in determining social response, both individual and institutional. Traditional ideology is defined here as encompassing a broad range of internalized beliefs in acceptance of the "rightness" of the patriarchal-hierarchal order of the social structure. It includes internal attitudes and motivating forces that guide, shape, and determine behavior. These can take the form of

obedience to directives (servitude to a husband), or rejection of the forbidden (no divorce). Societies provide institutions that support and legitimate traditional ideology (law, religion), and other institutions that socialize the masses by transmission of traditional norms for sex-appropriate behavior (education, family).

Variability in traditional ideology between countries, communities, families and individuals may be explained by the degree of socialization, acceptance, and internalization of individuals, as well as the amount of pressures exerted by social institutions. Traditional ideology is inculcated in and subscribed by both women and men: the maximum expression for women is through excessive femininity such as in the ideal of fascinating womanhood, the "total woman"--the "feminine mystique" (Friedan, 1974). The "masculine mystique" (Komisar, 1976) of traditional ideology for men is the macho sex role of tough, hard, unsentimental, aggressive behavior (Chafetz, 1974; Farrell, 1975). Whereas passivity is a key element of femininity, aggressiveness is a key element of masculinity. David and Brannon note that one of the definitions for the word "aggressive" is "tending to aggress, making the first attack," (the other is "energetic, vigorous"). They deduce: "It's no accident that two such basically different meanings are served by the same word, for our society has a deeply ambivalent attitude toward aggression and its less savory first cousin, violence" (1976:28). In sum, traditional ideology is the configuration of all the "conservative wisdom" passed down through the ages as the inherent "natural" order of things. (It's right because it is, and it is because it's right).

The basic theoretical underpinning of this perspective is social learning theory as advanced by Akers to explain deviant behavior (1977). One of the major failings of theories of deviance previously offered has been that the paradigms were limited to explaining socially defined undesirable behavior

(Merton, 1966; Sutherland and Cressey, 1974; Lemert, 1972), but they largely failed to explain conformity. Social learning theory appears equally capable of explaining conforming as well as deviant behavior. Akers integrated Sutherland's "differential association" theory with Robert L. Burgess and his "reinforcement" theory into a new and broader theory. Akers explains:

The set of principles we used is variously called Skinnerian (after B. F. Skinner), operant conditioning, reinforcement, or simply behavior theory. By whatever name, these are very general and powerful behavior principles of precise learning mechanisms...which can be extended, applied to, and tested in more complex social situations (1977:41-42).

Social learning theory may help explain why some persons and groups accept or reject traditional ideology when the types and degrees of reinforcement and punishment are examined.

Model II: Primary Battering

It is extremely important to differentiate between the first single incidence of battering and associated variables, which is the focus of Model II, and the phenomenon of systematic, repeated batterings involving a different set of explanatory variables, the primary focus of Model III. This distinction should be made in order to avoid much of the confusion and conflict between current theoretical viewpoints. Almost all theoretical and empirical attention has been focused thus far on victims and perpetrators of secondary battering, although no distinction has been drawn between the first (and sometimes only) occurrence of battering and those batterings that occur on a continuing basis. It is no wonder that there are conflicting "answers" to the problem of woman battering, because it appears that sometimes we are asking the wrong questions.

When writers speculate on the extent and severity of the problem estimates range from 15 to 25 percent (Flynn, et al., 1975:8), and 50 percent (Dussich, 1976:17), but it is not clear if these percentages refer to regular and frequent conjugal violence, or infer that there has been at least one physical assault

in half of all marriages. There seems to be a general assumption that: a) all battered women stay in a battering situation until the battering becomes, for one reason or another, intolerable--at which point they leave or seek help, or b) that all women involved in "stable" conjugal relationships have never experienced battering. At this point in time, we have no idea how many relationships never include violence, or are terminated after one incident of physical abuse, or how many continue after one incidence with no repetition. Nor do we know how many long-term relationships continue despite repeated violence which never becomes a matter of public record.

A detailed explanation of Model II, the "predictor" model, has been presented elsewhere (Pagelow, 1977a). This model begins with the single instance of battering with no prior occurrence, and postulates the correlations which must exist for battering to occur in the first place, and which determine probable response of the victims. There is a danger of misunderstanding the complex dynamics involved by summarizing in too simplistic or abbreviated form, but space does not allow full exposition of these ideas here. If there are gaps or questions, reference should be made to this earlier work. It was developed to suggest the factor, which, in combination, may predict whether A) battering will occur, B) if battering will occur once and will not be repeated, or C) if battering will move to the second-stage, repeated batterings. Model II is presented in the form of four propositions: the first and second postulate the variables which may explain the behavior of the male and female spouse respectively. The common denominator of both is the degree of strength of traditional ideology, the most heavily weighted variable. Proposition III expresses the correlations which must be present for primary battering to occur:

The more one actor is inculcated to respond to stressful situations by battering, and the greater the willingness to invest in conjugal relationships of another actor, and the more intense the traditional ideology of both, the more likely battering will occur.

If A and B enter into a conjugal relationship, then battering is likely to occur when A experiences frustration, anger, or stress. If these conditions are met, then and only then, will battering occur.

From this perspective, it appears that the major responsibility for taking decisive action after the first occurrence of battering falls on the woman. According to social learning theory, if behavior is not followed by punishment, or if it receives reinforcement, the behavior continues to be elicited. The learning principles are explained by Akers who says:

The basic process is this: Stimuli following or contingent upon an operant determine the probability of its future occurrence. The two major parts of this process are reinforcement and punishment. (1977:45).

Both positive and negative reinforcement strengthen behavior while positive and negative punishment have the effect of weakening or changing behavior. Positive punishment takes the form of a "punisher received," while negative punishment is "reward removed or lost" (Akers, 1977:46).

The final proposition of this model postulates that if violent behavior is not extinguished at the primary occurrence, it will move to second-stage and will escalate in frequency and intensity over time.

Adequate testing of Model II requires large-scale sampling of the general population to determine: 1) how many people have ever engaged in one incident of intraspousal battering, 2) what their initial responses were, 3) post-battering behavior, controlling for the variables traditional ideology (of both), battering experience (of the male) and willingness to invest (of the female). Most research at the present time is being directed toward participants in secondary battering (C). We have no idea how many relationships there are in the general population in which battering never occurs (A), and battering happens once and never again (B). This kind of sensitive information may be difficult to obtain, due to the reluctance of many people to admit to behavior in intimate relationships which is at least minimally proscribed.¹¹

Model III: Secondary Battering

This theoretical model addresses conjugal violence which persists beyond primary battering; Model III offers a tentative explanation for the continuance of destructive relationships. It seeks to provide answers to questions like "Why do they stay?" It is the component of this tripartite perspective which will easily yield to testing by researchers, because almost all of the current efforts are drawing samples from populations which have been subjected to extensive and repeated batterings. Whereas testing of Model II requires a reliable random sample of women and men from the general population, Model III seeks to explain why some women seem to be "locked into" battering situations.

While there is a wide range of ages of women who seek shelter in refuges, extremely few arrive on their doorsteps who have been beaten only once--and in these cases, the violence was so extreme that the women fled in fear for their children's or their own lives. Most women at shelters left after repeated, systematic beatings and other acts of extreme cruelty; some of them only recently left after twenty or more years of such behavior. Every refuge I have visited in the United States, England, and Ireland, has had in residence at the time, at least one woman over the age of forty who had finally escaped batterings that had occurred over half of her lifetime. One woman staying in a London shelter was sixty-five years old, and in very poor health. A 46 year old woman arrived at the WTLC barefooted and on crutches; she spent the last few weeks of her life with her three daughters, hiding from her batterer, until her degenerative disease took its toll.

The questions this model seeks answers to are: why do some women remain in, and why do some leave, conjugal relationships in which they are battered by spouses? Secondly, what has changed when a woman leaves after the second or third beating, or after regular abuse over a period of years? Preliminary

analysis of the pilot study in which I have been engaged for over a year provides some insight into the problem, both from the victims' point of view and the social agencies upon which victims must depend. Field work stimulated the ideas presented here, and these data have lent them some support. They differ in some important ways from the conceptualization proposed by Gelles which was derived from his study of forty-one families (1976). There are, however, some areas of agreement. Gelles investigated reasons why some women stay with an abusive husband and why others seek intervention. His analysis led him to state:

Three major factors influence the actions of abused wives. The less severe and the less frequent the violence the more a wife remains with her husband. Secondly, the more a wife was struck as a child by her parents, the more likely she is to remain with her abusive husband. Lastly, the fewer resources a wife has and the less power she has, the more likely she is to stay with her violent husband. In addition, external constraint influences the actions of abused wives (1976:659).

The differences are that the first two factors do not appear to carry enough weight with the respondents in my sample. Certainly if we consider only both extremes of this variable, it logically follows that at one end of a continuum, the least severe and least frequent violence is a complete absence of violence. It may be taken as a given that nonviolence is unlikely to send women to seek outside intervention, at least not for battering. On the other end of the continuum, constant fear of death, total violence, would motivate any sane person to seek help if she is able. Severity and frequency has had minimal accountability for a decision to break the cycle of violence according to my data. For example, one victim endured batterings by her husband for seventeen years until he died of a heart attack; her twenty-three year old daughter died about ten years later of a head wound inflicted by the daughter's husband. Another respondent suffered through eighteen years of almost continual abuse and virtual imprisonment until her husband finally divorced her.

An Irish woman raised fourteen children, and then left for England after frequent batterings during thirty years of marriage. On the other hand, some women leave a spouse after one slap; a-slap represents different things to different people. The amount of physical abuse suffered by a child at the hands of her parents also seems to have little explanatory value for the sample I have obtained. My investigation of battered women shows very little relationship between early experience in violence and later behavior. The sample reveals a wide disparity in families of orientation, with clusters which are almost polar opposites: either they had homes in which violence was common and expected, or they described homes as generally serene, loving, and almost completely lacking in violence. The fact is that these women had left their spouses, yet their childhood experiences were vastly different, and included many women who reported parental abuse, which does not support Gelles' thesis. Some even reported extreme physical abuse, including sexual, by older male family members.

On the other hand, areas where my data lend support to Gelles' conclusions are in regard to his third factor: the lack of resources and power of the woman. This will be elaborated upon below, where the compatibility will become clear. In addition; although Gelles does not include "external constraints" in his three factors to explain women's seeking outside intervention or not, the pilot study shows this to be an extremely important component guiding the victim's decision-making processes. In fact, in the model proposed here-- it is one of three major variables--one which I have labeled "institutional response."

After many hours spent in groups with women who had been battered, observing them interacting with each other and their children, interviewing them and sometimes listening to the children, and analyzing completed survey instru-

ments, some consistent themes began to appear. Interviews with doctors, lawyers, nurses, policemen, clergymen, and a variety of other people in positions to come in contact with battered women, elicited other types of themes. These sometimes served to confirm information that victims had been providing, and at other times were directly contradictory. Those which were contradictory showed that a great many people in the helping agencies accepted, to a large extent, a psychopathological explanation for woman battering. Myths and stereotypes emerged frequently and consistently, to the extent that they were examined for validity, but they were not supported by the data (Pagelow, 1986). Nevertheless, their prevalence among laymen and professionals alike apparently serves to further victimize the victim. The themes that tended to confirm respondents' claims were generally the lack of social support, and pressures on the women to maintain the relationships.

Observations and impressions formed a pattern, that with repetition revealed a configuration of three variables. These key variables are labeled, (A) "Resources," (B) "Institutional Response," and the construct common to all three models, (C) "Traditional Ideology." The major proposition of Model III is:

The fewer the resources, the more negative the institutional response, and the more intense the traditional ideology of women who have been battered, the more likely they are to remain in relationships with their batterers, and the less likely they are to perform acts which significantly alter their situation.

Each of these three theoretical constructs are variable, are measurable, and are defined as follows:

(A) Resources

These are the positive and negative, present and/or obtainable, material goods, capabilities, physical features, and pool of human actors in a woman's life sphere. For example:

Material goods:	real or personal property cash, bank accounts, credit automobile, ecc.
Capabilities:	intelligence education or educability employment or employability talents, skills, and knowledge (including language, knowing how to drive a car, etc.)
Physical features:	age ethnicity/race appearance health of self, children, spouse
Pool of human actors:	number and ages of children parents or other kin: willingness to assist ability to assist geographic distance friends: willingness to assist ability to assist geographic distance.

A woman's optimum positive resources are illustrated by this composite example: a young, healthy, attractive, intelligent caucasian woman with no children who has career employment; a car, house, and savings account in her own name; and caring parents who live in a comfortable home across the street. The women in this sample hardly even come close to this sketch; frequently they lacked resources in several important respects. Most have at least one dependent child, many are not employed, and even if their parents are not too distant (and they frequently are), they may be willing but unable to assist. In many cases, though, parents and friends are afraid to give assistance, after a few bad experiences with an irate spouse. Whereas the working class woman often lacks employability and money, the middle class woman frequently has not been employed for the length of her marriage, has no property solely her own, and sometimes even lacks access to cash. If she leaves the conjugal residence, she may still be charged in some states with desertion and stands to lose her share of joint assets. A mother with teen-aged children, who are usually placed in her cus-

today, frequently faces a decrease in living standards not only for herself but also for her children. Such losses may cause resentment and opposition from the children in her responsibility. This is a serious consideration for the middle class woman which no writer, to my knowledge, has ever mentioned.

As stated above, these constructs are variable, and in some cases, the balance of the resources may shift, becoming less negative, e.g., the middle class woman leaves after the children grow up and leave home. Some women train for careers, some begin employment, and some begin saving money¹²--and when these resources are more favorable--they then "perform acts which significantly alter their situation," e.g., seek intervention, initiate divorce, or leave home. All cases under study have shown some combination of lack of resources which were perceived by the victim as necessary for her to change her situation effectively. A serious consideration for many was poor health of the woman or her children. The resource most needed by many was a safe place to stay--a need which is gradually being met for some by the establishment of shelters. Tabulation of the number and kinds of resources available to individual women convinced me that victims generally made appropriate choices of action, based on their circumstances. In the preliminary report, I pointed out that victims' perceptions of their options--based on resources--appeared logical and realistic, and overall, the most intelligent and pragmatic choices possible (Pagelow, 1976:31).

(B) Institutional Response

Basically, this construct is defined as the amount and type of support and assistance available and received by battered women (or the lack of support and assistance), as well as pressures exerted against victims to confine them within their relationships. Until very recently, almost all social institutions and their representatives have been adamantly opposed to almost any form of intervention in "family squabbles." The "sanctity of the home" is not only revered,

but there are strong pressures to reinforce the "ties that bind" man and woman together in Holy Matrimony (Kremen, 1976). Couples are told by counselors from a variety of professional backgrounds to stay together "for the good of the children." Lower income women are more likely to experience police intervention than middle class women, but the results are very similar: law officers dislike and fear this type of duty in which they are usually minimally trained and which they feel lacks professionalism, since nonarrest policy calls for performance as an "arbitrator." A veteran police commander says, "This paradox suggests to me that traditionally trained and socialized policemen are the worst possible choice to intervene in domestic violence" (Bannon, 1975:3). If the victim demands the batterer's arrest, she is almost always persuaded that it is not in her interest to have him arrested, by reminding her of her own danger and vulnerability (he'll just be out in a couple of hours, and this time he may kill you!) Women are told to "run and hide" rather than use legal mechanisms for justice (Pagelow, 1976:37). If an arrest is made, the prosecutor wants to make sure that the victim will follow through the long, arduous (and to the uninitiated, confusing), and ultimately humiliating court process, so he "puts the screws" to the victim to see if she will back down (Pagelow, 1976:36). On the slim possibility that the case eventually does get to court, judges are extremely reluctant to give maximum penalties, injuries to the victim must be more severe than a comparable crime involving strangers, and the usual result is a scolding, a fine, or a suspended sentence (Feld and Feld, 1973; Eisenberg and Micklow, 1974; Truninger, 1971).

The medical system has largely followed a pattern of "benign myopia." Emergency room nurses and hospital staff, and doctors both in their private offices and at hospitals, for the most part at least suspect the cause of battered women's injuries, but seldom inquire beyond routine questioning. One medical doc-

tor, a coverage physician for a hospital emergency room, stated what seems to be a representative attitude to a team of researchers:

"If a woman stays, that's up to her; she must like it. I just treat her... I don't ask a lady who gave her the black eye. That's her business. My business is just to treat her medically. I just treat her wounds or broken bones. ...I'm used to the drinkers of the world. I can't cure them, only treat them and that's how I feel about battered women. It's not a pressing problem as I see it" (quoted in Waterbury, et al., 1976:71-72).

An emergency room head nurse at another hospital also stated:

"We don't try to question them, it's their own business. It's not like a battered child that you have to report to the police, or like an animal bite report" (quoted in Waterbury, et al., 1976:67).

Attitudes among medical personnel range from non-acknowledgement to hostility, although a few undoubtedly are concerned with what happens to these patients when they leave their care. But they are deterred from effective intervention by lack of knowledge about the problem, lack of professional guidelines, and the prevalence of acceptance of Freudian theories of female masochism within the helping agencies (Nichols, 1975).

Counselors from a variety of professional backgrounds tend to "treat" the victim, rather than the batterer. This is not only because women are more likely to seek solutions from (usually male) experts (Chessler, 1973; Weisstein, 1970) and thus initially become the patient or client, but also because most of the spouses refuse treatment (Snell, et al., 1964). The men usually claim either there is no problem, or if there is one, it is the woman's, not his, problem.

As a result, the women often are prescribed tranquilizers, advised to mend their ways, curb their tongues, make their spouses' lives more pleasant, or to pray.

For example, the pastoral counselor in a middle class community who says that one of three reasons for violence in the home (in addition to finances and provocation) is that "it is accepted as fact that 'everybody beats his wife'" (quoted in Waterbury, et al., 1976:86). Still, if this minister believes the wife is "gravely endangered" he recommends separation (but not divorce).

Until the recent public attention to the issue of woman battering, institutional response to the victims was largely negative. However, with the increasing number of newspaper and magazine articles, amount of television coverage and scholastic research, there is a rising level of sensitivity to the problems of battered women and a slight diminishing of the negative stereotypes and myths. The campaign waged by feminists on behalf of secret victims of crime has had a major impact on social institutions, legislation has been proposed, and shelters for battered women and their children are springing up all over the country, a much-needed first-step response. As some battered women receive a degree of social support from at least a few institutions, the scales will tip slightly in their favor, so that they will be able to take effective action to significantly alter their own situations.

(C) Traditional Ideology

There has been earlier elaboration on this theoretical construct, which differs from the other two key variables. Resources and institutional response, to a large extent, may be measured in terms of empirical reality: facts, figures, dates, documentable events and behaviors. Some components, of course, are attitudinal rather than behavioral, such as the impressions a woman receives from a police officer or a social worker. Nevertheless, the interpretation of attitudes communicated to victims, as they affect her perceptions of options, are real in their consequences. Ideology, on the other hand, is a set of beliefs and attitudes which is a fundamental part of the way persons evaluate life and circumstances, and serves to guide and motivate behavior. For example, one option to terminate a violent relationship is by divorce. If a woman must leave home to set up residence where her batterer can not find her, she needs transportation and money for initial and future expenses, as well as for the divorce. If she lacks these, she does not have the necessary resources. If

she is a woman with the necessary resources, living in a country which does not grant divorces, she has negative institutional response. If she has the resources and lives where divorce is obtainable, but cannot even contemplate divorce as a solution because all her life she has firmly believed in marriage "until death us do part," this woman is extremely unlikely to take such action. Divorce simply does not appear as a viable option to her. Some mothers stay because they are so fearful that single parenthood produces delinquency that they rationalize "a bad father is better than no father at all." Other women, including co-habitees not bound by legal marriage, frequently stay in a violent relationship because they measure their own value as reflected by their spouses --and leaving represents to them total failure and worthlessness. Some researchers note what they identify as guilt, low self-esteem and passivity of battered women they interviewed in shelters. A few assume these are inherent personality qualities, but others hint that these indicators may be a result--not the cause --of the abuse they experienced. For example, this description of residents interviewed in a California shelter:

"the most isolated group of women I've ever seen. ...they have few friends and a terrible sense of insecurity. They're afraid to be alone...and the empty, passive feeling of these women is reinforced in marriage to a man who keeps telling them that they don't know anything" (Star quoted in Bell, 1977:22).

Another professional states:

"Women are taught that their self-worth hinges on having a man; and they're willing to pay any price, because the concept of being alone equals worthlessness and abandonment" (Lang quoted in Bell, 1977:22).

Traditional ideology involves a complex set of rules of behavior appropriate for females that directs a woman to be subservient to her spouse yet gives her major responsibility for making the home a happy place where a man is "king of his castle." If these rules are violated, and a woman who is intensely traditional seeks shelter in a refuge, is it any wonder that she expresses feelings

of guilt, insecurity and worthlessness? Is it surprising that so many of them leave the sanctuary of hospital or refuge and return to their "rightful place" with their batterers?

Of the three key variables, traditional ideology is the most important in determining women's responses to batterings. Although it largely consists of attitudes, it may be operationalized without extreme difficulty. Besides developed and tested attitude scales (Smith, et al., 1975), there are a host of background factors which can be quantitatively measured. Family of orientation, for example: the degree and type of religiosity, type and length of religious education, family history of marriages and divorces, etc. These data should provide evidence of the kind of socialization the woman received, which dictated the stimuli for learning. Sex role socialization ("programming" is a term used by Bernard, 1975), is internalized early, and is usually reinforced, as deviation is punished, throughout a lifetime. Concepts of proper and improper modes of behavior are extremely difficult to change, and as learning experiments have shown, the most difficult behavior to extinguish is that which is intermittently reinforced (Hill, 1971:70). Another point writers who ask "Why do they stay?" have not mentioned is: *batterers do not batter all the time*. Such a simple matter to overlook so completely--but it has great explanatory value. *Women who remain in a relationship with a batterer usually receive intermittent positive reinforcement*. If a woman interrupts this relationship, she not only does not receive this reinforcement from her spouse (as well as his punishment), but she is likely to receive many other types of social and economic punishments.

These ideas became clarified for me one evening in a discussion group at the WTLC. Two women were discussing a new arrival, and they agreed that the other was "lucky because her husband is a total bastard all the time." A moment of pondering revealed that these women appreciated the fact that it is easier to

break a habit if there are no rewards forthcoming: thus a woman was "lucky" if she did not have an agonizing decision to make: the necessity to weigh punishers and reinforcers.

Traditional ideology may become weaker or stronger over time, and therefore some women are able to overcome early conditioning and reject being dominated, but it is a re-learning process that usually takes time. In the meantime, other women are buying books by the millions and attending training classes which reinforce the ideas that the only way a woman may obtain fulfillment is vicariously through her spouse (Andelin, 1976; Morgan, 1975). The image of the pampered, protected, childlike creature is being increasingly promoted today, while at the same time the independent woman is lampooned as a neurotic, bitterly unhappy, castrating bitch. Bernard aptly summarizes the contest between costs and benefits by saying:

Some feel that although chivalry is pleasant, it costs too much. (One woman said: "But all these little amenities come high. They are paid for. Independence is a high price to pay for them. The protected person enjoys advantages but she is not in an enviable position. The serfs used to be protected too. And the Mafia's client." ...For other women, however, independence is frightening. They have been socialized to buy protection at the cost of independence. They prefer a model of weakness and inferiority that leads men to surrender seats to them, to open doors, and to extend other favors. Any modification of the relations between men and women, and especially any modification of the permanent commitment in marriage, will therefore seem--and for many women, in fact, will actually be--threatening (1973:320-321).

One last note: women sitting in discussion groups at shelters have described their spouses, in the courting days particularly, and their initial attraction to them. Over and over I have heard these words: "He was kind, gentle, courteous, considerate--a perfect gentleman!"

SUMMARY

The inclusion of some elements of behaviorism inherent in learning theory will probably encourage critics to accuse this conceptualization of being reductionist. It is, on the contrary, a sociological viewpoint of a major social

problem which recognizes that social institutions store and transmit cultural values and norms of behavior to succeeding generations. However, there is no consensus on norms and values; they are interpreted ambiguously, and are differentially responded to by actors. There are vast differences in behavior in the general population and among interacting individuals, and the differences must ultimately be explained by the learning processes whereby people develop the rules, codes, and sets of belief that guide most of their behavior. This conceptualization attempts to suggest why some women remain in violent conjugal relationships, and why some others take action in ways to break the cycle of violence. If a woman lacks necessary resources, receives negative institutional response and is strongly traditional in her beliefs, she is highly unlikely to take any action which will significantly alter her situation in a positive direction. In these circumstances, women perceive no option for change, and only the most severe trauma will impel them to seek relief--either by escape or homicide. If the balance shifts in a positive direction, and the victim perceives options which were not available to her before, she may take action favorable to her own situation. Although largely untested, this viewpoint designates the variables which appear to explain the behavior of battered women in my pilot study. Further analysis and testing may or may not lend support, but it is hoped that they provide a new way of examining the issues in this ancient, but newly "discovered" social problem.

FOOTNOTES

1. The term adult will arbitrarily signify from age thirteen upward; any female younger than that age, at least in my opinion, if abused by an adult male, should be considered the victim of child abuse or incest.
2. The term battered does not include non-physical types of abuse such as intimidation, harassment, threats, or other forms of psychological coercion, unless they occur in conjunction with physical force or injury. Although undeniably damaging, painful and injurious, the scope of the phenomenon addressed herein must be restricted to bodily injury. Physical abuse has been somewhat expanded to include force into involuntary or from voluntary action, so that being tied to a chair, locked in a room, closet or house, or being locked out of one's home (in the middle of the night, for example), which are clearly abusive actions, may be included. My sample of battered women revealed accounts of each of these types of abuse listed above.
3. Excluded from this definition are short-term dating relationships, employer-employee relationships, or social acquaintance relationships, etc.
4. Enlarging scope conditions to include non-marital, non-sexual, or non-cohabitational relationships places this perspective somewhere beyond the marital-familial setting advocated by Dobash and Dobash (1976a), and less than the more general intrafamily violence in the home setting alluded to by Gelles (1972) and Steinmetz and Straus (1974). Woman battering can be better explained when it is lifted out of the frame of reference which ties it so strongly to sexually intimate relationships, yet other types of familial violence, such as sibling violence, are beyond these boundaries.
5. For example, one respondent fled her battering spouse to the home of her brother, who not only battered her, but her children as well. Martin suggests it may be the shared home, rather than the marital relationship, which is conducive to battering (1976:18).
6. Sado-masochistic practices may place a woman in the position of using (what she believes to be sadistic) practices necessary to arouse her partner's sexual drive; or conversely, arousal may depend on the woman playing the masochistic role. Clearly, when the "play" becomes painful or injurious to an unwilling spouse, or when one is physically forced into actions repugnant or painful to him or her, then this interaction ceases to fall in the realm of S-M sex play and becomes something else, depending on the turn it takes. Steinmetz and Straus provide concise distinctions between "mutually enjoyable sexual violence" and "one-sided aggressive acts" (1974:10-13).
7. The term "mutual combat" refers to situations in which men and women are equally determined to do battle with one another, and invoke as much damage as possible on each other: verbally, physically, or both, usually within certain implicit limitations. Situations like these appear to be a form of violent "play," albeit sometimes dangerous, between persons fairly matched in aggressiveness and hostility.
8. Audrey Middleton, working with the Belfast, Ireland, National Women's Aid Fed-

eration, described a recent trial of a man who *kicked his wife to death*. He was not tried for murder but rather on charges of manslaughter, because according to the courts in Northern Ireland, the man did not use a weapon. Middleton insists that men's boots or shoes are potential murder weapons.

9. One attorney who has represented battered women in court tells of the obviously sincere disbelief of some husbands when a judge reprimands them for abusive treatment of their wives: "But, your Honor, she's my *wife!*" is frequently their shocked response. In addition, the often-mentioned psychological and social psychological concepts such as jealousy, status inconsistency, aggressiveness, ego-centeredness, etc. are *not* the answers to why a man beats "his" woman; such "explanations" merely address the symptoms, not the underlying cause. Nor can other concepts frequently used to describe the females' behavior, such as passivity, dependency, frigidity, masochism, etc. explain the real causes for such behavior and attitudes.
10. Also see Bart (1971), Bernard (1973), Brownmiller (1975), de Beauvoir (1974), Freeman (1973), Gornick and Moran (1973), Mill (1971), Millett (1970), Morgan (1970).
11. Straus, et al., obtained data from over 2,000 couples by use of the Conflict Resolution Techniques scale (CRT). The CRT categorized violent acts on a continuum which ranged from a slap to using a knife or gun. Of the eight items, they combined five into a "severe violence index," one item of which was "beat up" (1977). This study appears to be a step in the right direction and a major accomplishment, but until the complete report is compiled and available, we cannot adequately evaluate it. At the present time, we know there are limitations and as yet unanswered questions. For example, how were the interviews conducted, and can we ascertain if the other couples who reported no violence in the previous year had *never* engaged in violence? We need to know the interaction before and after these *reported* episodes, as well as data (pre and post the incident) from couples who had *ever* engaged in violence.
12. One woman, reportedly under extremely close scrutiny, explained that she had once escaped half-way across the country with her two young children (only to be traced and brought back). When asked how she had managed to obtain the necessary cash, she explained that she had saved money, over a long period of time, by hiding it in her husband's dirty socks.

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BATTERED WOMEN: A NEW PERSPECTIVE

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BATTERED WOMEN: A NEW PERSPECTIVE

A pilot study initiated in 1976 into the problem of woman battering yielded valuable descriptive data that provided some insight into the life-situations and perceptions of battered women. Much of the investigation was conducted through the cooperation of the staff and clients of the Women's Transitional Living Center (W TLC) in Orange County, California. Through the methodologies of records analysis, in-depth interview, survey questionnaire, and participant observation in discussion groups, twenty case histories were developed and fifty-one questionnaires were completed. Discussion groups are held weekly at the W TLC, and I observed the interaction and communication of battered women who were in residence during eleven non-consecutive meetings. Five interviews were tape recorded, three children wrote out a description of their "feelings," and copious notes were written after each group session.

As a volunteer on week-ends, I had the additional opportunity to unobtrusively observe clients as they interacted with each other and their children. Sometimes they came to me, "just wanting to talk;" on other occasions it was the children who came for a listener. One of the duties of the volunteer is to answer the office telephone (the number is publicly available, but not the address). Occasionally, there was a telephone call from a woman calling to ask about admittance policy, or one who wanted a referral because she couldn't "take it any more." Crisis calls are always referred to the staff member who is "on call" each week-end. A few times the caller was a man who demanded to know if his wife was there; such information could not be released, for the safety and security of the clients.

In addition, field interviews of varying length and depth were conducted with doctors, nurses, law enforcement officers, lawyers and a judge. These were for the purpose of ascertaining their perceptions of the problem, both on a professional and personal level, and to measure their attitudes toward

victims and batterers. An earlier report (Pagelow, 1976) details some of the observations, impressions and tentative conclusions from the pilot study that generated the following theoretical viewpoint.

This paper outlines a tripartite theoretical perspective on woman battering that contains suggestions about the causation, the initial response of victims, and the continuance of some women in battering relationships. In order to attempt understanding of the processes which enter into woman battering, it is necessary to develop three models of distinct temporal orderings which have underlying commonalities, connecting one to the other. The complex problem of woman battering cannot be simplistically reduced to a single causal model which can satisfy the myriad of diverse questions in the minds of those who seek to understand the problem, and for some who seek solutions to the problem. This tripartite perspective is advanced for the purpose of providing direction for some of the present and future research into the battered woman issue. If these conceptualizations stimulate and focus future research, they shall provide a needed service to agencies and individuals currently involved in social action, regardless of empirical support or confirmation. It is imperative that direction be provided at this time, since recently aroused interest in battered women has generated a vast array of remedial programs and empirical research. Much of the expenditure of time, energy, money, and other resources being utilized in a wide assortment of activities is, however, mostly unguided by theoretical underpinnings. This has happened because of: 1) the emotional context of the problem itself, 2) the process by which the problem surfaced and the general public became sensitized to it, and 3) the paradigms that were initially offered.

Part of the problem of the sudden and intensive surge to begin unsystematic social and legal action is due to the emotional impact initial revelations of this "skeleton in the closet" (Martin, 1976a) had on the American public. Prior

to 1976, most citizens as well as social scientists in the United States had largely upheld the ideal of "the sanctity of the home" (Kremen, 1976), and viewed the family as the ultimate sanctuary from the violence and cruelty of the world "out there" (Steinmetz and Straus, 1974). In the spring of 1976, however, the National Organization for Women called national attention to the crime of systematic and repeated battery of women in their homes by spouses, while the International Tribunal on Crimes Against Women, held in Brussels, denounced what may well be a universal phenomenon: beating of women by men (Russell and Van de Ven, 1976).

In a sudden surge of interest, newspapers across the country and popular national magazines published countless articles on the topic. The Wall Street Journal (August 20, 1976), ran a front page article, and Ms. Magazine's August, 1976, issue bore a cover photograph to publicize the featured article on battered wives. Pizzey's accounts of women and their children who received shelter at Chiswick Women's Aid in England (1974), received wide attention in the American press from coast to coast. Battered Wives (Martin, 1976), was the first book published in the United States which specifically addressed the problems of battered women and their children in this country. Major television networks and some local stations nationwide produced features and talk shows on issues associated with woman battering, as well as on generalized violence in the American culture.

In response to this massive publicity, organizations, agencies, and individuals began to attempt remedial action, having overcome the initial shock or embarrassment of recognizing what is considered by law enforcement officials as the single most unreported crime in America (Fojtik, 1976). By mid 1976, there were only eleven shelters for battered women and their children in the United States, but new houses of refuge are being opened across the country at an accelerated rate, funded both publicly and privately (Warrlor, 1977). Vic-

time assistance programs in various parts of the country are expanding services to include battered women. Legislative bodies have conducted hearings to address the problem (State of California, 1975), and California State Senator Robert Presley has proposed one bill asking for state funds to provide shelter and services for battered spouses and their children, and another calling for appropriate changes in record-keeping by law enforcement agencies in order to secure statistics on spousal assaults. Police departments are restructuring training for officers and using crisis intervention teams in response to earlier studies and reports (Bannon, 1975; Bard, 1969, 1970; Bard and Zacker, 1971, 1974, 1976; Parnas, 1970; Mulvihill, et al., 1969).

In the social sciences, journals and periodicals are increasingly printing theoretical and empirical papers, while professional associations are providing forums for persons working in these substantive areas to gather, listen, exchange, and discuss progress in the field.² New reports of empirical investigations are surfacing (Flynn, et al., 1975; Eisenberg and Micklow, 1974; Pagelow, 1976; Waterbury, et al., 1976). A wide variety of theoretical viewpoints have been generated which range from individual psychopathology (Gayford, 1975a, 1975b, 1975c; Saul, 1972; Schultz, 1960; Snell, et al., 1964) to socio-historical analysis (Dobash and Dobash, 1976a, 1976b, 1976c; Young, 1976). Most writers have taken either a theoretical stance which merges spousal assault in with a variety of other social problems, or conversely, singles out spousal assault as relatively rare manifestations of individual psychopathological behavior. Paradigms are either too broad and all-inclusive to be tested, or too narrow to be tested beyond the individual level.

Overall, it seems obvious that there is a need to cut through some of the confusion and dissention, unravel some misunderstandings, and create orderliness out of present chaos. Public and charitable monies are being channeled into assistance programs, conferences, and research to "do something about" the

problem of battered women and their children, but because of lack of consensus or even theoretical clarity, most of these efforts are groping in the dark. Individuals are feeling their way through a maze of conflicting or vague testimony, or creating ad hoc or ex post facto theoretical viewpoints to "explain" data as they are gathered. Paradigms abound on the issues, the victims, and their spouses, despite the paucity of systematic empirical research with large samples upon which to base reasonable theoretical assumptions, and there is lack of replication. Even a handful of case histories has provided the basis for hypotheses and generalizations (Schultz, 1960; Snell, et al., 1964). These facts perhaps lend merit to the statement that there is an urgent need for development of a sound perspective at this time.

Nichols refers to the "widespread tolerance" of Freudian female masochism among the helping agencies (1975), while some sociologists find themselves unable to reject the biological determinism of van den Berghe (Straus, et al., 1976:12; see van den Berghe, 1975:45). Straus, et al. present a compilation of fifteen different theories which hypothetically interact as causative factors of violence. The list includes names of major theoretical viewpoints such as functionalism, conflict, exchange, and symbolic interaction, as well as newer models such as "clockwork orange" (1976:14-16).³

Some writers see the phenomenon of women physically abused by men as generally falling within the "violent culture theory," or "social-structural theory of violence," which, briefly stated, identify woman battering as one of many manifestations of violence learned in the family which is legitimated by a violent society (Gelles, 1971, 1975, 1976; Goode, 1969, 1971; Steinmetz and Straus, 1974; Straus, 1971, 1973, 1974a, 1974b, 1976; Straus, et al., 1976). But there are others who see these viewpoints as deflecting attention from the basic issue of woman battering, and failing to make clear the distinctions between woman battering and other forms of violence between intimates such as

child abuse, sibling violence, etc. (Dobash and Dobash, 1976a, 1976b, 1976c; Martin, 1976a, 1976b; Warrior, 1977). They agree with some components of the "violent culture theory," such as the acknowledgement that cultural norms influence behavior, that the home environment provides learning and role models, that status inconsistency causes frustration, and some of the other important variables discussed by the other authors. However, the critics imply that these theories don't go far enough or deep enough--they do not get to the roots of the problem. Claiming that a violent culture is not a causal variable, some critics imply that this thesis provides humanitarians and the "establishment" the opportunity to focus on palatable "band-aid" curative programs such as therapy, special education, and other stop-gap or individualized measures. The ultimate effect, they insist, is to distract attention from questions of why woman battering exists, prevents any possibilities of effective solutions, and also performs a disservice to both battered women and social scientists seeking understanding.⁴

It is possible that in their efforts to create a more generalizable theory at a higher level of abstraction, some theorists are diverting attention away from the empirical realities of battered women, and diffusing possibilities of understanding of the more specific problems of women systematically being beaten by men. Dobash and Dobash have been among the most critical, saying:

We maintain that the most fruitful procedure for the sociological analysis of violence, and perhaps for all sociological analysis, is the development of theoretical or conceptual schemes which are meant to apply to clearly delimited empirical contexts (1976a:3).

These authors propose that "sociology will develop more meaningful and valid theoretical proposals through the utilization of a context specific approach to social phenomena, in this case marital violence" (1976a:1). The Dobash and Dobash point of view is that there are considerable differences in forms of violence and the contexts in which they occur, as well as differences in motiva-

tion and public response. They strongly suggest that parameters be drawn narrowly to include only marital or spousal relationships. These points seem to be well-founded. Other writers provide an accumulation of evidence that the institution of marriage itself is "not good for women" (Laws, 1971:510; see also Bernard, 1971, 1973; Eisenberg and Micklow, 1974; Field and Field, 1973; Martin, 1976b):

A compromise position seems appropriate: conceptual boundaries should be narrower than the violent culture theory proposed by Straus and some others, but should be extended beyond the marital relationship, as suggested by Dobash and Dobash. The parameters proposed here include crimes of physical violence perpetrated by men against women, both within marriage and outside of marriage. This framework eliminates many other far-ranging forms of interpersonal violence. Rusaell and Van de Ven explain the interrelationship:

Assault of women, or "woman battering" as it is now commonly called, both within marriage and outside of it, has much in common with rape. The fear of men that both rape and battering instill in women has similar political consequences. Both are often accompanied by an agonizing fear of death, and both sometimes result in womanlaughter--or femicide (1976:127).

A review of such crimes against women--rape and battering--reveals striking similarities in victim response to the crimes, institutional response to the victims, and common myths and stereotypes (Pagelow, 1977a). Gillespie postulates that power is structurally held by men, and their beating of women is seen as merely one form of coercion among many (1971). Gillespie says, "I am...positing that, in fact, this is still a caste/class system rationalizing the preponderance of the male sex" (1971:444). Pogrebin (1974) and Komisar (1975) both address male violence against women and abuse of power. Following such reasoning, these new ideas are presented here; it is hoped they will replace some theses of questionable merit and unsupported generalization, and give directions to future efforts.

In the context of this paper, "battered women" refers to adult women⁵ who

have been intentionally physically abused in ways which caused pain or injury, or who were forced into involuntary action or restrained by force from voluntary action,⁶ by adult men with whom they have or had established relationships,⁷ usually involving sexual intimacy, whether or not within a legally married state. Scope conditions are expanded from conjugal relationships to also encompass: sexual relationships not involving cohabitation, marital relationships terminated by separation or divorce, and kinship relationships which include females residing in the same household with a father, brother, step-father, step-brother, or foster-father.⁸ Although the vast majority of battered women appear to have been abused by men with whom they shared intimate sexual relationships at the time of the assault/s, it is clear that many women are battered by men other than husbands or lovers (Martin, 1976a; Russell and Van de Ven, 1976; Brownmiller, 1975).⁹ The sample of battered women from the WTLC reveals case histories of all the above situational relationships. Nevertheless, in developing this theoretical paradigm, for simplicity and consistency, references to male-female interpersonal relationships will be categorized as "conjugal," and the interacting person will be designated as "abuse." The propositions offered in this paper are designed within these boundary conditions; the major task and primary focus of this paper is to attempt to explain why battering of women by men occurs.

Frequently confused with the issues concerning woman battering are two phenomena which are beyond the scope of interest or intent of this paper: S-M practices and mutual combat. Sado-masochistic (S-M) practices directly related to sexual enjoyment of one or both actors may place a woman in the position of using (what she believes to be sadistic) practices necessary to arouse her partner's sexual drive; or conversely, arousal may depend on the woman playing the masochistic role. Clearly, when the "play" becomes painful or injurious to an unwilling spouse, or when one is physically forced into actions repugnant or

painful to him or her, then this interaction ceases to fall in the realm of S-M sex play and becomes something else, depending on the turn it takes. Steinmetz and Straus provide concise distinctions between "mutually enjoyable sexual violence" and "one-sided aggressive acts" (1974:10-13).

The other phenomenon sometimes confused with woman battering may best be described as "mutual combat." This reference is to situations in which men and women are equally determined to do battle with one another, and invoke as much damage as possible on each other, verbally, physically, or both, usually within certain implicit limitations. Situations like these appear to be a form of violent "play," albeit sometimes dangerous, between persons fairly matched in aggressiveness and hostility. Neither combatant is a victim in the same sense in which a battered woman is the victim of frequently unprovoked, unexpected attacks from which she may or may not even attempt to defend herself.

Boundary conditions thus delineated, the next step in the formulation of this new perspective on woman battering is to distinguish three major components of the schema. These are Model I: Causation; Model II: Primary Battering; Model III: Secondary Battering. Each model addresses distinct aspects of woman battering, particularly those which occur at different points in time. Model II is the major focus of this paper; it is singled out here because it is believed to be the "predictor" model, that is, the one which attempts to explain the special combination of characteristics of the interacting female and male which determines if battering may occur, and if it does, how the female may respond. Models I and III will be briefly described because of their connecting links, but because of space limitations they are not central to the present concern.

MODEL I: CAUSATION

It is a major error to discuss the problem of battered women or other forms of crimes against women, or even violence in the family, and try to draw causal

inferences from the contemporary setting. If we are to understand why modern man in industrial societies demands a position of "head of household," domination and control over subordinates in the domestic sphere (women and children), we must analyze the socio-historical foundation of the family. "Status inconsistency" (O'Brien, 1971), or the same process described by Straus as "defense of male authority" (presumption of male superiority) (1976:522), cannot be explained in the present social institutions, extracted from its historical basis, neither can the question of the caste/class system of male power raised by Gillespie (1971), nor the issue of sexism raised by Straus (1976). Some writers, most notably Dobash and Dobash (1976a, 1976b, 1976c) and Young (1976), have singled out as the starting point the patriarchal foundations of the institution of the family itself, and the hierarchal power structure which provides the framework of modern social structure. These ideas need further development and analysis, but they seem to offer the most fruitful areas of study for the causal explanation of woman battering. Careful socio-historical research appears to be the best avenue to understanding why some men today believe they not only have the right to own, control, and dominate women (and children), but sometimes even see such behavior as their duty.¹⁰ Today's human actors perform according to culturally transmitted ideologies which took hold many centuries ago, and the sociologists who uncover the socio-historical basis for control and domination of women by men will ultimately explain the cause of present-day woman battering.

Sexism didn't begin in the 17th Century, sex-defined roles didn't begin in the 18th Century, and woman battering didn't begin in the 20th Century. The sex role socialization so frequently cited which defines woman as perpetual child, property of a superior being, man, had its basis back in time, in earliest civilization. It was an act of man, not of nature, biology, or deity.

that defined man as superior and woman as inferior. Many writers have addressed the topic of the social and cultural determination of woman's inferior position relative to man, and have shown that political and economic motivation, not nature, have put, and kept, woman at the bottom of the caste/class-system.¹¹

Borrowing the two most important concepts from socio-historical analysis-- patriarchy and the hierarchal social structure--a new theoretical construct, "Traditional Ideology" was created for this explanation of woman battering (cf. Willer and Webster, 1970). It is a merger of patriarchy, of which the family is one of its most important institutions, and hierarchy, which demands an ordering of power positions. Traditional ideology is an important construct, central to the development of a perspective on battered women. It is the common thread which binds the components of this tripartite perspective together, and is a major variable in determining social response, both individual and institutional. Traditional ideology is defined here as encompassing a broad range of internalized beliefs in acceptance of the "rightness" of the patriarchal-hierarchal order of the social structure. It includes internal attitudes and motivating forces that guide, shape, and determine behavior. These can take the form of obedience to directives (servitude to a husband), or rejection of the forbidden (no divorce). Societies provide institutions that support and legitimate traditional ideology (law, religion), and other institutions that socialize the masses by transmission of traditional norms for sex-appropriate behavior (education, family).

Socialization, acceptance, and internalization of traditional ideology occurs in greater or lesser degrees, which accounts for variability between countries, communities, families, and individuals. Traditional ideology is ascribed to by both women and men: the maximum expression for women is through excessive femininity such as the concept of fascinating womanhood--the "femin-

ne mystique" (Friedan, 1974). The "masculine mystique" (Komisar, 1976) of traditional ideology for men is the macho sex role of tough, hard, unsentimental, aggressive behavior. Whereas passivity is a key element of femininity, aggressiveness is a key element of masculinity. David and Brannon note that one of two definitions for the word "aggressive" is "tending to aggress, making the first attack," and they deduce: "It's no accident that two such basically different meanings are served by the same word, for our society has a deeply ambivalent attitude toward aggression and its less savory first cousin, violence" (1976:28).

In sum, traditional ideology is the configuration of all the "conservative wisdom" passed down through the ages as the inherent "natural" order of things. (It's right because it is, and it is because it's right).

The basic theoretical underpinning of this perspective is social learning theory as advanced by Akers to explain deviant behavior (1977). One of the major failings of theories of deviance offered in the past has been that the paradigms were limited to understanding of socially defined undesirable behavior (Merton, 1966; Sutherland and Cressey, 1974; Lemert, 1972), but they largely failed to explain conformity. Social learning theory appears equally capable of explaining conforming as well as deviant behavior. Akers integrated Sutherland's "differential association" theory with Robert L. Burgess and his "reinforcement" theory into a new and broader theory. Akers explains:

The set of principles we used is variously called Skinnerian (after B. F. Skinner), operant conditioning, reinforcement, or simply behavior theory. By whatever name, these are very general and powerful behavior principles of precise learning mechanisms...which can be extended, applied to, and tested in more complex social situations (1977:41-42).

Social learning theory may explain why some persons or even groups of persons accept or reject traditional ideology when the types and degrees of reinforcement and punishment are examined.

MODEL II: PRIMARY BATTERING

It is extremely important to differentiate between the first single incidence of battering and associated variables, which is the focus of Model II, and the phenomenon of systematic, repeated batterings involving a different set of explanatory variables, the primary focus of Model III. This distinction should be made in order to avoid much of the confusion and conflict between current theoretical viewpoints. Almost all theoretical and empirical attention has been focused thus far on victims and perpetrators of secondary battering, although no distinction has been drawn between the first (and sometimes only) occurrence of battering and those batterings that occur on a continuing basis. It is no wonder that there are conflicting "answers" to the problem of woman battering, because it appears that sometimes we are asking the wrong questions.

When writers speculate on the extent and severity of the problem, estimates range from 15 to 25 percent (Flynn, et al., 1975:8), and 50 percent (Duschich, 1976:17), but it is not clear if these percentages refer to regular and frequent conjugal violence, or infer that there has been at least one physical assault in half of all marriages. Whatever the extent of battering of women by men in this society, we must first recognize that not all batterers continue this behavior, nor can we assume that all women who maintain conjugal relationships have never been battered. Nevertheless, there seems to be a general assumption that: (a) all battered women stay in a battering situation until the battering becomes, for one reason or another, intolerable--at which point she leaves or seeks help, or b) that all women involved in "stable" conjugal relationships have never experienced battering. At this point in time, we have no idea how many relationships are terminated after one incident of physical abuse. Nor do we know how many long-term relationships continue despite repeated violence which never becomes a matter of public record. The important

point now is to ask what are the characteristics (social and personal) that distinguish between women who are never battered, never battered a second time, or battered repeatedly? Conversely, are all men potential batterers, and if a man batters a woman once, does he always repeat this behavior? The model suggested here provides some tentative answers to questions like these; it begins with the single instance of battering with no prior occurrence, and postulates the correlations which must exist for battering to occur in the first place, and which determine probable response of the victim. These conditions are:

PROPOSITION 1: THE GREATER THE ACCEPTANCE OF BATTERING OF SMALLER AND/OR WEAKER PERSONS IN CONJUGAL RELATIONSHIPS AS PROPER MODES OF RESPONSE TO FRUSTRATION, ANGER, OR STRESS, AND THE MORE INTENSE THE TRADITIONAL IDEOLOGY WHICH SUPPORTS THE PATRIARCHAL HIERARCHICAL STRUCTURE, THE GREATER THE LIKELIHOOD THAT BATTERING WILL OCCUR IN CONJUGAL RELATIONSHIPS.

If (the male spouse) A's socialization includes either being battered or witnessing battering of mother, or both, and if A holds strong traditional, patriarchal ideology, then A is likely to respond to frustration, anger, or stress by battering spouse or children, or both.

It should be stressed immediately that not all variables are evenly weighted; the most important in these dynamics is the construct, traditional ideology. Childhood battering experiences alone do not account for all batterers, for men do not necessarily grow up to pass on this violent behavior. Men will use force or even violence to the extent that they are convinced of their right or duty to dominate and control women and children. Traditional ideology calls for men to have and maintain power over subordinates in the family. If a man believes that--to be a man--he must have control over his life and the lives of weaker others, and he finds himself frustrated, distressed and angry, i.e., out of control, then he will attempt to regain control by the best means at his disposal. If he has learned that men gain control of others by force and violence, he will use that method.

Many men were socialized in families where they, their mothers, or both were battered, and this background experience seems to be strongly correlated

with battering in adulthood, according to most reports (Gelles, 1972:171-173; Pizzev, 1974:71-79; Pagelow, 1976:41-42). If researchers on woman battering agree on anything at all, the greatest consensus seems to be that a boy who is raised in a battering household is most likely to be a batterer in adulthood. Some compare this correlation with the battered child-battered parent syndrome; Pizzev calls it the "cycle of violence" (1974). She observed that the children of battered women (often themselves victims) respond differently along sex lines: the girls are likely to be passive and withdrawn while the boys are frequently aggressive, destructive, and sometimes cruel. Pizzev says, "It's the children who suffer and they grow up to make their own child suffer and the pattern repeats through each generation" (1974:90). Other writers also refer to the victimized child turning batterer (Dewsbury, 1975:292; Flynn, et al., 1975:66; Gayford, 1975a:196, 1975b:242; Martin, 1976a:66; Nicholq, 1975:31).

Despite the mounting evidence that physical violence is "bequeathed" from one generation to the next, it is postulated that traditional ideology is the major variable. Probably the most important word in Proposition I is "acceptance," since many people reject training and role models of childhood. On the other hand, some children may see comparatively little physical violence within the family of orientation, but it is doubtful if anyone can grow up in the United States without some exposure to physical violence as a common response to anger, frustration, or stress. Family sociologist Goode writes of the cultural approval of the use of physical force on children, and points out that children are thus trained early to use physical violence themselves to get what they want (1971). Stark and McEvoy's study revealed that one out of four men approved slapping a spouse; one of every six women approved this behavior, also (1970). In one of the very few books on the male sex role, David and Brannon strip away any element of glamour from macho behavior, stating:

There is another deep and rich vein in the male sex role that also smacks of strength and toughness.... It is the need to hurt, to conquer, to embarrass, to humble, to outwit, to punish, to defeat, or most basically, in Horney's useful phrase, "to move against people." ...This male penchant for moving against people is not always directed at the strong and powerful, however. There is a disturbing experiment by Titley and Vinney (1969) in which aggression (in the form of electric shocks) toward a helpless victim was studied. Women tended to deliver less intense shocks to a victim who appeared to be physically disabled than they did to a normal victim. Men did exactly the opposite (1976:27-28).

These examples help support the notion that there is a fundamentally different response by men which has been very "carefully taught." Men do not have to witness violence to know that there are cultural expectations that under certain conditions they will emit certain behaviors. David and Brannon discuss the Golden Rule of war and aggression, "might is right," and remind readers, "Fathers do not openly condone 'violence' to their sons in so many words, but they don't totally condemn and abhor it either" (1976:29).

Therefore, if differential reinforcement leads to firmly held beliefs in male superiority and the accompanying assortment of rights and privileges of dominance and control, then there is little to prevent learned behavior from being practiced, when similar situational factors occur. To illustrate Proposition I, Table I shows the types of responses to stress, frustration or anger the male spouse is predicted to make.

TABLE I

	LOW <u>TRADITIONAL IDEOLOGY</u>	HIGH <u>TRADITIONAL IDEOLOGY</u>
LOW <u>BATTERING EXPERIENCE</u>	A least likely to batter	B+ moderately likely to batter
HIGH <u>BATTERING EXPERIENCE</u>	B- moderately unlikely to batter	C most likely to batter

Thus far, two important variables have been suggested that, when combined, are most likely to predict which men may resort to battering women, and some-

times children, as well. Many battered mothers have reported that their spouses' violence extended to the children (Gayford, 1975a:195; Pagelow, 1976:23). The next step in the process is an attempt to discern the characteristics of potential victims. Based on my study of women who have been battered, the following proposition is offered.

PROPOSITION II: THE GREATER THE WILLINGNESS TO INVEST IN CONJUGAL RELATIONSHIPS, AND THE MORE INTENSE THE TRADITIONAL IDEOLOGY, THE GREATER THE LIKELIHOOD THAT BATTERING WILL NOT RESULT IN RETALIATION OR TERMINATION OF A CONJUGAL RELATIONSHIP.

If (the female spouse) B's socialization results in expectations or acceptance of great personal investment in maintenance of, or strong commitment to, conjugal relationships, and if B holds strong traditional, patriarchal ideology, then B is unlikely to retaliate or terminate a conjugal relationship if battering by spouse occurs.

"Willingness to invest" in Proposition II is a socially-learned variable which may be measured by behavior reflecting an internalized state. The marriage vow "for better or for worse" means different things to different people: some persons seem willing to endure extreme forms of privation and hardship in intimate relationships, while others break them off at the first sign of trouble. The theoretical construct willingness to invest is postulated to account for some of the variance in the way women respond to negative or painful situations. Part of the idea of an investment factor guiding behavior was derived from Goode who explains why some people remain in unsatisfying or destructive relationships. He describes an "unwillingness of human beings either to submit or to escape" (1971:632). Goode says:

Man does not submit because thereby all that gives meaning to his existence is lost, i.e., values, norms, traditions, and moral or ethical beliefs. It is especially in the family that he cannot or will not escape easily, because his emotional investment in these relations is great, the costs of leaving are high, and the social pressures to maintain his kin ties are strong (1971:632).

Combining Goode's suggestion with some of the feminist literature on the family brings forth the notion that in the marital dyad, the female is more likely to

place higher emphasis on emotional investment. Writers present evidence that women are socialized to evaluate their personal value in life in terms of success or failure in marriage and motherhood, for which they bear the greater burden of responsibility (Bernard, 1972, 1975). Men, on the other hand, are trained to measure personal value by career and/or economic success (Pleck and Sawyer, 1974; David and Brannon, 1976). From a legal point of view, Truninger proposes that a wife is less likely to act against a violent husband the stronger her commitment to marriage (1971).

The explanatory variable suggested to explain behavior of batterers, i.e., learned violent behavior, does not seem to be as closely associated with reactions of female victims. Gelles, drawing on his own empirical research, found that witnessing, or being a victim of, violence in family of orientation is not a reliable predictor of adult female behavior (1976). On the one hand, he suggests the possibility that "exposure to conjugal violence makes women *less tolerant of family violence*" (1976:663), but in his conclusion he states, "The more she was struck by her parents, the more inclined she is to stay with her abusive husband. It appears that victimization as a child raises the wife's tolerance for violence as an adult" (1976:667). My investigation of battered women shows a different relationship between early experience in violence and later behavior. The sample reveals a wide disparity in families of orientation, with clusters which are almost polar opposites: either they had homes in which violence was common and expected, or they described their homes as generally serene, loving, and almost completely lacking in violence. The women who had witnessed their mothers being beaten seemed to expect men to be violent, while those who were unfamiliar with violence reported shock and disbelief. In an earlier report I stated:

Analysis of these dual images reveals some commonality: women reared in homes devoid of overt conflict or filled with conflict may both be handi-

capped by an inability to have developed a realistic perspective on violence... These women generally appear to be persons most likely to expect to make heavy personal investments in their relationships with men (PageFow, 1976:15-16).

Some of the women interviewed expressed reasons for having a strong commitment to the relationship at the time of the primary battering. Some of these were: strong desire to "make a go of it," chronic illness or poor health of herself, her children, or her spouse, escaping parental home, dissolution of an earlier marriage, dependent children by another spouse, prior good relationship with spouse, spouse's dependency on alcohol or drugs, and pregnancy. Gelles mentions that ten out of forty-four women he interviewed reported being abused during pregnancy (1975:81), and Gayford claims that the majority of his sample of battered women were either pregnant before they began living with their abusers or were pregnant by another man (1975a:195).

The women in the sample from the WTLC frequently expressed conservative attitudes, and were often at a loss to understand why their marriages "failed," giving traditional "proofs" of being good wives, mothers, housekeepers, etc. Explanations of their own "willingness to invest" in the relationships at the time of the primary battering were strongly traditional, and their parental family backgrounds gave support to the idea of conservatism. For example, there were fewer divorces in the women's families than the men's, most women indicated that they had been reared in a family of moderate to strong religiosity,¹² and they described firm but fair parental discipline. The women frequently described authoritarian-type fathers; they said their mothers deferred (at least superficial) power and authority to their husbands, regardless of the families' social class or mothers' employment. These respondents gave evidence of belonging in the category of young women entering college that Bernard called "Traditionalists," based on the "evidence of conformity to traditional sex-stereotyped role conceptions. They (1) wanted to marry within five years, (2) wanted to



raise a family, and believed a woman's place was in the home" (1975:50). Women, says Bernard, are "wired for marriage" (1975:76). Her writings lend support to operant conditioning of actors to perform in sex "appropriate" behavior; she writes of social rewards and punishments that attend sex role socialization--occasionally she uses the more powerful phrase: "programming" (1975:17).

Based on the above observations, I assume that if a woman has great willingness to invest in maintaining a conjugal relationship--if she is strongly committed to it for a variety of reasons, and if she firmly accepts traditional ideology--then she will neither retaliate nor terminate a conjugal relationship if she is battered. To illustrate Proposition II, Table II shows the types of responses to battering the female spouse is predicted to make.

TABLE II

	LOW <u>TRADITIONAL IDEOLOGY</u>	HIGH <u>TRADITIONAL IDEOLOGY</u>
<u>LOW INVESTMENT</u>	A most likely to retaliate or terminate	B+ moderately unlikely to retaliate or terminate
<u>HIGH INVESTMENT</u>	B- moderately likely to retaliate or terminate	C least likely to retaliate or terminate

Up to this point, the characteristics of the potential batterer and victim have been described. Despite the apparent frequency of battering, it seems safe to assume that not all men with the described characteristics batter women. It also seems reasonable to speculate that not all women with these characteristics always end up with a battering spouse, nor do all primary batterings continue to the next stage. The following proposition describes the "ideal" conditions for primary battering to occur.

PROPOSITION III: THE MORE ONE ACTOR IS INCULCATED TO RESPOND TO STRESSFUL SITUATIONS BY BATTERING, AND THE GREATER THE WILLINGNESS TO INVEST IN CONJUGAL RELATIONSHIPS OF ANOTHER ACTOR, AND THE MORE INTENSE THE TRADITIONAL IDEOLOGY OF BOTH, THE MORE LIKELY BATTERING WILL OCCUR.

If A and B enter into a conjugal relationship, then battering is likely to occur when A experiences frustration, anger, or stress. If these conditions are met, then and only then, will battering occur.

As mentioned earlier, there are some relationships in which: a) there is never physical violence, b) battering happens once and never again, and c) primary battering moves to secondary battering. The above proposition expresses optimum conditions for battering; it may be clarified by addressing the exceptions. If battering never occurs (a), then both actors do not have the described characteristics. The major interest in this schema is in postulating the differences between (b) and (c). Once again, the strongest predictive variable is the construct, traditional ideology. If women are strongly committed to patriarchy and the hierarchal order of power statuses, it is extremely likely that their spouses are aware of these attitudes and behave accordingly. Within the context of intimate relationships, people usually relax many external defenses and reveal innermost attitudes and beliefs. Men may be expected to know if the women they live with are most likely to blame themselves, rather than their spouses, for almost all disruption of domestic tranquility.¹³ Classes are being held across the country, and books are selling by the millions (Andelin, 1976; Morgan, 1975) that reinforce the traditional ideology that women can only find true happiness vicariously through their husbands, and that "a man's home is his castle." This type of ideology, plus a strong commitment to maintenance of conjugal ties, provides the strongest predictor that the victim will take no overt action which will successfully act as a deterrent to secondary battering. In sum, if the man has the ideology and experience which puts him in the lower right cell of Table I, and the woman has the ideology and investment factor to put her in the lower right cell of Table II, this combination is sufficient to predict that the relationships will continue. And if it does, "secondary battering will occur (c).

Conversely, given the conditions that a woman has a strong commitment to a

relationship, perhaps because of individual valued characteristics of her spouse or lack of other resources, but less than firm acceptance of the "natural order" of male dominance-female submission, it is postulated that she is likely to respond by some form of retaliation or termination of the relationship. She may make a response which clearly indicates to him that there would positively be no toleration for a second occurrence, and she does not emit behavior which will serve to reinforce his behavior. Some women are battered once, and never again; some have terminated the relationship after primary battering. One woman claimed that she knocked her assailant unconscious with an iron skillet, another filed initial divorce proceedings which could be reinstated by a telephone call to her attorney, and another stayed away from home until a counselor verified that her husband had been under his treatment for a period of six months. All the women reported there had never been a reoccurrence after a single violent event, which for these three women ranged from five to twenty years. Reports of physical abuse during marriages which ended in divorce are common in the literature (O'Brien, 1971; Gelles, 1972), but there is no indication if these divorces followed primary battering; the assumption seems to be that they occurred after a long period of secondary battering (Truninger, 1971:260). However, it seems likely that women who terminate relationships after primary battering simply do not make the physical abuse a matter of public record, therefore there is no way to gauge accurately how many women choose this response.

The responsibility for taking decisive action at the first occurrence of battering appears to fall almost entirely on the woman. If a man responds to frustration, anger, or stress in a manner which he has been socialized to believe is appropriate, and it appears to be accepted because of lack of negative feedback, he is most likely to continue this behavior. According to Akers, learning is accomplished by negative and positive stimuli: if behavior is not followed by punishment, the behavior will continue to be elicited.

Akers explains:

The basic process is this: *stimuli following or contingent upon an operant determine the probability of its future occurrence. The two major parts of this process are reinforcement and punishment (1977:45).*

Both positive and negative reinforcement strengthen behavior while positive and negative punishment have the effect of weakening or changing behavior. Positive punishment takes the form of a "punisher received," while negative punishment is "reward removed or lost" (Akers, 1977:46).

The first time a man batters a woman is probably the most difficult for him; conflicting norms tell men to be "protectors" of women, and also to maintain power and control over them. Many women tell of the contrition, tears of repentance, swearing never to do such things again, etc., following battering. Yet, as in most activities considered semi-illegitimate (e.g., cheating in school will not send a person to prison, but the cheater knows it is ethically wrong), the first time is the hardest. There should be little doubt that very few men (except possibly sadists) actually enjoy beating women, particularly those with whom they interact frequently, usually within the framework of sexual intimacy. Beating requires an expenditure of time and energy, as well. On the other hand, there must be some satisfaction derived from the act or it most likely would not occur. The act not only becomes easier with each succeeding occurrence, but rationalizations are organized to resolve cognitive dissonance, which suggests the fourth and final proposition.

PROPOSITION IV: THE LESS LIKELY RETALIATION OR TERMINATION OF A CONJUGAL RELATIONSHIP DUE TO BATTERING, THE MORE LIKELY THE BATTERER IS TO CONTINUE BATTERING. THE LONGER BATTERING CONTINUES, THE MORE FREQUENTLY THE BATTERING OCCURS, AND THE GREATER THE INTENSITY OF THE BATTERING.

If B responds by continued maintenance of the relationship, then A is likely to continue battering at an accelerated rate and with increased intensity.

Social reinforcement or learning theory provides the best explanation of why battering is likely to continue. There are no, or not sufficient, punishments

received, and there may even be reinforcements. Positive reinforcement takes the form of "rewards received;" for example: the man may experience feelings of increased control and power. Negative reinforcement is "punisher removed, or avoided;" for example; the woman tries harder to placate him or to remove all sources of irritation or stress, such as keeping the house cleaner or keeping the children quiet in the man's presence.

Another one of the few things that researchers agree upon is that batterings escalate in frequency and intensity over time (Gayford, 1975a:196; Scott, 1974:436; Nichols, 1976:31). My own study shows that victims report not only escalation in frequency and intensity, but also a corresponding decrease in expressions of repentance, guilt, sorrow, etc. One attorney may have been expressing the sentiments of batterers as well as his personal beliefs when he said, "Any man can make a mistake once and let her have it. But if she lets him do it a second time, she has given him her permission, and she has nobody but herself to blame" (quoted in Pagelow, 1976:11). Wolfgang's work on homicide, particularly victim-precipitated homicide (1967) leaves little doubt that some male-female relationships culminate in murder when he says, "84 percent of all female offenders slay males and 87 percent of all female victims are slain by males" (1967:21). Martin reports, "During 1971, 40 percent of all homicides in Kansas City were cases of spouse killing spouse. In almost 50 percent of these cases, police had been summoned five or more times within a two-year period before the murder occurred" (1976:15). In her study of female killers in Hungary, Rasko showed a distribution of victims similar to an earlier American study, and a high proportion of victim-precipitation. She says:

almost two thirds of the female killers' victims were close dependents, and more than 40 percent were husbands or lovers. ...most women were... (motivated) by long-lasting emotional conflict situations. The commission of the crime was the overt manifestation of their latent aggression, which had often been repressed for a long time (1976:401).

Some American writers have shown that continuation in physically violent relationships frequently culminates in the ultimate violence; accidental or purposeful, the results are the same: death of one or the other spouse (Field and Field, 1973; Eisenberg and Micklow, 1974; Truninger, 1971). Fortunately, most of these destructive relationships seem to eventually disintegrate by less terrible methods before they reach this level of intensity.

Adequate testing of Model II requires large-scale sampling of the general population to determine: 1) how many people have ever engaged in one incident of inrapousal battering, 2) what their responses were, 3) post-battering behavior, controlling for the variables traditional ideology, experience and investment. Most research at the present time is being directed toward participants in secondary battering (c). We have no idea how many relationships in the general population in which battering never occurs (a), and battering happens once and never again (b). This kind of sensitive information may be difficult to obtain, due to the reluctance of many people to admit to behavior in intimate relationships which is at least minimally proscribed.¹⁴

MODEL III: SECONDARY BATTERING

The theoretical model addressing conjugal violence which persists beyond primary battering can only be superficially addressed in this paper, due to length considerations. An explanation is developed in another paper (Pagelow, 1977b). Model III is the component of this tripartite perspective which will easily yield to testing by researchers, because almost all of the current efforts are drawing samples from populations which have been subjected to extensive and repeated batterings. Whereas testing of Model II requires a reliable random sample of women and men from the general population, Model III seeks to explain why some women seem to be "locked into" battering situations. The key variables of secondary battering are proposed which may determine why some women stay, and how some women manage to leave. Very briefly, these are labeled:

"Resources," "Institutional Response," and the construct common to all three models, "Traditional Ideology." It is emphasized that the latter is variable; it may weaken or intensify over time in response to stimuli operant in individual environments. The major hypothesis of Model III is that the fewer the resources, the more negative the institutional response, and the more intense the traditional ideology of battered women, the more tightly they are locked into their relationships, and the less likely they are to respond in ways which can alter their situations to become less destructive.

SUMMARY

This new way of looking at the problem of woman battering will be accused by some of being reductionist, because it incorporates some elements of behaviorism and operant conditioning inherent in the social learning theory framework. Nevertheless, social learning occurs within a social structure that defines behaviors as correct or incorrect, deviant or conforming. This approach attempts to lift woman battering out of the psychopathological framework, and to suggest that the behavior of the interacting couple is best understood by examining what they have learned before, during, and after the first physically violent episode. Spousal battering is a social phenomenon, yet it occurs at the level of interacting individuals. This conceptualization attempts to suggest why some women are battered, and also why some women are not battered.

These ideas have been expressed in the hope that they provide organization of thought, suggest directions and ideas for testing, and stimulate new approaches to theorists and empiricists alike. Although there has not been a great deal of evidence gathered to support its propositions, it is based mainly on informal, systematic, and impressionistic observations from my pilot study. It is hoped that this presentation will invite elaboration, expansion, and criticism for the eventual development of a sociological theory of woman battering.

FOOTNOTES

1. The Women's Transitional Living Center (W TLC) designates resident battered women and their children as "clients."
2. Examples are: the 1975 annual meeting of the Society for the Study of Social Problems in New York, August 27 to 30; the 1976 annual meeting of the American Sociological Association in New York, August 30 to September 3; the Second International Symposium on Victimology in Boston, September 5 to 10, 1976. Also, the Center for Research on Women hosted a two-day conference on "Battered Women: Defining the Issues" at Stanford University, May 20-21, 1977.
3. To illustrate the variety of explanations for woman battering, the following "theories" were extracted from a brief review of the literature: resource or last resort, alienation and pair-bond dilution, stress-resource, exchange, status inconsistency, ultimate resource, experience of learning, conflict, linkage, general systems, subculture of violence, and aggression (Flynn, et al., 1975; Dewsbury, 1975; Goode, 1971; O'Brien, 1971; Allen and Straus, 1975; Owens and Straus, 1975; Coser, 1956, 1966; Straus, 1971, 1973; Straus, et al., 1976).
4. These ideas were expressed by Dobash and Dobash and some of the participants at the roundtable discussion on battered women at the annual meeting of the Society for the Study of Social Problems in New York, on August 30, 1976. The National Women's Aid Federation, in their report (Wilson, 1976), expressed many of these same criticisms.
5. The term adult will arbitrarily signify from age thirteen upward; any female younger than that age, at least in my opinion, if abused by an adult male, should be considered the victim of child abuse or incest.
6. The term battered does not include non-physical types of abuse such as intimidation, harassment, threats, or other forms of psychological coercion, unless they occur in conjunction with physical force or injury. Although undeniably damaging, painful and injurious, the scope of the phenomenon addressed herein must be restricted to bodily injury. Physical abuse has been somewhat expanded to include force into involuntary or from voluntary action, so that being tied to a chair, locked in a room, closet or house, or being locked out of one's home in the middle of the night, for example, which are clearly abusive actions, may be included. My sample of battered women has revealed accounts of each of these types of abuse listed above.
7. Excluded from this definition are short-term dating relationships, employer-employee relationships, or social acquaintance relationships, etc.
8. Enlarging scope conditions to include non-marital, non-sexual, or non-cohabitational relationships places this perspective somewhere beyond the marital-familial setting advocated by Dobash and Dobash (1976a), and less than the more general interfamily violence in the home setting alluded to by Gelles (1974) and Steinmetz and Straus (1974). Woman battering can be better explained when it is lifted out of the frame of reference which ties it so strongly to sexually intimate relationships (Straus compares the marriage license to a hitting license, 1976:543), yet other types of familial violence, such as sibling violence, are beyond these boundaries.
9. For example, one respondent fled her battering spouse to the home of her brother.

who not only battered her, but her children as well. Martin suggests it may be the shared home, rather than the marital relationship, which is conducive to battering (1976:18).

10. One attorney who has represented battered women in court tells of the obviously sincere disbelief of some husbands when a judge reprimands them for abusive treatment of their wives: "But, your honor, she's my wife!" is frequently their shocked response. In addition, the often-mentioned psychological and social psychological concepts such as jealousy, status inconsistency, aggressiveness, ego-centeredness, etc. are not the answers to why a man beats "his" woman; such "explanations" merely address the symptoms, not the underlying cause. Nor can other concepts frequently used to describe the females' behavior, such as passivity, dependency, frigidity, masochism, etc. explain the real causes for such behavior and attitudes.
11. For one of the most provocative dissertations on the process of the social devaluation of females, see Hartmann (1976). Also see Bart (1971), Freeman (1973), Gornick and Moran (1973), Mill (1971), Morgan (1970), de Beauvoir (1974), Brown-miller (1975), Bernard (1973), Millett (1970).
12. The women staying at the WTLC generally described themselves as moderately, or not at all, religious. Some said they had strong religious beliefs, but they were not affiliated with any organized religion.
13. Unlike Gayford's (1975a) sample of 100 battered women selected from 148 interviews, which showed a high proportion of premarital battering and short engagement periods, my sample revealed that less than 20 percent saw any display of physical violence prior to cohabitation. The majority of the women first witnessed violent behavior after marriage or cohabitation; many from two to ten years later.
14. Straus, et al. obtained data from over 2,000 couples by use of the Conflict Resolution Techniques scale (CRT). The CRT categorized violent acts on a continuum which ranged from a slap to using a knife or gun. Of the eight items, they combined five into a "severe violence index," one of which was "beat up." This study appears to be a step in the right direction and a major accomplishment, but until the complete report is compiled and available, we cannot adequately evaluate it. At the present time, we know there are limitations and as yet unanswered questions. For example, how were the interviews conducted, was there any measurement of types and severity of injuries inflicted? (hitting and trying to hit are vastly different! Also, a kick with an open-toed sandal and a pointed western boot--are they measured equally?) In addition, can we ascertain if the other couples who reported no violence in the previous year had never engaged in violence? We need to know the interaction before and after these reported episodes, as well as data (pre and post the incident) from couples who had ever engaged in violence.

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PRELIMINARY REPORT ON BATTERED WOMEN

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PRELIMINARY REPORT ON BATTERED WOMEN

INTRODUCTION

This is a preliminary report on research currently being conducted on battered women, the physical assaulting of women by men usually within the privacy of the home. The study examines particularly the female victims of batterings inflicted by men with whom there are, or were, established, on-going, romantic and/or sexual relationships.¹ The specific concern of this report centers on determining some of the ideas held about battering and the extent to which they are valid conceptions or invalid myths.

The topic of physical assaults against women has largely been limited in the United States, until very recently, to the crime of rape. An early public statement against woman-battering, came from a group of women meeting in Washington, D.C., who were alerted by a small study conducted in Maryland, which revealed for the first time that household violence directed at adult female victims is far more prevalent and severe than hitherto suspected. In March, 1976, international attention was given to this important phenomenon. The Brussels, Belgium, International Tribunal on Crimes Against Women was attended by more than 2,000 women from thirty-three countries, and the issue of woman-battering was raised. Women from Australia, England, France, Germany, Ireland, Japan, the Netherlands, Scotland, U.S.A., and Wales endorsed a resolution calling for action on the rights of battered women and their children throughout the world. Simultaneously with the Brussels meeting, the National Organization for Women took up the attack in the United States against woman-battering,² establishing task forces to deal

with the problem from coast to coast.

Prior to these events, measures had been taken in some countries to revise laws, provide assistance to battered women, and begin scientific research, but very little public recognition had been given to the problem in the United States (Martin, 1976:197). For example, for five years English women were establishing houses of refuge for battered women and their children, and calling on the general public, social agencies, and political institutions for recognition and correction of the problem (Pizzey, 1976). Social scientists began investigations on female battering in England and Europe (Gayford, 1975a, 1975b, 1975c, Scott 1974, Wilson 1975), while many Americans continued to study child battering and gradually became involved in investigating rape. The U.S. scientists who first "discovered" the phenomenon of woman-battering were largely from the fields of psychiatry, psychology, and social work (Saul, 1972; Nichols, 1975). On their part, some sociologists turned to investigation of the use of force and power in the family, and intrafamily violence (Bard and Zacker, 1974; Bean and Kerckhoff 1971, Gelles, 1972; Goode, 1971; Steinmetz and Straus, 1974; Straus, 1971, 1973, 1974a, 1974b, 1976).

The events in Brussels and Washington, D.C., combined with growing public awareness that women are frequently and systematically being brutalized within their homes, triggered an international movement to expose this "secret crime" and find solutions for it. The popular press and the media have catapulted the topic to headline and feature proportions. A subject which, when it was formerly discussed at all, was treated in whispers, is now being publicized on covers of magazines and front page articles (Daly & How, June,

1976, Ms., August, 1976; Wall Street Journal, August 20, 1976). In response to the urgent appeal from women and their organizations to social scientists to begin investigation immediately, and because of the growing awareness of the severity of the problem, men and women around the world have turned attention to the issues and initiated research. There is added impetus for new and continuing research on the "hattered woman syndrome," while some researchers are investigating associated issues: correlations of woman-battering with child abuse, victim-precipitated homicide, violence culminating in homicide of female victims, and suicide.

The present study is in response to appeals for scientific data so that some understanding may be attained, particularly in view of the dearth of such projects. The problem is universal in scope, serious in nature, and relatively unexplored, especially in the United States. In view of the growing body of literature, and based on discussion with researchers working on this problem, and some initial observations, it was hypothesized that individuals raised in hattering households are likely to learn to respond to frustration, anger, and/or stress by physical violence. In addition, if the individual has been socialized in a society in which physical aggression is approved, the patriarchy is established, and male dominance over females and children is acceptable, then the object/s of battering will be female and other persons over whom the male has domination. If a male with whom a female enters a conjugal relationship has learned physically violent responses, and both have been socialized in a society of approved physical aggression, patriarchy and male dominance, the conditions for victimization of the male are established. If the female places strong emphasis on conforming to the socially approved sex-roles, she is least likely to resist victimization, and

most likely to make heavy personal investment in her relationship/s with males. If the female rejects socially approved sex-roles, she is more likely to utilize available resources and options to resist victimization and turn to social institutions for cooperation and/or assistance. The more the female lacks resources and options for resolutions, the more likely the female will experience social disapproval and further victimization.

If these hypotheses are supported by the data, the inference to be drawn will be that societies, such as that described, set the female up to be a victim in the first place. When she does reach out to social agencies for assistance, the blame is thrown back at her, and the victim is doubly victimized.

METHODOLOGY

This investigation involves three distinct stages which utilize a variety of methodologies. This preliminary report focuses primarily on the first phase, which has served as a pilot study, although some progress has been made into the second phase, which is reported herein where appropriate. The final phase has not commenced at this time. These three stages investigate: 1) the battered women, 2) community resources and response to the victims, and 3) the prevalence and severity of woman-battering in the general population.

The Victims Themselves

Some women who have been physically assaulted by spouses or lovers will provide data for analysis. Information will be obtained from them and about them from the following sources:

- A. Official records kept by the Director and Staff of the Women's

Transitional Living Center (WTLC), located in Orange County, California, will be examined by historiographic methodology, i.e., record analysis which is unobtrusive and comparatively objective. This house of refuge for physically battered women and their children from which these records are drawn is one of only three in the State of California. There are only a handful of these shelters for women across the United States, although more are opening up at an accelerating rate. Europe has many such refuges, particularly England, France, Germany, and the Netherlands, while Australia has over thirty. Letters have been exchanged between such shelters, comparing services, intake criteria, demographic data on clients, experiences in operation, etc. These communications are available to the investigator, as well as agency records such as: intake files, daily logs, night staff memos, and telephone counseling and referral notes. Monthly reports to funding agencies are also available which are a compilation of demographic data on clients, including ethnicity, geographic areas of residence, social class, and ages of mothers and children, as well as services and activities provided by the Center. Records are also kept of the departure of each client, i.e., if she reunited with her batterer, or made the transition to alternate living arrangements, and if so, how this was accomplished. Staff follow-ups are made whenever possible, and these records are also available to the investigator.

3. All clients of the WTLC are offered a self-administered questionnaire by a staff member shortly after admittance, and urged, but not required, to provide the information requested. It was decided to develop the questionnaire because of extreme time requirements for oral interviews, to provide for standardization of questions and relative ease of coding responses, and to avoid interviewer bias as much as possible. The instrument was pre-tested

and modified twice before being accepted for the major investigation. In keeping with the exploratory nature of this study, the questionnaire is comprehensive, detailed, and long.³ The instrument is divided into four parts: 1) personal data, 2) data regarding spouse, 3) nature of injuries, and 4) institutional response. Coded choice responses are provided for both objective and subjective items, and open-ended questions provide opportunity for individualized responses.⁴

C. In-depth interview is the methodology employed for some respondents for a variety of reasons. These include: women who have language or reading difficulties, others who have unusual case histories which yield more information than may be obtained by self-administered questionnaire, juveniles, etc. These interviews are audio taped when respondents are not inhibited by the recorder and give their consent.

D. Adolescent and teen-aged youngsters who lived in a household where there was physical violence are invited, with their mothers' permission, to write out statements describing their experiences in this environment. They are encouraged to express their feelings about these experiences, their lives at the point in time of writing, and their ideas for the future.

E. Participant observation is another methodology employed by the researcher, which involves being present during weekly discussion groups at the WTLC, and observing the interaction of women in crisis situations who are temporarily sharing residential facilities. In addition, women's campus and community organizations are also beginning to sponsor meetings variously titled, as for example, "Speakout on Wife-Abuse," which provide an excellent environment for observation, particularly of women who are still residing with a batterer and those who formerly resided with one.⁵

Community Resources and Response to Victims

This section uses the methodologies of in-depth interviews with persons in authority, as well as their subordinates who make direct contact with victims, examination of official records, and observations at counseling and other helping agencies. Some of the agents and agency contacts are:

- Hospitals, particularly emergency room personnel
- Doctors in private practice and clinics
- Legal Aid, District Attorneys, Women's Law Center, and practicing attorneys
- Judges and bailiffs
- Social workers, welfare officers, parole and probation officers
- Marriage counselors and clergymen
- Psychiatrists, psychologists, and mental health workers
- Chiefs of Police and police officers

To illustrate the variety of methodologies employed in this study, the researcher accompanies teams of volunteer workers from the Women's Transitional Living Center when they go out on public relations visits to police departments. There are 26 autonomous police departments in Orange County, California, and these women attempt to establish communications with the various chiefs about the house of refuge for women located in their own county and supported by county funds. When representatives go to headquarters after consent is secured to address the police officers at roll call, they tell them about the WTLC and ask them to give a printed card to any woman they may encounter in a domestic disturbance call where the woman appears to have been physically assaulted. (This card, dubbed the "Miranda Card" lists women's legal rights, and gives names and telephone numbers of a variety of helping agencies, including the WTLC). Following the roll call, the women are available for answering questions and informal discussions with interested officers. The investigator observes the formal and informal interaction and interviews available officers. In addition, the investigator will take ad-

vantage of the "Ride Along" offered by at least one county department, which permits observers to ride with officers in a patrol car. Another measure will be to accompany a team of counselors as they respond to domestic disturbance calls. These observations are intended to supplement the large gap in information obtainable through official police files. As previously stated, only minor inroads have been made into the second phase of this study at the time of this preliminary report.

Prevalence and Severity of the Problem

The third phase of the study, which will be initiated next, will be an attempt to tap the frequency and severity of woman-battering at the grass-roots level. The major focus will be on women who reside in the communities who are not self-proclaimed victims of spousal assault. The methodology employed will be survey questionnaire distributed to ideologically diversified groups such as traditionalist women's groups, parent-teachers associations, church choirs, professional women's organizations, and feminist women's groups. In essence, this sample will be somewhat like a control group, i.e., these data will be supplied by women from the general population, and not from any of the official agencies. Demographic and other data will be requested by self-administered questionnaire along the same lines of inquiry as those requested from the self-pronounced or previously identified battered women. Special interest will center on coping mechanisms employed and/or their responses to victimization when battering is indicated.

THE PILOT STUDY

Despite the lack of scientific research into the phenomenon of woman-battering, the investigator, at the very onset of exploration, discovered

that everyone is an "expert" on the subject. People from all walks of life know some woman or women who are, or were, victims of spousal assault, and they usually volunteer very firmly held opinions on the causation and the cure. As a result, the researcher in the field quickly becomes acquainted with common myths or stereotypes entrenched in the minds of many in the general population, the helping agencies, and law enforcement and judicial personnel. Since a substantial number of the persons who advance these myths are the same persons to whom the female victim turns for help, it may very well be that they serve to further victimize the victim if invalid. Therefore, it seems appropriate to address these myths and examine them in light of the data gathered in the pilot study. These myths or stereotypes will be outlined, and then explored in turn, comparing them to the data gathered thus far.⁶

1. "These are pathological individuals"
 - A. Masochistic women
 - B. Weak women
 - C. Batterer is "s'ck"
 - D. Recidivists- they "seek out" the batterer
2. "But what did she do to provoke him?"
 - A. Justified force, poor guy stood it as long as he could
 - B. Women must somehow be at fault because:
 - a. They provoke
 - b. They train the batterer
 - c. They batter their children
3. "Why did she stay?"
 - A. Why complain now? (Revenge-seeking)
 - B. What did she "get out of" the relationship?
 - C. Trade-off for "meal ticket"
4. "But they never press charges"
 - A. Frustrations of law enforcement officers and judicial personnel
 - B. Weak-willed: "She can't make a decision and stick with it"
5. "The problem is restricted to the lower classes"

"Pathological Individuals"

The basic assumptions when this myth is invoked are that the problem is

an individual one rather than social, that it is a rare occurrence, and that one (usually the victim), or both, in the dyad are "sick" people, i.e., "mentally ill." Foremost among the diagnoses of pathology is that the victim is masochistic, and that she and her attacker receive satisfaction of certain personal needs from her beatings. Also, these women are said to be particularly weak, dependent individuals. Along with the "sick individuals" claim, offered as "proof," goes the comment that these women frequently work their way out of one battering situation into another. The common assumption is that these women "choose" to be battered by selecting battering mates.

Not only do advice columnists with extremely wide readership advance the idea that females tend to be masochistic (e.g., Landers, 1976a, 1976b), but the whole syndrome of women as "willing sufferers" has been handed down for generations through the Bible, and later "explained" by Freud. These pre-conceived notions are accepted as scientific knowledge by many professionals in the mental health field, and indirectly serve as the basic set of assumptions which the professional matches with a patient and renders his judgment. Szasz attacks judgmental aspects of psychiatry, saying

In other words, the psychiatrist does not stand apart from what he observes, but is, in Harry Stack Sullivan's apt words, a "participant observer." This means that he is committed to some picture of what he considers reality--and to what he thinks society considers reality--and he observes and judges the patient's behavior in the light of these considerations (1960:116).

The Broverman, et al. (1970) study illustrates the "reality" by which some mental health experts judge women's behavior. This study revealed that practicing clinicians assigned the least values "normal healthy adult" and "normal healthy male" traits, i.e., pathological traits, to the "normal healthy female." These included items such as: dependent, emotional, submissive, passive, and illogical.

It should not be surprising if women, psychosocialized to these stereotypes, have difficulty in rejecting them for themselves. As one young woman stated,

I knew right along that marriage wasn't going to be any bed of roses, but this was a lot worse than even I expected. Even the marriage vows say "for better or for worse," so I was prepared a little to go through hard times, but this was really worse! Anybody who likes getting dragged in the mouth is sick--man, that really hurts!

Fifty-one questionnaires, fifteen in-depth interviews, and numerous group observations have failed to reveal one adult woman who indicated that she believed herself in any way a "willing victim." Even though some in this sample were comparatively isolated, they all seem aware of the stereotype of masochism or neurosis, have questioned it against their own lives, and the usual reaction to such suggestions is anger, resentment, or denial. Only one person, a juvenile, mentioned the fact that she at first mistook beatings at the hands of her lover as being proof of his "love." Describing his attack and subsequent rape when she was thirteen years old, this young girl said that, although she was hurt, she was also flattered by the attention of an older man.

The claim that any woman who allows a man to beat her more than once is a particularly weak woman is stated flatly by many persons to whom the victim may turn to for assistance. One attorney in Pennsylvania said, "Any man can make a mistake once and let her have it. But if she lets him do it a second time, she has given him her permission, and she has nobody but herself to blame." A California attorney willingly expressed his opinion of battered women, stating,

Perhaps as many as half of the women I see mention some kind of lapping, hitting, or shoving, but of these, about ten percent involve repeated or serious battering... These women could get out of the situation if they really wanted to, but they don't want the responsibility of setting out on their own. They just don't have the courage to make the decision

until something finally happens to them that makes the marriage intolerable, or else he decides to get rid of her.

The women themselves express opposite opinions. One woman named Doris, interviewed in the house of shelter, did not believe she, or the other refugees from battering mates, were either "mentally ill" or weak women, saying,

The amazing thing about these women here is the way they have their heads on straight, in spite of all they've been through. These are extremely courageous and strong women here--we all had to be strong, or we couldn't have survived what we went through.

Doris died a week later--of a degenerative disease which had gradually rendered her unable to walk without the aid of crutches. She and her three adolescent daughters (also battered) had escaped her spouse with the assistance of a stepson. In their fear and rush for safety, the four females left their home with nothing other than the clothes they wore.

The first time her husband displayed violent behavior was two years after their marriage, Doris had related. It was the second marriage for both; she was a widow with a year-old baby, he was a divorced father of three.⁸ Doris had raised her stepchildren plus her own children. When her husband first attacked her, Doris said she had been somewhat able to defend herself, but after the onset of her disease, the beatings increased in severity and frequency. When the children tried to run interference, they also became objects of attack. When the youngest child became chronically ill, the major child abuse centered on her. The little girl's older sister wrote,

When my little sister got sick (diabetes) and kept needing water and needing to use the 'necessary' room, he kept hitting her and make her wet her pants even worse.... When I first noticed the 'conflict' between my parents, I just thought, "They're at it again!," later it was, "There he goes."... Before my mom got sick, he tried a few things on her, but he didn't get far.... And when my mom got sick, that's when everything went to hell. She can barely hobble around and he knows she can't defend herself. Her hips are really sore and he would drive her around in the car slamming on the brakes--which is agony for her.... He was always telling me how my mother was brainwashing me and how she was breaking up the family, but all I could think was that I want the family

broken up (or him broken off) and that if my mother was brainwashing us, she was doing the best job of it I had ever seen. ...The worst thing about him is that he's so smart. We went to family counseling once and he drove the poor psychiatrist up the wall by sending the conversations around in circles as well as scaring him to death.

Doris, the mother wrote, "THIS MAN IS A WALKING TIME BOMB. IF HE DOES NOT RECEIVE HELP HE WILL EVENTUALLY KILL HIMSELF OR SOMEONE ELSE. HE DOES NOT WANT HELP--HE SAYS."

The popular stereotype describes not only the woman as pathological,⁹ but frequently her batterer is included. Sometimes the women agree; Doris felt that her spouse was dangerously mentally ill. Other women insist that their mates are ill, saying, "He can't always help himself. After all, he's an alcoholic, and they're sick, you know." (Also see Straus, 1973:120 for examples): One television personality persisted, during a talk show, in drawing out an admission of the sickness label from a guest for her spouse, until he finally asked point blank, "What do you think? Wouldn't you say your husband is mentally ill or something like that?" The woman reluctantly agreed, but with reservations, by saying, "Well, I know the way he acts isn't right, and all that, but I can't really say if he's ill or not. Probably he is, but I don't know, I'm not an expert on things like that. That's up to psychiatrists to say." Later the host turned to the same woman and said, "You said that your husband is an alcoholic. Maybe that's why he beat you." With far more conviction, this time the response was, "Sure he's an alcoholic, but I don't think that's why he beat me. It's true he beat me when he was drunk, but there were other times he beat me when he was cold sober, too!"

In group discussions among battered women, the opinions seem to be about evenly divided between accepting and rejecting the sickness label. About half of them insist that their spouses were perfect gentlemen in public, functioned well in their social spheres, and never exhibited any violent behav-

for outside the home. Many insist that, were they to confide their awful secret to mutual friends, they would never be believed, in view of their husbands' unblemished respectability. Shortly before she died, Doris received a telephone call from a woman "friend" of many years, berating her for the shameful way she was treating her poor husband, running away from him, and worrying him to death, etc. Doris did not try to defend her actions, but expressed to the interviewer a sense of futility.

Along with the "sick individual" focus goes the piece de resistance--the "proof positive" that these women deliberately seek out men who will satisfy their need to be battered--many of them are repeaters. Questionnaire responses so far indicate that 23 percent of the women report that they have had at least one earlier romantic relationship in which battering occurred. During a group discussion, the women themselves pondered the question of why so many of them have had more than one relationship with a battering man. They all described the attributes which first attracted them to the men in the first place, and, with few exceptions, these men had appealed to them initially because they were charming, gentle, considerate and kind.¹⁰ Many said they couldn't recall any display of violence until long after the relationship was established--sometimes only after years of cohabitation. Asked at this group session why they believe a woman seems to go from one battering spouse to another, one woman volunteered,

Most of us here were brought up to believe that a woman's most important job in life is to be a wife and mother. I can tell you for myself that when I couldn't stick it out any longer with my first husband, I figured my whole life was ruined. And do you know what it's like being a single mother with a couple kids? I didn't want to be single the rest of my life.... I guess we have a hard time finding a gentle man, a man who won't belt a woman, because there are so few of them in this world to begin with,

Another "recidivist" said,

You know, I really thought he was too good to be true--and I was right, as it turned out! Actually, when you get right down to it, what man in his right mind would have anything to do with someone with three teenage kids? What's available out there to a woman like me? I'll tell you--all that's left is what some other woman couldn't stand.

In the short duration of the pilot study, the descriptive data yield a dual image of the female victim of spousal assault. The women appear to fall into two distinct categories. One is the woman who comes from a predominantly conservative childhood home, usually religious, where divorce never or rarely occurred, and where physical punishment was totally absent, or at most, very mild. It was either a loving home or a traditional, paternalistic, authoritarian home, but in either case, there was a lack of physical violence. These women react to violence with shock, do not know how to cope with it from past socialization, and are unable to reveal personal shame to parents or relatives. Because of religiosity, they sincerely entered marriage for life--for better or for worse.

The other profile is of a woman who grew up in a home where violence was common, she was beaten by one or both parents; it was a home which seems to have served as the springboard from domination by her father to domination by her husband. These women appear to enter the relationship with some expectation of physical assaults, but they believe they will have the endurance or wits to overcome these problems. One young woman named Peggy told of her father's threats upon her life if she refused to marry the man who was courting her. She married him, and began a career of battered wife, has had two children in three years, and is still trying to make her marriage "work."

There emerge two different childhood environments of polar opposites, producing women who are either inexperienced or very experienced in household violence. Analysis of these dual images reveals some commonality: women reared in homes devoid of overt conflict and full of conflict may both

be handicapped by an inability to have developed a realistic perspective on violence. Most importantly, both types of background reveal heavy emphasis on traditional sex-role socialization. These women generally appear to be persons most likely to expect to make heavy personal investments in their relationships with mates. In addition, the first-mentioned "conservative type" (if drawing yet another stereotype may be forgiven), appears more likely to enter into another marriage in which she invests even more.

Although no firm conclusions can be drawn from such sparse data, and since there is so little completed research in this field, the decision as to who seeks whom should be held in abeyance until the data roll in. It may be well to at least consider the possibility that it is just as likely that the batterer seeks out the type of woman who is most apt to stick with him, through "thick and thin," regardless of personal pain and suffering. If this investigation revealed so quickly a profile of a woman who has a strong desire to maintain a conjugal relationship, and is ready and/or willing to make great personal investment in sustaining such relationships, it is possible that batterers (or potential batterers) can also perceive these qualities in the women.

"But What Did She Do To Provoke Him?"

The assumptions underlying this often repeated question stem from the patriarchal foundations of the nuclear family in the United States. The hierarchal structure of the patriarchal family establishes the man (whether he is husband, father, brother, or lover) as head-of-household, with women and children in a subservient position to him. The deeply ingrained belief in the righteousness of domination and power properly belonging to men is not at all in conflict with related beliefs that women are property who require varying degrees of control, much like children, domesticated animals, and

pets. Only in the last few years has the traditional wedding oath of "love, honor, and obey" been altered (in some, but not all, ceremonies) to delete the word "obey" from the bride's vow, to conform with the groom's traditional vow of "love, honor, and cherish."¹² (Dobash and Dobash, 1976, call such a change a "superficial, cosmetic patch"). But many ceremonies are still being performed in which the bride swears obedience to her husband, the significance of which cannot be overlooked. If the wife disobeys her husband, what then are his rights and duties? If a child disobeys parental authority, or even challenges it, the socially approved response is the use of force, which may include physical force when necessary. It requires no large leap of the imagination to see that if the wife and children are to obey the husband and father, if they are both subservient to him, then he is "justified" if he uses physical force for control.

In his discussion of force (and the threat of force) and violence in the family, Goode (1971) deplors excessive exertion of power in the family, but nevertheless sees the need for force, bolstered by social supports, to maintain the family structure. He calls on the reader to imagine away the supports of force, giving a list of examples of husbands without force who can't "press" children's obedience, "threaten," "press," or "persuade" his wife into various wifely duties, concluding that, "...it is easy to see that substantial part of the structural strength of the family would be undermined (1971: 627). Goode makes other interesting comments, such as,

Thus, force plays a role even when no deviant act is actually committed. The rebellious child or wife knows that the father or husband is stronger, and can call upon outsiders who will support that force with more force.... Within the family itself, the harsh fact must be faced that the member with the greater strength and willingness to use it commands more force than others do. This is usually the father, and in most cases, it will also be the parents as compared with the children.... women, children, slaves, Colonials, lower castes, and other disadvantaged segments of any society are constrained more than others by force.

although all are to some extent--or they are enjoined to refrain from its use, simply because the existing structures would change without these buttresses (1971:625,628,635).

The implications seem clear that Goode expresses a neutral acknowledgment of the threat and use of power within the family, and a less than neutral acceptance of the necessity for it. Goode does not express an isolated viewpoint, his words are a reflection of deeply-held and fiercely-defended beliefs of many in this patriarchal society and their predecessors (Dobash and Dobash, 1976; Martin, 1976). The idea prevails that women should be dominated, and if they are recalcitrant, authority must be maintained, even if it requires a degree of physical force. The question in the minds of many is not IF the use of force is justified, but rather, centers on the question of HOW MUCH is justified? There is a thin line between necessary and excessive measures to control, which slides up and down the continuum, depending on the individuals who judge. The tendency then becomes one of looking for what offense the woman committed, and measuring the "punishment" against it to see if it was merely justified, or if it was perhaps excessive.

There seems to be a great desire to look for the "reasons" why a woman was beaten, unlike other crimes where few people ask why a person was robbed, but similar to asking why a woman was raped. The image of the castrating bitch is drawn, where many men believe that sane persons of their own sex would never beat a woman unless the woman had driven the poor man beyond his endurance. There can be no denial that in the intimacy and isolation of the home, many persons are in forced interaction which creates friction. Undoubtedly, many women are unreasonable, infuriating, castrating. By the same token, it seems reasonable to assume that many men are equally offensive, but what is to explain the predominance of wife-battering as compared to the almost unheard of: husband-battering? Females are involved in far fewer

crimes of violence than men (and when they are, they frequently play the assistant role), are far less frequently assaulters than males, are more frequently murdered by husbands and lovers, and when they are the murderers, they are far more often involved in victim-precipitated homicide than men. (Ward, et al., 1969; California State Department of Justice Statistical Tables, 1976; Martin, 1976; Rasko, 1976; Wolfgang, 1967).

Despite the realities of pain and threat of pain inflicted on a generally smaller and less muscular person by another who has advantages of size, weight, and muscle, many persons tend to romanticize the control of the female.¹³ Classically, Shakespeare's Taming of the Shrew typifies the approval of subjugation of the strong-willed woman, later followed by the John Wayne type movies where the hero resorts to spanking the woman he loves who, thus reminded of his power and manliness, falls willingly into his strong arms. The macho ideal and the patriarchal structure of the family both serve to justify violent behavior of the male directed at the female--the only question is a matter of degree.

The institutions to which the battered woman turns for guidance or assistance reverse direction back to her and ask, "What did you do to provoke him?" (Matzger, 1976). Organized religions, social service agencies, and many counseling centers concentrate on preserving the "sanctity of the home," and bend every effort to maintain the bonds of matrimony by advocating corrective measures instituted by the woman. Obviously, she, not he, is the one who needs help, since she is the one who makes contact with them. One young woman who lived in the northeast U.S. was continuously thrown out of the house at night by her psychologist husband who made sure she didn't have car keys or money, finally went to see a female psychoanalyst. After the initial standard question on provocation, the wife said,

I tried to tell her that sometimes he just walked in the door in a bad mood, and before long he was mad at me over nothing at all. He'd twist my arms behind my back, pulling them up so hard I thought they'd come out of the shoulder socket. He knew better than to make marks on my body, and that doesn't make marks, but it's painful as hell. And there's no way to pull away; you can't do anything. Before he'd push me outside, he'd always make sure to grab my purse. What did the psychoanalyst say? She said I should try to remember that he has a lot of stress and strain in his profession, and he has nobody else he can take out his frustrations on, so I should make his life as pleasant and tranquil as possible and he wouldn't "boil over." Can you imagine? It was OK if I was his buffer, if I provided him with a "safety valve" for his own pressures--it was up to me to see that I didn't get hurt!

At the time of the interview, this woman had put five years and over 2,000 miles between herself and spouse, but she said she was still receiving telephoned threats from him against her life in the middle of the night.

Another woman named Beth, who left a battering husband after sixteen years, explained to the host on a taped television show:¹⁴

It didn't matter what I did. When he wanted to hit me, he'd do it for no reason or any reason at all. If I talked, I was hit, if I didn't talk, I was hit. It could start over anything--you name it. Maybe he didn't like the way I fried his eggs, or the way I made a bed, say the sheets weren't tucked in right. It didn't matter, he'd start yelling at me, and between punches he'd ask me questions. If I tried to answer he'd hit me, and if I didn't understand his question and couldn't think of what he wanted me to say, he'd hit me again. It was a case of damned if you do and damned if you don't, you can't win. I used to think maybe it was something about me that was wrong, maybe I was doing things to make him mad like that. But after 16 years I finally came to the conclusion that it wasn't me--that the problem was him!

This mother of four children had finally "run away from home," traveled across the continent to California, was given shelter at the Women's Transitional Living Center, and later employed as a staff member there. Beth soon earned her high school diploma, and is currently taking college para-legal courses toward promised employment in a law office. She secured her own divorce without legal assistance, and has since drawn up divorce (dissolution) papers for four other battered wives.

Another woman on the same televised program responded to the host's query, "What did you do?" with the statement that attacks could start as soon as her

spouse came home, or after a verbal argument, or as soon as the door was shut on departing guests. She said,

There was no "pattern," there didn't have to be a reason. He could be as nice as pie at a party, smiling and all, and as soon as the last guest left the house he might lay in to me for something I said or did. Whenever his friends were around, he always treated me like a queen, he worshiped me in public, he put me on a pedestal.

This woman's husband was a military officer, and she was expecting a court battle over the custody of the children, since she didn't have the resources to take them along when she finally left her home. She was faced with charges of abandonment.

The survey instrument tries to deal with the question of interaction preceding an assault, but it is difficult to assess the validity of responses regarding emotionally-charged situations in retrospect. 65 percent of the respondents gave a negative answer to the question, "did you provoke the attack either physically or verbally?" They frequently add comments such as, "I always tried to calm him down when I saw what was happening to him," or "he thought so--although I was just stating facts." The others who believe they did provoke the attacks write comments like, "I wouldn't agree with him," "I talked back," or "I saw it coming but did nothing to stop him."

The question of prevention generates many comments. Most write statements like, "nothing seemed to do any good--I tried everything," or "when he got it in his head to beat me, nothing could stop him." One comment reads, "First I would try to be logical and keep my temper down as if nothing he could say would shock me." Another says, "At times, I would screw up my courage and explain why I was unhappy and why I felt we were so much in disagreement so much of the time. I really, sincerely, honestly tried."

When asked if they tried to defend themselves, 94 percent say no, frequently adding a statement similar to the following: "I tried to once and he really flipped out and beat me worse than ever. He told me if I ever tried

that again he'd kill me. I never tried again. I believe he would."

Asked point-blank if they feel they deserved their beatings, not one woman has indicated agreement. Some comments are, "I wouldn't beat him for all the shitty things he did," "Not in a million years!!" and "I honestly feel I was a good wife and mother and housekeeper, just too good."

If the women can't be made to appear guilty of their own victimization, there are other popular routes of attack. One is the traditional scape-goating of women that, as the primary socializers of the young, whatever is wrong with the adult generation, is the fault of "mom." Psychoanalysis took up the cause where the church left off, and has consistently found women to be the cause of their own troubles; and men's as well (Chidslor, 1973). Mom and momism has been accused of everything from juvenile delinquency to homosexuality--either the mother smothers or neglects, seduces or freezes. Pogrebin (1974) attacks the entire syndrome of blaming women for the violence of men examining and ridiculing the inherent inconsistencies in the thesis. Some writers infer that deprivation of motherliness in youth of the abusive parent is the primary cause of child abuse (Goode, 1971), single mothers have been blamed for juvenile delinquency in the publicized early reports on the "broken home" (Glueck and Glueck, 1950; Toby, 1957), and other authors are still defending scientifically the working mothers from charges of child neglect and harmful effects of their employment on their children (Herzog, 1970).

The charge that battered women in turn batter their own children has not yet been "legitimated" by publication, but will undoubtedly soon surface. This myth is currently in circulation, and is frequently mentioned to the researcher in the field. "But isn't it true that the battered women turn around and batter their children, too?" is often phrased as a suggestion, not a question. As a suggestion, it deserves rebuff as merely another, more

subtle form, of victimizing the victim. Despite years of research and agency dedication to the study of child abuse, the data are not in, and it would be unfair, but convenient for some, to "discover" that children are battered by their battered mothers. As a question, on the other hand, it deserves serious consideration. It does not seem improbable that frustrations, pain, and fear of being beaten by someone more powerful may be displaced onto another, less powerful, and helpless to retaliate. If one lives in an environment of violence, it is possible that violence may become a way of life.

Pizzey mentions a few cases of women who came to Chiswick Women's Aid who were suspected, or known, to batter their children. On this question she says,

In some families the mother is battered and then turns on the children out of rage and despair. It's not difficult to see why this happens, for at one time or another, if a woman's honest, she will admit to herself, 'If it wasn't for the children...' She feels pity for her children but she sometimes also resents them (1974:55).

But after several years of experience with battered women and their children, Pizzey concludes that, "Few women let their resentment against their children turn them to battering them unless they have themselves been repeatedly beaten in childhood" (1974:57).

The survey questionnaire attempts a non-threatening approach to the question of child abuse. There are questions about the children as witness to physical violence between parents, child-battering resulting from the man's response to interference in wife-battering, and the severity and frequency of the mothers' physical punishment of children. It also asks about treatment or hospitalization of any child due to injuries inflicted by either parent. To date, none of the mothers have self-reported child abuse, but 55 percent have said their husbands severely punished the children, and six percent of these reported medical care required for a child for injuries delivered by the man. Some mentioned police reports in these cases and others mentioned "child abuse" in response to crimes the man was arrested for other than woman-

battering.

It may be difficult for the mothers to gauge the actual severity of their discipline. In discussions with battered women, some note with displeasure the way some others punish their children. One woman told the interviewer, "I know she doesn't mean to be so hard on her little boy, but she's awfully strict with him. And it's a shame, because he's such a good little kid." Another mother mentioned that her 18 month old son was unusually aggressive, and she had to get away from her battering spouse, if for no other reason than for her son's benefit. The boy was an unusually large, cherubic-looking child who seldom spoke. The mother explained.

No matter how brutal he (her spouse) was with me, he wouldn't lay a finger on Paul, and he wouldn't let me, either. You know how babies like to bite? Well, my mother used to say all babies will bite until you bite them back, not hard, you know, but enough to let them know it hurts. But when Paul started teething, and his daddy was holding him, he'd bite his neck. Ron would squeal and yell, and say "no no," but never slap him. So Paul got the idea it was funny. He'd bite him so hard, you won't believe this, but I've seen him draw blood. And when I'd hold the baby, riding in the back seat of the car, Paul would bite me, and it would hurt, so bad the tears would come, but I couldn't slap him, or Ron would have knocked the shit out of me.

Group discussions seem to indicate that the women range from total avoidance of physical punishment to what they describe as "spanking when necessary." Beth told the interviewer that she was so afraid of taking out her own pain on her children that she wouldn't even slap them, "even when I probably should have." When the women describe their husbands, there seem to be many, like Paul's father, who totally reject physical discipline of their children, but at least half of them do use harsh physical force on their children, as well as their wives. Many, but not all of these, seem to direct a larger share of aggression to one particular child.

In view of the lack of substantial data it seems fair to question assumptions that the battered woman is a battering mother. More research is needed on the battering parent, and research has hardly even begun on the

battered woman, therefore, it is too early to draw any conclusions whatever. It does seem advisable to investigate the question, yet stand guard that the assumption is not dignified as "fact" until these data are obtained.

"Why Did She Stay?"

By introduction of the myth "Why did she stay?" the realities of pain and terror are brought into question, sometimes even with a hint of amusement. While many of the lay public are inclined to phrase the question: "If she is really abused, why did she stay?" psychologists and sociologists ask the latter half of the question, and look for different answers. Gelles' article, "Abused Wives: Why Do They Stay?" (1976), finds a complex relationship of factors, the major ones being: 1) severity and frequency of battering, 2) childhood experiences with violence, 3) available resources, and 4) "external constraint" or community reaction. Straus (1976:543) uses a phrase which several respondents have written on the instrument used in this study, and have verbalized to the investigator: "the marriage license seems to be a hitting license." Straus seems to expand slightly from earlier violent culture learning theory to include sexism as a component of the culture. He says sexism contributes to the frequency of wife-beating because: 1) men's personal need for power and superiority, 2) antagonism due to "sex-role differentiation and inequality," 3) socialization of the women and pressures to keep them in socially approved sex roles as wife and mother, and 4) "the male-oriented organization of the criminal justice system" (1976:543). The first two points seem to address why there are such occurrences, and the latter two points seem to attend to the reasons why the woman stays in the situation.

Many psychologists, social psychologists, and others in these fields of endeavor, appear to concentrate on dependency, negative self-image, hostility, and locus of control scales. Sometimes suggestions are made that there may be

underlying reasons other than the battering for the woman's complaints, e.g., revenge. Implications are that there were, prior to complaints of battering, gratification of some needs which are no longer being met. Attention then focuses, not on her complaints, but rather on her reasons for complaining now, which probably is an important area for investigation, but digresses from the major issues.

Seldom do the assumptions underlying the myth "Why did she stay?" become so obvious as when one psychoanalyst said, "What I wonder is, what do these women get out of the relationship?" Conversely, the question which many of the women still living in a battering situation seems to ask is, "How do I get out of the relationship?" The questionnaire seeks answers to the various resources and alternatives available to the women other than the obvious door to physical escape--the one most of this sample used--the WFLC. At best, a house of refuge is a temporary first step, its most important service is to provide safety to the women and their children. While in residence there, they receive a myriad of counseling services and establish connections with welfare, employment, legal, and housing agencies. Once removed from the isolation of her home, the battered woman often finds resources and assistance available to her which were either unknown to her, or beyond her reach before.

The survey questionnaire used in the pilot study provides an excellent source of information which draws a detailed picture of individuals, and when a sufficient sample is drawn, may yield a composite picture of battered women. By taking into account ages of respondent, number and ages of children, both her and her spouse's education and employment history and social class, it is fairly simple to objectively determine what options may have been open to her. By examining her childhood history, religion and expressed degree of religiosity it may be discovered what her perceptions are likely to be. Her response

to victimization" is examined in detail by asking if she had gone for counseling to friends, relatives, clergymen, mental health professionals or marriage counselors, and what their responses to her problems were. A search for "escape routes" other than the WTLC is conducted by asking distance to nearest relatives, and if she believes any relatives could, or would, provide shelter for her and her children (if she has any).¹⁵

The ultimate escape is suicide, and questions are directed toward contemplation of the act and method, actual attempt/s, and events which both triggered and followed the attempt. Peggy, the 21 year old woman mentioned earlier, said her marriage was forced by her father, (she is still living with her spouse), as one of the 61 percent who say they contemplated suicide; and one of the 35 percent who report an actual attempt. She says she made early attempts while still living in her parental home, such as: "slicing wrists with a razor, consuming large doses of any pills I could lay hand on, father's gun, retreating into catatonia, praying vehemently for death (young age)." She explains, "these were foiled by my sister finding me in the act." In the four years of her marriage, she reports regular and frequent beatings which resulted in: "lost hair, kicks to legs and back, banging my head against the walls, black eyes," and has since attempted suicide by "pill consumption, gun--(spouse kept a loaded gun by my bed)." In response to the question, "Were you hospitalized or treated by a physician?" she wrote, "Are you kidding? --Sorry--No one even bothered." Another woman who received no treatment wrote, "In '70 I drank a large glass full of gin. I don't drink very often and I had read that 8 oz. of liquor ingested at one time would suppress a body. I also took a couple valium. This combo wasn't sufficient to do the job." This woman also relates that she holds a B.A. degree and teaching credential, and her spouse is a writer and teacher.

The other responses reveal a complicated network of factors similar to Gelles's typology, with somewhat less emphasis on severity and frequency of battering. Preliminary examination of accumulated data shows that childhood experiences, personal resources, and community response are far greater determinants of whether the woman stays or not, and the length of time she endures battering before leaving. As stated earlier, childhood experiences seem to show women who are willing to invest a great deal in a relationship-- women who have been heavily socialized into traditional sex roles. Personal resources are defined as financial as well as other resources such as: education, employability, native intelligence, health, friends and relatives (and distances between residences), number, ages and health of children. Community responses are agents and agencies the woman has available to her, and their response to her when, and if, she draws on them for assistance. For example, the religious women who are told by clergymen to pray, the medical doctors who prescribe tranquilizers (for the women), and the lawyers who strongly advise divorce.

It appears that the combination of these three variables: socialization, resources, and response, weighted in certain directions, will lock the woman into her situation until there is no release except death or spouse's voluntary departure. In other words, some women will walk out on a relationship the first time her spouse strikes her because, a) she is less willing to accept a subordinate position to this man, regardless of resources and community response. Or, b) she views the relationship as important and faces adverse community response, but has available resources to draw upon. Least likely is favorable community response, since almost all social institutions, agents, and agencies are disinclined to encourage a wife and mother to dissolve a relationship with a man. The most positive measure of this variable would be

neutrality. For example, one medical doctor whose office is located in an affluent area told the interviewer in a semi-amused manner

Yes, I've seen women who came in for treatment of injuries they claim were given to them by their husbands. A lot of them are repeaters; they come back time and again. I ask them why they put up with it, and they can't give any good answers. It may be a matter of money, maybe they figure they'd lose out by leaving. I don't understand it--they just don't make sense. There's nothing you can do for them.

Another doctor, an obstetrician/gynecologist whose office is located in a working-class area, claimed that women come to him for his specializations, and during examinations he observes bruises and lacerations. He estimated that half the battered women he sees are pregnant. He, too, expressed puzzlement over why they "put up with" this treatment, saying,

I guess some women will put up with a lot of hell just to get a little loving.... And after listening to these women talk about their husbands, it sounds like "you only beat the one you love".... They start out loving a man, and they'll put up with a lot until they finally lose respect for him. When that's gone, then they leave.

This doctor reported that he treats his patients' wounds and prescribes "relaxants."

Frequently, the first community agents to make contact with the battered women are the police, not doctors. One police officer, a veteran of many years service, expressed disgust with the women he encounters in domestic disturbance calls. Claiming "they're all alike," he was encouraged to describe the "typical" woman he sees on these calls. He provided the following:

Well, we go in there, and there's this old broad who's in her 40's, who's yelling and screaming, and three or four kids hollering, too. She's usually a gal that's never worked a day in her life. (Interviewer: What does the house look like? Is it clean? Three or four kids, you say. Are they clean, and do they look well-fed, or are they usually dirty and neglected-looking?) No, the kids look OK, except they're all upset, and things are about average clean, except sometimes the house is torn up from the fight. But she's the kind of bag who couldn't get out there and earn her own living if her life depended on it! That's why she doesn't want him arrested, just wants us to make him stop hitting her, 'cause she knows she needs him for a meal-ticket.

These stereotypes are neither rare nor exaggerated, as the researcher in

the field soon discovers. The question now becomes, what do the women themselves perceive as their reason for staying? The survey instrument incorporates one question which directly asks: "If you have been battered more than once, what are (or were) your reasons for continuing to live with him?" Some of the responses, randomly chosen, are listed below.

I feel my husband is a sick man and I loved him and felt I could help him. At one time I really believed he would never hit me again. Then I was afraid he would hurt someone else if I left.

Loneliness and I thought my child should have a father.

I love him and he's great when he's sober.

I was afraid he would kill me if I left. Also had no place to go. My husband is extremely anxious to find me and will go to any extreme to do so. I'm going to have to be very careful.

Because of my children, and this last time it was because of a counselor.

Lack of money; he said he would change.

Fear, mostly, of him and his threats. Doubt as to being able to care for my children, as my health was very poor at that time, physically and mentally. Surgery was requested, which he refused to let me have and my health became progressively worse. After four hearings and finally a trial, a divorce or dissolution as it was then called, was finally granted. My private physician wrote to the judge which had a great influence on the case and finally ended it.

I did not know where to go or who to turn to. I was too afraid to tell him I was leaving him. I tried once. I'm afraid he'll find me now. But it would be a lot worse for me and my kids if I went back.

For three years I've been trying to get away--but nowhere to go. Until now.

I felt things would get better. I was only kidding myself.

Peggy, who still resides with her batterer wrote:

Mostly stupidity, I guess. I have no money, no car (can't drive anyway), no friends left. My parents kicked me out before--they sure as hell don't want me now. What chance is there for me, with two kids under three? I ran away once to San Jose, and he found me, came after me, and took me back. I could never get far enough away from him.

Perhaps Goode has expressed most eloquently the configurations of "reasons" why these women stay, or at least stay so long. Goode, as mentioned

earlier, seems to defend the necessity of at least some force for the continuation of the family structure, nevertheless expresses strong sentiment for the continuation of destructive relationships. His explanation indicates neither pathological nor weak individuals, and goes beyond mere self-seeking and economics. He says,

These dynamics also create two additional traits of man that increase the risk of violence among family members: the unwillingness of human beings either to submit or to escape.... Man does not submit because thereby all that gives meaning to his existence is lost, i.e., values, norms, traditions, and moral or ethical beliefs. It is especially in the family that he cannot or will not escape easily, because of his emotional investment in these relations is great, the costs of leaving are high, and the social pressures to maintain his kin ties are strong (1971:632).

The pilot study has an unfortunately small sample size, precluding firm conclusions, especially in view of the numerous variables and intervening variables under investigation. However, it may be well to consider that, from the point of view of battered women, perceived options may be indeed few, and without the assistance of others to give social support and introduce other options, they may be locked into their situations. Rather than some popular conceptions of base motives, these women may have sized up their own situations with realism and clarity, and have made the most intelligent and pragmatic choices possible.

"But They Never Press Charges"

This disclaimer is made most frequently by law enforcement officers and persons in the criminal justice system, and repeated by sympathetic others. It is usually preceded by statements of the high price police officers pay for their sponse to domestic disturbance calls, which is beyond question. Statistics reveal that the majority of requests for police assistance are "domestic disturbance" calls, and that many officers are killed and injured in response to these calls (Goode, 1969; Martin, 1976). In 1974, 22 percent, and in 1975, 16 percent of all police officers killed were responding to

"disturbance calls (family quarrels, man with gun, etc.)." In 1974, 27.5 percent of all assaults on law enforcement officers occurred in the same category of calls, higher than any other type of activity (FBI Uniform Crime Reports, 1974, 1975). The traditional approach to "noncrime" calls of domestic disturbance has been an official policy of "adjustment without arrest." One of Parnas's reasons for investigating police response to these calls, in addition to the heavy volume, was.

...the social context of the domestic disturbance and the policy of nonarrest, with the resulting use of discretionary methods of adjustment by the patrolman, provide a look at the police officer's role in giving assistance to an alleged offender as well as to the complainant (1967:915).

Parnas conducted extensive research through the cooperation of the Chicago Police Department, which was one of the first of several studies which have effected gradual change in police training methods and establishment of some Family Crisis Intervention Units (Parnas, 1967; Bard, 1970a, 1970b).

Despite recent re-education and sensitization of administrative personnel to the dangers and inconsistencies inherent in statutes and official policies, changes are slow in filtering down to many officers who must answer these calls. Added to his cognition of inherent danger is an admixture of the officer's own perceptions of women's proper position in relationship to men's, reluctance to interfere in "family squabbles," and distaste for "social work" vs. law enforcement. The responding officer frequently sees himself as a victim: entering into extreme personal danger in situations where his actions and decisions are based on sometimes ambiguous codes, and where his sense of professionalism is reduced. If that sacrifice isn't enough, the officer knows by experience and reputation that the battered woman is highly unlikely to press charges. Many writers have described the predicament and inconsistencies of police intervention and control of intrafamily violence,

as well as the codes and problems in the criminal justice system (Bannon, 1975; Bard and Zacker, 1974; Gingold, 1976; Martin, 1976; Parnas 1967; Straus, 1976).

Battered women frequently react in outrage to mention of police and the criminal justice system, based on personal experiences. Kim, mother of a 14 month old boy, interviewed at the WILC, bitterly described her experiences with the police. She gave background details, describing the first attack by her husband early in the pregnancy. Badly beaten, Kim began hemorrhaging and feared loss of her unborn baby. She said she left him, returning to her widowed mother's home, already crowded with younger siblings. Kim related that her husband kept after her every day for two weeks, begging her to return home, claiming he didn't know what happened. She said,

...John was, after all, my baby's father. So I went back. The first time I called the police was when we lived in _____, but they wouldn't even come. That department never did send out anybody, and I called them three times. When we moved to _____, one night--the baby was three months old then--he was beating me and tearing up the place. I tried to call the police, but he tore the phone out. I grabbed up Kevin and when I was running out the door he threw the phone at me so hard it smashed the wall. I got to my neighbors, called the police, and they argued about coming, said to stay where I was safe. I needed some of the baby's things and mine, so I kept begging them to send somebody.... I stood out in the middle of the night in front of our place waiting for them to come. It took a long, long time. An older man and a younger man came in a car and argued with me about going back in--they kept saying it was best if I went somewhere else. I couldn't go without our things, so when we finally got to the door, it was locked--of course I had no key.

That did it! They wanted to leave then and there, saying they have no right to enter--it's his house. I told them it's my house, too. Finally I got one of them to hold the baby and the other one boosted me through a window (Kim is 5'2", weighs 108 pounds). I ran around to the door and let them in. They said, "make it fast!" John was asleep on the bed, dead drunk. I threw things into a bag, shaking so bad, so scared. But when I turned to leave the bedroom, I saw and heard something I'll never forget as long as I live. The younger cop had John sitting up on the edge of the bed, and he was patting him on the shoulder saying, "Take it easy, buddy. It's OK. I've been through the same thing with my wife." Those words are etched in my brain. That bastard was sympathizing with my husband!

I got them to take me and Kevin to my mom's, but I wanted to press charges, and they wouldn't let me! I went to the police station the next day, determined to press charges, and they wouldn't even take a complaint. There was nothing I could do, because they didn't even write up a report, so there wasn't even a record that it happened at all.

Commander James Bannon (1975) has pointed out the effects of compatibility of perceptions of male-female roles of the policeman and the male spouse offender, the veneration of the sanctity of the home, and the paradox of sending persons to "arbitrate" who are themselves heavily socialized to masculine role images and the use of coercive physical force. Bannon, a veteran of the Detroit Police Department, says, "This paradox suggests to me that traditionally trained and socialized policemen are the worst possible choice to attempt to intervene in domestic violence" (1975:3).

Time and again, when a woman indicates the police were called, she writes or says comments such as:

They wouldn't come.
 They said to cool down, to talk things over.
 They didn't witness a crime, so there's nothing they can do.
 "Shut up, lady, or I'll run YOU in."
 They wouldn't let me sign anything.
 "If you two don't settle down, I'll have to arrest you both."
 They wouldn't take a report.
 I asked them what I should do, and they said to come in on Monday morning.
 I'm standing there bleeding, I didn't know what to do, and they didn't tell me.

Many of the survey instruments which receive a "yes" response to the question, "Did you request that your spouse be arrested?" are followed by the word "nothing" in reply to the question, "What happened?"

Doris told of three times the police were called to her home, and responded. She evaluated their attitudes toward her spouse on call one as "tough or aggressive," and on calls two and three as "polite but firm." Her 200 pound husband was arrested on call one because he became abusive to the police. It took six officers to restrain him, and he was booked on charges of resisting arrest. In the struggle, he was injured by police. Doris did sign an assault

complaint, and moved out of the family home with her three daughters. Within two weeks, her husband "kidnapped" the girls on their way home from school. He telephoned Doris saying that if she wanted to ever see the girls again, she would have to come home. She did. Doris wrote that charges were dropped because, "my witness did not appear, and by this time we were 'reconciled.'" Her husband's only "penalty" was court-ordered psychiatric counseling, which he did not obtain, and which was never enforced. Doris related that after once having dropped charges, the police were not interested in getting her to sign a complaint and her attorney advised against it.

Sgt. Don Weese, Investigator with the Los Angeles Police Department, was questioned by a television talk show host. The dialogue which follows seems to exemplify some police attitudes.

Interviewer: Some people seem to think police are reluctant to arrest these abusive husbands. What do you think?

Sgt. Weese: Well, a lot of it depends on what the situation is when the officer arrives. It's the policy to protect life, of course. What our problem is that so often there is a wife who really does not want to prosecute. She wants the husband to be told not to do this again and the matter to be dropped at that point.

Interviewer: And if you try to pursue the issue?

Sgt. Weese: Sometimes it's tragic for the officer. He makes the arrest. If the husband resists, before he's finished with the arrest, he has to fight the wife and arrest the wife and the husband. The officer is in the middle of a family matter, and of course he has to tread water as he makes the arrest or decides whether to arrest. It's a difficult decision to make, when the policeman arrives he is actually in social work at that time. He's trying to satisfy both parties....

There are some persons who look at these matters somewhat differently. For example, Bannon says:

In my view the police attitude, which seems to say that what happens between man and wife in their own home is beyond the authority or ability of the police to control is a "cop out." The real reason that police avoid domestic violence situations to the greatest extent possible is because we do not know how to cope with them. And besides we share societies view that domestic violence is an individual problem and not a public issue (1975:3).

Interviewed on the same television program as Sgt. Reese was Los Angeles County Superior Court Judge Leslie W. Light. Judge Light, following comments by Public Defender Wilbur Littlefield about the high predictability of women backing down from prosecuting their assailants, said,

I remember when I first went with the district attorney's office, I was fortunate enough to sit in on an office hearing of a wife beating complaint where the deputy who was handling it was an experienced man. And I could see that the technique was to really put the pressure on the woman to make sure this was something she really wants to do.

(Interviewer: Did she think they were picking on her?) Yes, but I think what they were really trying to do is to make sure that this is a case, that when we get to court, this woman's not going to change her mind like most of the others and back down. So he "put the screws" to her, she buckled under and decided, no, it's better I shouldn't do it, and she didn't. Four months later that woman was a victim of a murder, and her husband was the murderer. Now that got to me...

But most of the police officers, in 90 percent of the cases they see, the woman comes down the next morning and wants the guy out of jail. And they say, "It isn't worth it, I mean, I want to go out doing something that's really going to be productive as far as putting somebody in jail that belongs there and not spin my wheels." So these women have to be willing, when they start the ball rolling to keep pushing it with the rest of us, because if they stop, nobody else wants to push the ball either.

Judge Light said that the maximum sentence for felony wife-beating, in California is ten years in state prison, but as far as he knew, no man had ever received such a sentence, adding that there is no additional punishment for repeaters. As for protection for the woman against her assailant while the man is free on bail awaiting trial, Judge Light admitted there is very little the system can do for her. He said,

...and it's a fact of life that if somebody says, "I'm going to kill you," you've got to be on your guard because the law can't do anything about it until he takes an overt step to try to accomplish it. Mere threats don't put people in jail. (There's nothing that can be done) until he takes that first step that goes beyond planning.

The issue of protection and safety of the woman is seldom mentioned when the stereotype "But they never press charges" is invoked. The fact that the victims' fears of retaliation for prosecution are used against them is avoided.

A director of a shelter for battered women told the interviewer:

Ever since we opened our doors, I have repeatedly taken women who want to press charges down to the police station. They're all set when they walk in there--they are determined to get justice for themselves, at last. They've made up their minds to go through with it. But damn it! Every single one of them has been talked out of it by the time these people get through with them! They'll sit them down, and play on their fears of the guy, remind them that he'll only be locked up for a couple hours, at the most, and then back out on the streets, on bail, looking for them! Of course, he knows where her relatives and friends live, maybe he'll go there looking for her, and make all kinds of trouble. And if he beat her before, just think of what he'll do this time when he catches her. Maybe this time he'll kill her! One officer's favorite phrase is, "My best advice to you, lady, is to run and hide." What the hell can any of us say to her after something like that? The most defeating part is, most of it's true. But what good is the law if it can't protect half the citizens?

It seems to be a re-enactment of "Catch 22," because the victim is blamed for not pressing charges, but when she attempts to do so, she's dissuaded from doing it by her accusers. "Putting the screws" on the battered woman is similar to the criminal justice system's traditional handling of the rape victim. The victim's fears of retaliation may be justified, and even if she is temporarily hidden in a women's shelter, the day must come when she will leave that support and security, and set out to re-establish a home for herself and children. The system itself leaks information to the husband about the wife's location, frequently when agencies are pressing him for child support payments. The trauma many of these women face when the case is finally heard is extreme, many of them believe they will be killed. Most states have some form of order of protection or restraining order. Attorney Joyce Hastings, who has represented many battered women in divorce (dissolution) cases, says about such orders,

The only men who are actually restrained by these are the ones who have awe or fear of the legal process in the first place. Most of them see it as nothing more than a piece of paper, and its protective value is just as strong as that -- a piece of paper. If a man is determined to get to her, he will--if he can find her.

It seems obvious that there are flaws in the system. While there are

doubtedly are many women who would back out (as do many other solo-complainants) of prosecution because of emotional attachment for her spouse, regardless of protective measures, a great many other victims would follow through. "But they never press charges" is repeatedly encountered as a disqualifier for the women--to effectively throw the guilt for lack of prosecution and punishment of persons who have committed crimes back on to the victim herself. It promotes the idea that those who are hired or appointed to protect the civil rights, property, and lives of citizens are ready, willing, even eager, to spring into action, but they are frustrated and handicapped in their efforts to do so by the victims' own unwillingness to act. It is suggested that the myth of "the emotional, vacillating, irresponsible female who begs law officers to save her, and then refuses to assist them in prosecution, further victimizes the victim. Perhaps, again, the victim of battering knows her spouse better than anyone else, knows her own fear and helplessness better than anyone else, and makes the only practical decision possible, based on this knowledge. Propagation of this myth serves to absolve the protective and legal agencies of the responsibility for the perpetuation of this form of human misery. By insisting that "domestic violence is an individual problem and not a public issue," (Bannon, 1975:1), the criminal justice system may, as Bannon says, contribute to inter-personal violence.

The Problem is Restricted to the Lower Classes

In the social sciences, most of the emphasis of those working in "social problems," "disorganization," or "deviance," has been turned toward the economically disadvantaged, and prison and other confined populations (Liazos, 1975). Unquestionably, the subject of battered women is nothing new to the police, welfare workers, and other social agents to whom these women in the lower socioeconomic classes most frequently turn. The phenomenon has been

credited to the "lower classes" both in popular myth and by some writers (Goode, 1969, 1971). Although some still insist on pointing an accusing finger at "those people," a gradual awareness has developed that there is no such class barrier. England publicly recognized the phenomenon a few years ago, and Pizzey let it be known that money and privilege does not distinguish the non-violent man from the woman-beater. She says,

Wife-beating has gone on for hundreds of years.... For ages wife-beating was thought to be a working-class activity, for the middle- and upper-class women never let on. As far as I can see the reason why 'battered wives' are getting a hearing is that for the first time a middle-class woman has said, 'It's happened to me.' That makes it respectable and all the more shocking (1974: 46).

Steinmetz and Straus attack several myths associated with intrafamily violence, and one of them is that it is primarily a working class phenomenon (1974:7-8). They maintain that the evidence for making these conclusions is lacking, and that if there are inter-class differences, they suggest they are small.

It is possible that the American public would have been vaguely aware of the "skeleton in the closet," (Martin, 1976:15-17), and continued to ignore this distasteful topic as long as it was confined to the lower strata of society. However, the study conducted by a group of women in affluent Montgomery County, Maryland, revealed that a high percentage of these women reported frequent and serious physical abuse. Perhaps the very realization that this problem crosses class lines was the catalyst necessary to give it the "respectability" needed to become a serious social concern.

This pilot study may stand accused of being heavily weighted in the direction of working-class respondents, since the sample largely consists of battered women who have fled their homes to a house of refuge. It may reasonably be assumed that middle class women have somewhat greater access to fi-

financial and other resources, and with more available options, may be able to leave a battering spouse without this action becoming a matter of public record. In actuality, 40 percent of the women who have been admitted to the WTLC are considered middle class, which is less than population averages, but still a sizeable proportion. Other women, who have volunteered to participate in the study, have been largely from the middle class which has served to counterbalance the lower class bias, and the total sample is approximately evenly representative of both socioeconomic classes. As a result, educational attainment of this sample ranges from grammar school to Ph.D., of both the women and their spouses. The women are housewives, teachers, therapists, nurses, librarians, etc. Their spouses range from unemployed laborers to doctors, psychiatrists, dentists, writers, and engineers.

Doris, for example, a college graduate, lived in a home in a very affluent area of southern California, and could scarcely be classified as working-class.¹⁶ However, when she lost the use of her legs, she was no longer able to drive a car, reducing her available resources. Many of the women who lived in expensive homes, had highly educated husbands with sizeable incomes, are also women whose husbands kept tight control of all incomes, and watched their movements carefully. One woman, the wife of an international corporation chief executive and member of the church board of directors, finally drove off one day in the family camper. She claimed that all her telephone calls were screened, and the rooms of her home "bugged," which was attested to by her 20 year old daughter.

It appears that woman-battering does cross socioeconomic class lines, but there may be variations due to class. From in-depth interviews and group discussion, there appear to be subtle differences. For instance the middle class batterer seems to be more inclined to use psychological battering and forms of "punishment" which neither destroy the home nor leave

obvious marks on the woman's body. For example, the psychologist who locked his wife outdoors on cold winter nights, first making sure she couldn't escape by car. Another man locked his wife in a dark room until she would "behave." Even in the "heat of passion" these men seem more inclined to strike the woman from the neck downward, (several women report their spouses made comments like "no one will ever see what I did to you.") Most of these women relate they covered up visible bruises by neck scarves and clothing to cover arms and legs. The working class man seems less inclined to use subtle forms of battering, and frequently strikes at the face, head, and neck of the woman. When these women are employed, most report they tried to camouflage by use of make-up and dark glasses.¹⁷

From these data gathered, no estimation of inter-class frequency in the general population can be assumed, but the investigator is inclined to agree with Steinmetz and Straus that some reasons exist for the popular but erroneous notion that woman-battering is confined to the working classes. Some of these reasons are: interpretation of the data, greater visibility of intra-family violence, and the greater tendency to call on the police (1974:8). What this pilot study has shown is that woman-battering is not confined to the ghetto, that these women who endured battering more than once had a variety of individual circumstances which guided their responses that differed slightly by social class, and that techniques of physical abuse employed by their spouses differed somewhat along class lines.

IMPLICATIONS

The pilot study has generated data which appear to give support to the hypotheses set forth earlier, but continued exploration is imperative. In 85 percent of the cases in which respondents claimed reliable knowledge about their spouses' parental background, they related that either the spouse, or

his mother, were battered when he was a child, and in some cases, both were battered. Some women report extremely harsh discipline which they define as cruelty or torture, and a variety of deprivations in their spouses' youth.¹⁸ The typology of the female victim, as described earlier, appears to conform to the hypothesized batterers' mate. These tentative findings invite comparison with more and larger studies.

In addition, valuable insights have been gained which will guide future research conducted by this investigator, and may be useful to others. The study was initiated to explore the phenomenon of woman-battering, and there were no expectations of definitively "explaining" woman-battering in the United States. However, the frequency and intensity with which some stereotypes or myths were introduced, caused the investigator to examine them, not only questioning their validity, but also asking what functions they may serve. An overview of the common myths examined in light of these data imply contradictions in many ways. The investigator suggests perhaps alternative conceptualizations are warranted. A brief re-examination follows below.

"These are pathological individuals." It is suggested that the "illness" label serves to excuse society and its agents, since these are purported to be problems within the psyche, which can only be alleviated by specialists of the body and mind. i.e., the medical industry. Parsons proposed an alternate view of illness as, among other things "exemption from normal social role responsibilities" (1964:436), Goffman eloquently described the "us-them" effects of being different (1963), while Szasz warned of the dangers of delegating power to psychiatrists to perform as agents of social control (1974). Insisting that this is an individual rather than social problem serves to set up a barrier between the agencies and institutions which were established to function for society and the people who live in this society. Massive

bureaucracies with armies of skilled experts and computerized technology are available for solving pressing social problems, but as long as battered women and their children are restricted to the category of individuals, no matter how many thousands there may be, these giant forces will not begin to move on their behalf.

"But what did she do to provoke him?" The assumptions of provocation and justification serve to divert attention from the real question: does any individual have the right to inflict pain, injury, and suffering on another person with impunity? Does this society set up a book of rules whereby a man has a right to slap for this offense, and break a jaw for another, and is only to be held accountable if he breaks a jaw for the former? It appears that this myth must be dealt with extensively in our studies, because only when no one interjects this question will there be a decrease in woman-battering. The very fact that it is introduced immediately into a discussion of woman-battering implies a pervasive acceptance of the dominant male/subordinate female roles in this country.

"Why did she stay?" There have been many studies in this country into poverty, crime and delinquency, deviance, ethnic groups, etc., but until recently, there were few studies about half of society: women. Since 1970, the literature on women has been flooding the market. Books and journals, many written by women, have carried forth the message of oppression and discrimination of women in this society (Bernard, 1973; Denmark, 1974; Chesler, 1973; Gornick and Moran, 1971; de Beauvoir, 1974; Huber, 1974; Mill, 1971; Rosaldo and Lamphere, 1975; Rowbotham, 1975). A light reading of a few of these volumes should establish some understanding of the pressures within marriage and the social pressures to stay married, the problems of employment, housing, divorce, single parenting, child care services, etc. The

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society that fosters dependence of the female on the male serves to limit her opportunities for independence, and then damns her because she cannot, or will not, break the chain of dependency. To break out of a battering relationship, many of these women must reject an entire lifetime of internalized beliefs in her own place as a second-class member of society, and face massive disapproval on all sides. She must come to the decision and action almost entirely without assistance, support, or encouragement of any kind. The wonder of the matter is not why she stayed, but rather, how she ever dares to break away in the first place. It seems a minor miracle if, once away, she manages to remain away.

"But they never press charges." Although this myth is founded on truth, it is all the more damaging to the women whose only recourse is to turn to law enforcement and the judicial system. The problem with its reiteration is that it is only half the truth, and the other half is what makes all the difference. Implications drawn from this study are that the women do not press charges because: 1) they are ignorant of their civil rights, 2) they are systematically persuaded not to demand equal justice under the law, 3) they have no protection under the law (or in society) against retaliation, and 4) when they do press charges they face intense humiliation due to public exposure of the most private details of their lives with their spouses. In view of these obstacles, it is not at all surprising that only a relatively miniscule proportion of woman-battering cases ever continues to adjudication. The perpetuation of this half-true myth serves to exonerate agencies of social control and the judicial system against claims of bias and dereliction of duty. In view of some of the complicated issues of citizens' rights which have received diligent attention, it appears that casting total blame for the system's failure to protect these women and children back on to the wo-

men merely postpones the necessity for serious consideration of possible modification of laws, procedures, processing, and/or attitudes. In a country which conceived ways to work harmoniously on a scientific space project with the U.S.S.R., and found ways to open doors to thousands of Vietnam refugees, it does not seem an impossible task for agents of social control to find ways to provide for battered women and their children.

"The problem is restricted to the lower classes." As in many other social issues, now and in the past, there is a tendency to label any repugnant or socially undesirable behavior as dissasociated from the majority of the American citizens. This fosters an apathetic attitude among the great masses of citizens who, if made aware of injustice or deprivation, might demand effective changes. Limitation to the lower classes insinuates isolated aberrations, and blocks massive social change. For example, drugs which are now illegal and considered extremely dangerous were once flowing unobstructed in the lower socioeconomic strata. It was only when opium, cocaine, morphine and "loco weed" became progressively more popular up the class ladder that a multi-billion dollar industry of social control began to flourish. It seems an unfortunate fact of life that, until the last lingering doubt disappears that this phenomenon, woman-battering, crosses class lines and also "flourishes" in the middle class, little remedial social action will occur.

It is hoped that this preliminary report is of assistance to social scientists exploring these fields, and that it serves to sensitize others to the need for more and larger studies. Szasz makes an appropriate statement:

In our society there are two principal sources of legitimacy: tradition and science. Time is a supreme ethical arbiter. Whatever a social practice might be, if people engage in it, generation after generation, then that practice becomes accepted not only as necessary but also as good. Slavery is an example (1972:54).

Add to the above: woman-battering.

FOOTNOTES

1. Casual, short-term, or platonic relationships are therefore excluded, although cohabitation is not a necessary prerequisite for inclusion in this study. In cases of cohabitation, there is no arbitrary distinction drawn between legal or quasi-legal arrangements. For convenience and consistency, the term "spouse" will be substituted in this paper for alternative designations such as husband, lover, etc.
2. The concept "battering" is defined as physical assault which ranges from painful slaps at one end, and homicide at the other end of a continuum. Inherent in this definition is an overt physical attack by an assaulter on a victim who may or may not attempt self-defense. Battering is to be distinguished from forms of "mutual combat" such as pushing, shoving, etc. engaged in by two people equally determined to do damage to the other.
3. Despite its unusual length, to date the questionnaire has not been rejected by any woman, and has been fully completed by every respondent except one. That particular woman was a European immigrant who left the WTLC after spending only two days there. She had fled her battering husband, leaving her four teen-aged youngsters behind. She abruptly left the Center to return to her home, children, and spouse. Incompletion of the questionnaire may have been due to difficulties with the language, or the woman's own state of emotions, or simply a lack of time.
4. The instrument is being distributed to other researchers working on this problem across the country. In view of the fact that no other such form is presently available, there is a need for a standardized instrument. If adopted, this will permit researchers to compare data gathered in different geographic areas for cross-sectional analysis.
5. At these group events, the leaders usually lead into a discussion of woman-battering by telling the assembly their own experiences, after which others are invited to share theirs. Participants are not questioned into self-revelation; all responses are voluntary. The theory behind these efforts is that the battered woman is usually isolated within the privacy of her home, and frequently believes that her batterings are unique, shameful, and very personal.
6. Whenever statements made by respondents contain material which might endanger anonymity, these statements were altered. All names are pseudonyms, and other possibly identifying materials were slightly modified. These measures in no way change the basic content or meaning, but were initiated to protect the confidentiality and right to privacy of respondents, in view of the highly sensitive nature of the subject matter.
7. When this girl had the opportunity to move into her lover's home, she willingly agreed. Once there, she vied with his legal wife and another young woman who lived with him for his attention, until one beating was so severe she had to be taken to the hospital. She was admitted for treatment of internal injuries, but lied to the doctors about the cause of her wounds. This girl, together with the man's wife and her two children, made their escape together a few months later, with a neighbor's help, while the man was away from home. Neither one knew how to drive a car, nor did they have access to any money.

Separate interviews with both young women revealed identical tales of fear, brutality, and virtual captivity. The man, at 43, has fathered 13 children by three wives, plus two illegitimate children.

8. Doris revealed that she found out after marriage that her husband had also battered his first wife. Her stepchildren first made this claim, which was later verified by an adult relative.
9. One woman in this sample, for example, would be very difficult to describe as "mentally ill," or neurotic, despite many years of severe batterings. During a group discussion, she described how, the previous summer, she and her three teenaged sons had collaborated on a back yard fund-raiser "circus." The first week-end was such a success with the neighborhood they repeated the event the following week-end, raising over \$500 for donation to a national charity drive.
10. Dr. Barbara Star, also researching battered women, reports the same descriptions are offered by the women in her study.
11. This woman told the interviewer that her two and a half year old son is already beginning to copy his father's behavior: when he gets angry or frustrated, he punches her and abuses his year old brother.
12. One of the celebrated weddings in the last decade was between Princess Anne of Britain and Captain Mark Phillips. Televised for viewers around the world, the vows taken by the Princess included the traditional phrase, "love, honor, and obey."
13. Reported weights of males and females gathered by questionnaire reveals an average weight differential of 63 pounds. Comparison showed six female respondents reported their spouses' weights to be 85 to 100 pounds heavier than their own. The investigator has not observed discrepancies between estimated and self-reported weight, and therefore has no reason to suspect exaggerated differences.
14. Ironically, the same night and at the same time that this television show was aired in southern California, Beth's husband (who had traveled from the east coast and traced her down to the WTLC), began banging on the door, demanding his wife whom he threatened to kill. The hysterical women inside, who had been watching the TV program, called the police. It took twenty minutes for them to arrive. The police officers warned the man to leave quietly or he would be arrested for disturbing the peace, and then left. Fortunately for the frightened women and children inside the building, he followed their advice.
15. A frequent response to the question of parental attitudes toward their battered daughters' complaints is, "You made your bed, now you lie in it." Beth repeated this statement during her television interview.
16. It is interesting to note that on the three occasions when the police were called to this home, there was prompt and concerned response. This is not always the case when respondents lived in lower-class neighborhoods: many of them reporting that the police never arrived, or they arrived very late, or that their attitudes toward themselves were: "neutral," "concerned but not helpful," or "rude, angry, hostile or blaming."

17. The interviewer noted that one woman had both eyes blackened, but did not realize the extent of injury until the woman removed skilfully applied make-up.
18. Doris was one who described particularly brutal childhood experiences of her spouse. Due to the length of the marriage, and the fact that Doris was well acquainted with her spouse's mother and siblings, there may be considerable reliability in what she related during interviews. She described a household in which her husband was the eldest of five children, who was not only pressured to "succeed," but was severely punished for every failure. Although his brothers and sister were physically punished, all felt that he and his mother received the brunt of the father's violence. Doris described episodes of forced-feeding of undesired foods to vomiting, after which the boy had to resume eating to vomiting, and this pattern was repeated. Her husband declared his own hatred of both his mother and father, and treated his mother aggressively. Interestingly, none of the other four siblings exhibited hostility and hatred, and seemed to go to a non-violent extreme: Doris said all of them completely avoided any form of physical discipline on their own children.

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BLAMING THE VICTIM: PARALLELS IN CRIMES AGAINST WOMEN--RAPE AND BATTERING

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BLAMING THE VICTIM. PARALLELS IN CRIMES AGAINST WOMEN--RAPE AND BATTERING

"Rape by Husband Ruled No Crime"

A judge has reluctantly dismissed an indictment charging a husband with raping his wife, saying the New Jersey's 1898 rape statute did not allow prosecution of such a case. Superior Judge Nicholas Scalera strongly criticized the state law Monday, saying its historical origins "reveal that it is rooted in the ancient concepts of a wife as chattel and the inviolability of the husband's supreme role in a marriage relationship." ...the statute codified an English common law concept granting a husband the absolute privilege to relations with his wife (Los Angeles Times, 1977:23).

"Beaten Mesa OK"

A Costa Mesa woman, allegedly beaten into unconsciousness by her husband and his son remains in stable condition today at Costa Mesa Memorial Hospital. ... (the victim) suffered bruises from head to ankle in the prolonged beating, sparked by an argument over keys to the family automobile. Her husband... was released on \$5,000 bail from Costa Mesa Jail where he was lodged on charges of felony wife beating. His 17-year-old son was turned over to juvenile authorities on charges of assault and battery in the attack which began early Tuesday morning and continued intermittently for several hours. Detectives said that after Basham began beating his wife Tuesday during an argument she fled to a friend's house. The husband followed, dragging her to the car by her hair. When the couple arrived home again, police allege Basham kicked his wife in the legs and shoulders and allowed his son to beat her (Daily Pilot, 1976:2).

"Rape Victim--Odds Against Her"

If a woman in Orange County is raped, the chances are she will live, she will go to court, and she will lose (Byron, Daily News Tribune, 1977:1).

Separate news items tell different news stories, but there are common threads underlying them all. What do these two seemingly distinct types of crimes--rape and battering--have in common? The most obvious commonalities are that they are: 1) both physical acts of violence against the person, 2) in the vast majority of cases they are perpetrated by men against women, 3) both are extremely under-reported to law enforcement agencies, 4) both are heavily screened out of the judicial system, and 5) the miniscule proportion which do reach adjudication result in low rates of conviction. In addition, perpetrators of these crimes are most likely to repeat, following only after burglary, robbery, and motor vehicle theft, according to F. B. I. Uniform Crime Reports (1976:45).

It is impossible to tell how many women are battered by men, because these crimes, when they do reach the attention of police, are recorded under "domestic disturbance" classification by local police departments, and at the federal level are subsumed under the general category "aggravated assault." Sixty-eight percent of persons arrested for this crime are over 21 years old, and men perpetrators outnumber women by seven to one. Number of offenses has risen by 45 percent in the past five years (Uniform Crime Reports, 1976:20-22). Rape has also risen in number of offenses (by 48 percent in the same period). There were an estimated total of 56,090 forcible rapes in 1975, and it is recognized by the FBI as a "violent crime against the person" and "one of the most under-reported crimes" (Uniform Crime Reports, 1976:20-24).

Incidents of woman battering may be impossible to extract from official records due to "lumping" them in with all other household disturbances, including "man with gun," etc., but there can be little doubt that they occur with great frequency. Pizzey shows how English women flocked out of their homes, filling beyond capacity, shelters for battered women and their children as soon as they opened their doors (1974). Dobash and Dobash further attest, "Within the space of three years groups have organized all over Britain and over fifty houses of refuge have opened (1976a:7). The Women's Transitional Living Center (W TLC) in Orange County, California, opened its doors in January, 1976, and within two weeks was filled to capacity, and maintains a waiting list, being able to admit only women and children in severe crisis situations (Pagelow, 1976a). Gingold (1976) and others reveal reports that show that for every reported rape, three batterings are reported. This leads to astounding figures, if Griffin and others who have studied rape are correct when they say, "this figure (on reported rapes) must be multiplied by at least a factor of ten to compensate for the fact that most rapes are unreported" (1975:20).¹ On the

basis of data obtained from two volunteer samples of rape victims, however, these estimates may be exaggerated. Bart showed that one-third of her sample reported to the police (1975:6), and a more recent study by Queen's Bench Foundation showed that approximately half the respondents reported to police (Copeland, et al., 1976:10). On the other hand, in a study of male sex aggression on a college campus, 83 percent of a sample of university women experienced 'sexual aggression' -25.8 percent of which resulted in intercourse or intercourse with violence (Parcell and Kanin, 1976). Out of a total of 5,135 episodes of sexual aggression, which included 514 episodes resulting in intercourse, "The offended female resorted to parents, college deans, or the police in less than two percent of all episodes" (1976:13-14). Since the estimates of percentages of reported rapes out of actual rapes range all the way from two percent to fifty percent, an arbitrarily chosen conservative estimate is that one out of four rape victims report the assault. A summation of various estimations regarding rape and battering indicate that combined actual and attempted violent crimes against women result in well over a million women physically abused by men in a single year in this country.

Screening reported crimes out of the judicial system will be discussed later in this paper, but of those which get processed, Bart says of rape, "of all the felonies, it has the lowest rate of conviction" (1975:1). Prosecutions for aggravated assault were 68 percent compared to 58 percent for forcible rape. Of these, 70 percent of those charged with assaults, and only 42 percent of those charged with rape, were found guilty (Uniform Crime Reports, 1976:22, 24). When battering or rape end in death of the victim, statistics cannot be easily obtained, because they are then officially recorded as homicides.

BLAMING THE VICTIM

Some writers have noted general similarities in rape and battering; for

example, Marvin and Gropper (1976), Dobash and Dobash (1976a:8, 1976b:5), and in particular, Gingold (1976). This last writer clearly delineates the major focus of this paper when she says,

In our culture, the attitudes toward abused wives and rape victims are strikingly similar. Just as the rape victim is supposedly a seductive temptress who asked for what she got, the abused wife has provoked her husband into beating her. Secretly, the woman is supposed to enjoy being beaten, just as the rape victim is accused of relishing violent sex. A woman who attempts to charge a man with either crime is assumed to be vindictive; skeptical police and prosecutors must be convinced that she is indeed a "worthy" victim. Though the penalties for assault are less severe than those prescribed for rape, judges are reluctant to impose them when the assailant is married to his victim (1976:52).

The issue approached in this paper is the overwhelming tendency in this society to blame the victim.² Not in the same general sense as Ryan (1977) uses the term, but in the particularistic sense that rape and battering are violent crimes committed against women by men, and men are also the persons in positions of power, control, and influence who frequently popularize and perpetuate a series of myths and stereotypes which blame the victim. Greer suggests a connection when she says,

Neither the judges nor the prosecuting attorneys are hampered in their dealings by the awareness that they are rapists, too, only they have more sophisticated methods of compulsion (1975:379).

Writers who have led the field in turning an accusatory finger at the female victim are quoted and requoted with surprising regularity (Amir, 1967a, 1967b, 1971, 1975; Gayford, 1975; Scott, 1974; Spell, et al., 1964; Strauss, et al., 1976). Those who hold biosocial viewpoints apparently wouldn't blame either party, for "we are biologically predisposed to be aggressive," and inborn aggression "is considerably higher in males than females" (van den Berghe, 1975: 45-46). Many other writers denounce the tendency to blame the female victim of physical crimes of violence (Adleman, 1976:494; Bradley, 1976:5; Holstrom and Burgess, 1976a, 1976b; Pagelow, 1976b; Schurr, 1971; Weiss and Borges, 1975; 1976; Wood, 1975).

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blaming the victim of crimes of battering and rape appears to be culturally transmitted by myths and stereotypes which run amazingly parallel. Even more suggestive of an institutionalized pattern are the reported treatments of victims of both crimes by the agents and agencies to which they are likely to turn for assistance: the medical industry, law enforcement agencies, and legal and judicial systems. For discussion on institutional response to rape victims, see Bard (1976), Holstrom and Burgess (1976a, 1976b), Keefe and O'Reilly (1976). Institutional response to battered women is similarly discussed by Kremen (1976), Martin (1976), Pagelow (1976b), and Pizzev (1974).

Weiss and Borges refer to "cultural stereotypes" (1976:252), and Russell addresses myths or "common cultural prejudices" (1975:221), which permeate the literature on rape, and which are reflected in attitudes of both professionals and laymen. Griffin, calling rape the "All-American Crime," attacks some myths about rape such as the pathological rapist, uncontrollable passion thesis, victim precipitation, "bad girls are raped," and "they love it" (1975:21-29). She notes the "conspiracy of silence" and the "cultural encouragement" of male aggression/female passivity (1975:22-23). Both ideas run parallel to terms regarding woman battering such as "selective inattention" (Straus, et al., 1976:24) and "cultural norms legitimizing intrafamily violence" (Straus, 1976: 545-551). Scattered throughout the literature on rape are frequent references to particular myths and repudiations follow along similar lines (Greer, 1975; Holstrom and Burgess, 1976a; Weiss and Borges, 1975). Myths and stereotypes pertaining to the battered woman victim are scarcely mentioned in the literature, due to the relatively short time that social scientists have become attuned to this phenomenon. Although addressing the broader issue of intrafamily violence, Steinmetz and Straus call attention to the class myth, the

sex myth, and the catharsis myth (1974:7). Pagelow focuses on the common myths and stereotypes directly related to the battered woman issue, and examines how they influence institutional and political response to victims (1976b). The author reveals five major stereotypes and myths, and attendant assumptions. These myths, stereotypes, and assumptions about battered women are listed below, and the most frequently cited myths about rape are also listed. The latter are extrapolated from many articles and books; to mention just a few: Bart (1975), Brownmiller (1976), Holstrom and Burgess (1976a, 1976b), Russell (1975), and Wels and Borges (1975, 1976).

BATTERED WOMENRAPED WOMEN

- | | | |
|----|--|---|
| 1. | "THESE ARE PATHOLOGICAL INDIVIDUALS" | |
| | psychopathology of victim/battered;
rare occurrences; masochistic women | crazy, sadistic rapists; rare
occurrences; masochistic women |
| 2. | "BUT WHAT DID SHE DO TO PROVOKE HIM?" | |
| | women provoke justified force | women provoke justified force |
| 3. | "BUT WHY DID SHE STAY?" | |
| | they got something out of the relationship;
they are seeking revenge | "she wants it;" women lie; they
are seeking revenge; "impossible to rape an unwill...g victim" |
| 4. | "BUT THEY NEVER PRESS CHARGES" | |
| | law can't help these women because
they don't want the men arrested;
they always back down | rape victims don't report, and
when they do, very few cases go
all the way through the system |
| 5. | "THE PROBLEM IS RESTRICTED TO THE LOWER CLASSES" | |
| | educated, middle class people don't
resort to physical violence, this only
happens among the poor, ignorant lower
classes, particularly certain ethnic
and racial groups | "subculture of violence" the
sex ratio imbalance; black men
want to rape white women |

The similarities in the popular conceptions of female victims of these two apparently distinct crimes become so obvious after a brief review of the literature that it is even possible to transpose names of the crimes without loss

of meaning. Below, each of the five myths outlined by Pagelow will be compared to the literature on rape victimology.

1. Psychopathology

Leading exponents in the sciences of the psychopathology of battered women, not surprisingly, come mostly from the psychotherapeutic disciplines (cf. Gayford, 1975; Saul, 1972; Schultz, 1960). Snell, et al. describe the battered woman as domineering, masochistic, aggressive, masculine, and frigid (1974).³ Lawyers, doctors, policemen, and ministers are among the persons with whom battered women come in contact for assistance. These people frequently relate to the victims with a priori assumptions that the women they are dealing with are neurotic, masochistic, or have some sort of vaguely defined "mental illness." Pagelow's pilot study reveals these common assumptions, which did not appear to be supported by data obtained from victims (1976b).

Psychoanalytic theory regarding women, particularly rape victims, is clearly expressed by Amir when he writes,

The underlying idea of the psychoanalytic school of thought is the tendency for victimization as a universal condition of every woman. ... Reflected in women is the tendency for passivity and masochism, and a universal desire to be violently possessed and aggressively handled by men. ... The psychiatric approach, using the psychoanalytic concepts are reasoning, emphasizes the pathological personality and deviant behavior of victims of sex offenses and rape, especially of young or adolescent girls who are mainly of lower-class origin (1971:253-254, emphasis added).

Weiss and Borges view both Amir's methodology and conclusions very critically, and claim that Amir resorts to "selective use of psychoanalytic theory" (1976:238). These authors state,

Instead, great length and effort is spent to question and disprove the psychiatric approach when it involves the description of sexual offenders as perverse or "sick," but the same approach is not questioned when it emphasizes the pathological personality and deviant behavior of victims of sex crimes and rape. In fact, it is the victim who is sick, and the offender who is normal (1976:238-239).

Similar to Amir, Snell, et al. discuss the court referred psychiatric evaluation of men charged with wife beating in their report titled, "The Wifebeater's

Wife" (1964). These three psychiatrists appear to follow in the footsteps of criminologists and victimologists who, according to Weis and Borges, "actually take the perspective of the offender" (1975:97). Snell, et al. conclude their report with the statement:

We have come to feel that the offender cannot be adequately understood, and treatment and correctional measures appropriate to him devised, until one knows whom he has offended, how and why. One cannot hope to understand the offender and his offense without having some understanding of the people with whom he has to deal (1964:112).

These doctors had found: "we see the husband's aggressive behavior as filling masochistic needs of the wife and to be necessary for the wife's (and the couple's), equilibrium" (1964:110). Nichols reveals that social workers, like many others in the helping agencies, often perform their duties with underlying assumptions of the Freudian thesis of female masochism (1975), as stated bluntly by Russell: "Freud held the pessimistic view that men are inherently sadistic while women are innately masochistic" (1975:266). Some ideas of Freud and his followers, particularly Deutsch (1944), (especially those on masochism and rape fantasies), are consistently attacked in much of the recent rape literature (Bradley, 1976:3-4; Brownmiller, 1975:343-386; Holstrom and Burgess, 1976a:3/1-3/7). Feldman-Summers refers to male offenders and female victims, and possible psychological causation, and concludes that sample bias and methodology of research on perpetrators has failed to produce reliable data (1976:96). She states that deficiencies in the character of the victim have been unsupported as well, saying there is "no evidence to demonstrate that women who are raped behave differently from women who are not raped" (1976:97). Pizzey states the case for battered women who are similarly assumed to be masochistic:

As for the reaction, "A lot of them like it," I've never met anyone who experiences this sort of violence - a broken jaw or a fractured spine - and wants to stay with it. No one wants to pay that price for a martyr's role. Most often it is a case of like it or lump it. ...The psychia-

trists' form of the "they enjoy it" argument is that battered women are the sort of women who go out and subconsciously choose men who will batter them. They consider the women "victims" who can only be happy with a "victimizer." ...Just because a woman is in a "victim" situation, that doesn't mean that she should be labelled a "victim" and so given a life sentence (1974:37).

It appears that the cultural stereotype which defines female victims and/or their attackers as psychopathological serves to confine both rape and battering in the realm of individual aberrations. Lack of reliable statistics prevents definitive repudiation of the assumption that such crimes are rare occurrences and "much ado about nothing." As Pizzey says, "Of course, if a psychiatrist wants to see battered women as natural victims, that's the way they'll appear to him" (1974:37). The problem is, some popular theories of psychiatrists (as well as many others in both medical and social sciences), often become accepted by people in positions of social responsibility, e.g., judges, as "fact," or "truth." The ultimate consequences of these stereotypes are to not only affect the way female victims view their own situations, but they also affect the way the victims are viewed by persons to whom they may turn for assistance.

2. Provocation

While the layman may be likely to look for the guilt of the victim by use of the term "provoke," the more sophisticated social scientist is likely to inquire about victim precipitation. The concept victim precipitation became adapted by others after the studies on criminal homicide by Wolfgang to refer to murders where the victim was first "to use physical force directed against his subsequent slayer" (1958:252). The comparatively new discipline of victimology, which Weis and Borges say, "was originally intended by one of its fathers and founders (Mendelsohn) to be a humanitarian science geared toward helping victims and other loser-types in life" (1976:230), has recently taken a turn toward "the art of how to blame the victim" (Weis and Borges, 1976:231).

Another founder and innovator in the field of victimology. Schafer, who worked diligently for compensation and restitution for victims of crime, later turned to "functional responsibility" of the victim (Victimology: An International Journal, 1976:223-225). Schafer suggested that the victim often is negligent, takes precipitative action, or provokes the criminal behavior of another (Holstrom and Burgess, 1976a:1/2).

Although the literature on the topic of woman battering is comparatively scarce, some reference to victim responsibility has emerged. Gayford suggests that victims not only seek out violent men, but provoke attacks (1975:197). Goode postulates that in an unfair "war of words" won by the "more facile" verbal woman, the loser may use physical force because of (his) sense of outrage (1971:632). Straus, et al. appear to agree that verbal aggression on the part of some women precipitate their own physical attacks (1976:23). In her pilot study on battered women, Pagelow found that many of the victims claimed that arguments did not have to precede attacks--in fact, some claimed that beatings began suddenly with no prior interaction, or even when they were asleep. Pagelow concludes that some women may have verbal advantage over some men, but questions the "right" or justification for anyone generally larger and more muscular to physically abuse any person smaller and more helpless.⁴ The author says, "There seems to be a great desire to look for the 'reasons' why a woman was beaten, similar to asking why a woman was raped, but unlike other crimes where few people ask why a person was robbed" (1976b:18).

Other writers have compared the requirements for prosecution of rape which are not demanded for other crimes. Why is it that female victims of physical violence (rape and battering) must prove themselves "worthy victims?" (Gingold, 1976:52). Bard and Eliaon argue against rape as a sex crime, saying,

If one looks upon rape as a crime against the person, one may be more disposed to see it as one would view other aggressive crimes, such as

robbery, assault, etc. ... laws dealing with sex crimes differ significantly from laws dealing with other crimes against the person. For example, a woman carrying a purse is ordinarily not considered to be "asking for" a mugging, but a woman in a short dress is often accused of "asking" to be raped. No other crime has such stringent corroboration rules or requires such blameless character and conduct on the part of the victim (1974:168).

Hafer provides a short parody on a cross-examination of a male mugging victim who advertised his wealth by dressing expensively, walked the street at night, who neither screamed nor resisted the armed mugger (1976:502-503). Brownmiller concurs that rape victims are treated differentially from victims of robbery who "need not prove they resisted the robber, and it is never inferred that by handing over their money, they 'consented' to the act and therefore the act was no crime" (1975:430). Weis and Borges refute the concept victim precipitation in rape cases, stating that Amir's use is a distortion of its original meaning, and the 20 percent "victim precipitated" rapes reported by Amir (1975:50), as well as other aspects of his research report are "an instructive lesson in the art of statistical analysis" (1976:246).⁵

Pizzey denies that women "provoke, deserve or enjoy being beaten" (1974:43), and Parcell and Kanin argue against perceived sexual availability of females (based on clothing, vocabulary, behavior), suggesting that "the aggressive male's definition of the situation is aberrant" (1976:6). Promiscuity, these authors believe, serves as the excuse to categorically de-individualize the female. They say, "The aggressive, double standard male typically feels forceful sex aggression is justified if 'she puts out for others, but refuses me'" (1976:6).

At the present time, only one small study has been reported on perpetrators of the crime of assault (of their spouses) (Faulk, 1974), but there have been some besides Amir who have researched rapists. Brownmiller says that the National Commission on the Causes and Prevention of Violence looked for victim precipitation in a 17-city survey, and concluded that only 4.4 percent were

victim precipitated, less than other kinds of violent crime (1975:396). Seventy-three convicted rapists were interviewed by Copeland, et al., and they said that selection of the victim was mostly by her availability (82.2%) and her defenselessness (71.2%). A slight majority of the rapists said they had decided on the rape before selecting the victim, but 45.2 percent "felt their victims had precipitated the assault" (1976:82). Precipitation, to these men, meant resistance and attractiveness. Landau's cross-cultural study of 51 convicted rapists notes techniques of neutralization to lessen guilt and dubious "reasons" offered by these men to explain their actions. Nevertheless, while half the sample said that their victims were not guilty of causing their own rapes, "Both Israeli and American offenders, almost unanimously, would be unwilling to compensate their victims" (1976:12).

The warden of San Quentin, Clinton Duffy, is quoted by Brownmiller, who says he thinks women should protect themselves under maximum security conditions. Duffy said:

"Many (women) break the most elementary rules of caution every day. The particularly flagrant violators, those who go to barrooms alone, or accept pickups from strangers, or wear unusually tight sweaters and skirts, or make a habit of teasing, become rape bait by their actions alone. When it happens they have nobody to blame but themselves" (quoted in Brownmiller, 1975:445).

It appears that Pobrebin may have been referring to people like Duffy when she said, "Why not acquit the mass murderers and indict the real culprit: Mommy" (1974:50). Pobrebin addresses the topic of male aggression, including rape and battering, and finds that women are consistently and illogically blamed for almost all social ills, including war and their own victimization (1974).

The problem is, many women do not see the patterns in these stereotypes, and when they become victims of violent crimes, they are very likely to assume the culturally assigned guilt. Pizzey describes the shame and self-guilt of many battered women (1974), and Russell describes these same emotions experi-

enced by rape victims (1975). The remorseful thought, "if only I had not
 -----" (fill in the blank with your choice of the following: "gone out to
 night," "talked back," "accepted that ride home," "burned the eggs," etc.,
 etc.) The crime itself differs, but the cultural stereotypes are basically the
 same, and so are many of the reactions of the female victims.

3. Hidden Reasons

When battered women have turned to "helping" agencies, they frequently
 found their credibility called into question. Just as the rape victim has
 been greeted by jeering remarks from policemen like, "How many orgasms did you
 have?" and "Didn't I pick you up last week for prostitution?" (Wood, 1975:209-
 210), the battered woman may hear, "Why are you complaining now? Has he got
 another woman?" In a comprehensive study for the LEAA, Aga, et al. discuss
 "unfounded" rape reports, which may include victim noncooperation with police,
 despite medical examination with positive results, or patrol response to a rape
 scene where no one is present at time of their arrival. Aga, et al. say that
 some women seek revenge and the "The credibility of the rape victim is question-
 ed more than that of any other victims of crime" (1975:15). Brownmiller
 asserts that women's credibility has historically been called into question,
 dating from "Biblical days of Joseph the Israelite" and exacerbated by Freud
 and his followers (1975:434). Hibey provides a quotation from the 17th cen-
 tury which states:

The party ravished may give evidence upon oath, and is in law a competent
 witness but the credibility of her testimony, and how far forth she is to
 be believed, must be left to the jury.... It is one thing whether a wit-
 ness be admissible to be heard, another thing, whether they are to be be-
 lieved when heard (1975:165).

Wood begins her article with a quotation from Rosenblatt which leaves little
 doubt that some "chicks" lie, saying "Some girls rape awful easy. ...The
 rape law is often used by a woman to 'get' a former boyfriend or a hoped-for
 boyfriend who never materialized" (1975:194). Wood approaches rape from a

legal standpoint, and provides a quotation from a J. Wigmore, who is frequently quoted by defense attorneys and authors of scholarly journal articles on rape.

Wigmore, according to Wood, stated:

False accusations of sex crimes in general, and rape in particular, are generally believed to be much more frequent than untrue charges of other crimes. ...Since stories of rape are frequently lies or fantasies, it is reasonable to provide that such a story, in itself, should not be enough evidence to convict a man of crime... (1975:196).

Wigmore tells why a woman lies about rape: she may be mentally ill, consented but is ashamed later, gets pregnant, or hates the man she accuses.

Research and literature on battered women is comparatively rare, but the researcher in the field soon discovers that not only the police, but others, such as medical doctor and nurses, sometimes take an attitude of scorn or indifference toward women who come to them for professional services. Pagelow mentions a psychoanalyst who wonders what battered women 'get out of' their relationships (1976b:26). Waterbury, et al. frequently encountered skepticism in interviews with professionals who come in contact with battered women. One assistant district attorney told them that wounds must be both visible and validated by a physician, and that two thirds of the cases that come to his office are classified as "neurotic housewife" or "vindictive wife" and dropped (1976:47-48).

The whole syndrome of looking for "hidden reasons" for women's complaints, of doubting the truthfulness of female victims of physical assaults, may be resolved by tactics of making rape and battering "victimless crimes." The first time this anomalous categorization came to the author's attention was the Waterbury, et al. report of an interview they conducted with a person employed by a police department. These writers state,

As a liaison officer who is available to the community, (he) teaches a class on self defense for rape victims. He describes battered women as "victimless" crime like rape and prostitution. He feels the predominant attitude is that women are used to that type of life style. "The husband

'tamps' them once a week. It's a way of life. They must like it or they wouldn't stay" (1976:77).

how a raped or battered woman can possibly be designated a nonvictim is explained by Weis and Borges. They introduce the concept, "Legitimate Victims" (1975). Weis and Borges describe a legitimate victim as one who is "safe" to victimize, saying,

Inferior social status frequently is the deciding factor in determining who is a legitimate victim. Therefore, lower-class individuals, racial minorities and women are often held to be more legitimate and deserving when they are victimized (1975:100).

If it is not evident that the victim is of inferior social status, then inferiority on some other basis may be attributed to her (or him). Citing Sykes and Matza's techniques of neutralization, they explain,

The basic dynamic is to shift the blame from the offender to the victim emphasizing the victim's deserving characteristics. Thus, in essence, it is maintained that there was no injury, no offender, and no victim (1975:101).

Weis and Borges say that "one way to decriminalize proscribed behavior is to define it as excusable or even justified" (1975:102). They proceed to describe the training for victim/victimizer that women and men receive in this country by sex-role socialization, stating, "Where she has to be weak, passive and dependent, he must appear strong, active, and independent" (1975:109). Others have written that women are "set up" for the victim role (Pagelow, 1976b), and made "fair game" for whatever husbands and other men wish to do to them (Dobash and Dobash, 1976b:6). If one wishes to pursue the theory of "legitimate victim," the literature abounds with discussions on training of women and men in a violent, sexist culture which glorifies aggressiveness in men and "femininity" in women (cf. Bart, 1975; Brownmiller, 1975; Copeland, et al., 1976; Chodorow, 1975; Dobash and Dobash, 1976a, 1976b; Griffin, 1975; Holstrom and Gurgens, 1976a; Komisar, 1975; Russell, 1975; Strauss, 1976; Weis and Borges, 1975, 1976). Women are trained to be helpless, and men are trained

to be aggressive, and women learn early to expect that the men she knows will not attack her, but will be her protectors. The fact that women are battered (and raped) by husbands and lovers, and raped approximately 50 percent of the time by friends or relatives, shows that men frequently do not meet these expectations. In either case, when these expectations are not met, the women's reactions are the same: "The most common emotions reported are feelings of shock, betrayal, and humiliation with self-accusatory guilt often added for having placed herself in the situation in the first place" (Weis and Borges, 1975:119). As Bard, who has written extensively on both crimes against women says, "the act of rape is essentially violent and destructive...forcible penetration is for the purpose of degrading and humiliating; indeed of destroying the woman's psychological integrity" (1976:263). Physical battering by a spouse can scarcely be expected to differ greatly in intent and results.

4. Female Victims and the Law

Recent literature on battered women and the law has begun to surface, with Bard's work leading the field (Bard 1969, 1970; Bard and Zicker 1971, 1974). Commander Bannon of the Detroit Police Department has pointed out inconsistencies and incongruities in police intervention in household assaults (1975). But the researcher in the field discovers resentment and antagonism expressed by patrol officers, police chiefs, attorneys, and judges, who frequently blame the victim for the system's failure to arrest, prosecute, and convict (Aisenberg and Micklow, 1974; Pagelow, 1976b; Waterbury et al., 1976). Keefe and O'Reilly, working for the New York City Police Department, mention that only one out of the ten rapes are reported, and two-thirds of all dismissals are due to some form of complainant failure (1976:273). Bart (1975) and others have reported on the extremely low conviction rate for rapists. According to Brownmiller's figures of New York "founded" rape complaints: In 1971, the net result for convictions was 0.7 percent (1975:417).

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It appears that there may be underlying reasons for systematic failures in processing such crimes. Beginning with police reluctance to act as "social workers" and to interfere in "domestic squabbles" and the "sanctity of the home," battering of a woman by her spouse is often seen as a non-crime. Often, women in both instances are seen as nonvictims, and the men are viewed as non-offenders--they simply acted "inappropriately" (Hoistrom and Burgess, 1976a: 4), or "went a little too far" (Dobash and Dobash, 1976b). Right from the beginning of legal processing, women face systematic built-in bias. Waterbury et al. found that a police department training manual, instructing rookies in proper response to a "typical domestic dispute," refers to a husband's assault on his wife as "crime," with quotation marks, although such activity is, in fact, a crime (1976:120). Brownmiller says that the California police manual, Patrol Procedure, instructs officers that "forcible rape is one of the most falsely reported crimes" (1975:408). The high attrition rate through the system is due to many factors, one of which is "putting the screws" on the female victim to weed out of the system any woman who may "buckle under" (Pagelow, 1976b:36). Bart explains the dynamics involved at the prosecutor's level. She says,

Since the District Attorney is an elective official, he wants to obtain a record of convictions. Thus he will only take a case he can win--a woman who will not break down on the stand under severe cross examination, a woman whom the jury will believe, a chaste woman who is also emotionally stable (1975:3).

The fact that many women, trained in their own helplessness, fear retaliation from aggressive men who have already humiliated and degraded them is seldom mentioned by members of the law enforcement/judicial complex. Somewhere along the line some official is almost certain to remind the spouse victim that if she presses charges, her attacker may come looking for her, and maybe this time he'll kill her. The possibilities of retaliation are present for almost all battered women, and at least half of the rape victims who had

'primary relationships' with their attackers prior to the rape (Amir 1975: 55-56). Both Amir (1975) and Copeland, et al. (1976) found that rapes increased in brutality and violence, the closer the relationship.

The fact that most women, at almost all stages of the life cycle, are more submissive to authority than men, which may make her more likely to "buckle under and drop out, is rarely discussed.⁶ Despite her rage and disgust at what a man has done to her and her body, prolonged interrogation, humiliation, and frustration will tend to lessen her resolve to prosecute (Holstrom and Burgess, 1976b). The California Law Review (1973) estimated that odds are 40 to one that a rapist escapes conviction. Hafer says, "One reason most people prefer not to press charges is that existing laws do not protect the victim. At the same time, a severe price has been placed on those who do report a rape' (1976:502)--and, it should be added, a battering by a spouse. In the case of a wife, conciliation court and social services will act upon her traditional beliefs in marriage and the family to "forgive and forget," often "in the best interests of the children' (Kremen, 1976).

Superintendent Colville of the Pittsburgh Police Department addresses the social pressures which converge on the rape victim. Colville says,

"Rape is the only crime in which the victim is doubly violated, first by the attacker, and then by society. It is the only crime in which social, religious and cultural core attitudes of society turn upon the victim. In rape, society tends to blame or accuse the women" (quoted in Schurr, 1971:3).

As stated earlier, what is written about one crime is often equally applicable to the other. The author suggests that "crimes against women: rape and battering" be substituted for "rape' in the statement above, and the truth of the statement remains substantially the same.

5. Only Poor People Do It

Some of the literature and cultural stereotypes both promote the myth that

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crimes of violence are committed predominantly by 'lower class' persons. Many people prefer to believe that middle class values are somewhat higher and above reproach. Cultural stress, frustrations of over crowded living quarters, insecurity and poverty, are logical explanations for why one might reasonably expect lowered social class to reflect higher rates of violence. In addition when samples are obtained from convicted and imprisoned persons, such as Amir's, these samples will reflect the general prison population, where the lower classes, and racial and ethnic minorities are disproportionately represented. But the question has long been debated if official statistics represent anything more significant than that persons of lower social status are more likely to be charged, arrested, tried convicted, and imprisoned, while those with greater resources are systematically screened out of the system.

Amir (1971, 1975), Field and Field (1973), and Gode (1969, 1971), are among the writers who conclude that rape and battering occur mostly among the lower classes. Martin (1976:19), Fojtik (1976), Pizzey (1974) all argue that middle class people are not exceptions to a cultural reverence for violence. Martin reports that Lard conducted two separate studies in a ghetto community with 98 percent non white population, and a white, upper middle class community, and came up with approximately the same level of reported wife-abuse cases (1976:19). Feldman-Summers argues against the "poor people do it" thesis by saying that living in high crime districts makes women more vulnerable to violent crimes (1976:97). Weis and Borges strongly disagree with the lower class myth, particularly Amir's subculture theory of violence. Amir expanded this thesis to explain not only lower class adolescent males, but he included females, as well. These authors explain, "Victims and offenders...were socialized in the same tradition of violence and sexual aggressiveness" (Weis and Borges 1976 239). If aggression and exploitative behavior is part of their

normative system, then, they ask, how does Amr explain the large percentage of reporting victims coming from this same violent subculture? (1976:239). Weis and Borges advance the idea that Amr's finding that rape is typically a phenomenon of the lower-class black subculture is a reflection of a built-in bias in the statistics" (1976:230). In another article, these same authors say that when persons in crisis situations seek help, their choice largely depends on available options. They suggest that middle class women are likely to approach family doctors, gynecologists, and psychiatrists first, but 'for the lower-class the police may be the only alternative' (1975:130). The author reported (in another paper on a sample of battered women, about equally divided between working class and middle class, and suggested that there is reason to believe that spousal abuse crosses age, racial and ethnic, and social class lines (Piggelow, 1976b). There may be subtle differences in technique, but when psychiatrists, judges, and even millionaires batter women,⁷ it is just as fallacious to assume that these cases uncovered thus far are rare exceptions as to assume restriction to those lowest on the socioeconomic ladder. Restriction to the lower classes promotes smug complacency among the middle class who could demand and get, remedial social action.

Stark and Melvoy reported on a survey they designed and analyzed which consisted of 1,176 interviews (1970). They found that men gave somewhat higher approval of slapping or being slapped by one's spouse than women, and that rate of approval increased with education and income. In addition, as income increased so did percentages of owning firearms, being threatened with gun or knife, being cut by knife or shot. With increased income, they were more likely to have slapped or kicked another person, or received such treatment. Stark and Melvoy report middle class people are likely to resort to third party intervention other than police, and they say, 'The privacy of the middle-class

life-style preserves an illusion of greater domestic tranquility; but it is, apparently, only an illusion (1970-54).

If there should be any lingering doubts that the middle and upper classes engage in aggressive behavior, the study by Parcell and Kanin should lay them to rest. Their study, conducted among female undergraduates at a prestigious university, revealed that 83 percent of the sample experienced male sex aggression, but victim/aggressor membership in sorority and fraternity were disproportionately highest. These authors say, "The offended sorority women reported that 76 percent of the men who offended them were fraternity members" (1976: 24). An earlier study by Kanin of 400 college men had also shown the same higher aggressive level for fraternity members.

A bill due to come before the California Legislature, SB91, sponsored by Senator Presley, calls for the establishment of shelters for victims of marital violence and their children. The bill reads:

There are hundreds of thousands of persons in this state who are regularly beaten, tortured, and in many cases even killed by spouses or persons with whom they are living in a quasi-marital relationship. Victims of marital violence come from all socioeconomic classes and ethnic groups, though it is the poor who suffer most from marital violence, since unlike the well-to-do, they have no immediate access to private counseling and shelter for themselves and their children (SB 91, 1977:2).

SUMMARY

In the sciences, there seems to be a tendency to specialize, to develop expertise in a particular area of interest. Some noted writers' careers may be followed over the years by publications all addressing various elements of the same basic topic. As a sociologist, the author has followed in the tradition of focusing on a particular social problem researching it, reading all available relevant material, and attempting to understand it. This concentration serves a useful purpose, since we all live in an age of specialization, but there are dangers in it, too. It may lead to fragmentation and exclusion of

other important, and related topics. By concentrating on the tree, one may not see the forest.

The writer has spent considerable time and energy on the subject of battered women, and has initiated research in this relatively unexplored topic. However, here and there one finds a reference to a larger social pattern,--and a question grew which could no longer be put aside. The literature on rape, rape victims and victimology was gathered, and once the task of reading began, commonalities emerged and grew more convincing. Before long, considering all the apparent similarities, there came astonishment that no one had systematically compared victimization through rape and battering before. Initial suspicions became stronger until, as stated earlier, the descriptions of victim reaction, aggressor's intent, institutional response, and, above all, the prevailing myths and stereotypes, were so similar that the names of the crimes could often be transposed without loss of meaning.

All of which leaves us with the question--what does it all mean? Is it by chance that physical aggression against women receives basically the same social response, that the myths and stereotypes are so similar? To the writer, at least, this appears unlikely. What, then, are the causes, and more importantly, the purposes? Some writers have suggested that the causes are to be found in the hierarchal structure of the patriarchal family. If women have historically been chattel to men, subservient to men, passed along from ownership by father to ownership by mate, then women are legitimately non-persons. Patriarchal philosophy of ownership is addressed by many authors who have written on crimes against women (Bart, 1975; Brownmiller, 1975; Dobash and Dobash, 1976a, 1976b; Griffin, 1975; Russell 1975; Wood, 1976; Young, 1976). In view of historical, anthropological, and sociological literature, these theories seem to provide the strongest sense of logic.

Purposes for systematic parallels in crimes against women may not be clearly defined or even proposed. However, there is one common idea which appears in the literature from time to time with increasing regularity. This is the concept of "social control," introduced by Dobash and Dobash (1976c), Brownmiller (1975), Holstrom and Burgess (1976a), and Russell (1975). In simplified terms, these authors theorize that the myths and stereotypes associated with victimized women, and the accompanying institutional response, serve to "keep women in their place." Closely associated, the concept cultural sexism is discussed by Straus (re: wife-beating, 1976), and Brownmiller (re: rape, 1975). Brownmiller defines the concept thus: "cultural sexism is a conscious form of female degradation designed to boost the male ego by offering 'proof' of his native superiority (and of female inferiority) everywhere he looks" (1975:437):

If these social scientists are correct in their assumptions, then with the rising spirit of female challenge to the patriarchal, sexist basis of our culture, actual occurrences of rape and battering may be expected to increase for at least the next few years. If feminist ideology continues to effect social thinking and social change, however, these forms of violence will be increasingly resisted, publicly denounced, and officially reported. We may expect a continued increase in reported crimes against women, not only because women and non-sexist men are demanding changes and increased supportive services, but also because some men, socialized in machismo or the masculine mystique will be so threatened by changes in formerly passive women that they will resort to the ultimate degradation they can perpetrate. As Brownmiller says,

...in daring to speak the unspoken, women had uncovered yet another part of our oppression, perhaps the central key: historic physical repression, a conscious process of intimidation, guilt and fear (1975:446).

It is erroneous to conceptualize rape and battering as separate distinct crimes. They are both hostile, physical assaults against women, intended to humiliate, degrade and subjugate the victim. As long as husbands can rape wives with impunity from the law--women do not own their own bodies. And these crimes against women will continue until women, and men, expect and accord full human rights of self-determination to all women.

FOOTNOTES

1. See also Keefe and O'Reilly, who say, "The Federal Bureau of Investigation speculated that as few as one out of ten rapes were reported to authorities" (1976:273).
2. Perhaps blaming the female victim is popular in societies beyond this one, and it may not be limited to physically violent crimes. The World Population Plan, developed by the 1974 United Nations World Population Conference, aimed at developing redistribution of power and resources within, if not among, nations, found that high fertility rates impede progress. Moen reports on the Plan and suggests, "Third world women, world population growth: a case of blaming the victims?" (1976).
3. It is necessary to mention that the Snell, et al. conclusions are based on a sample of twelve families who were interviewed by this team of psychiatrists three or more times. A group of 37 men charged with wife-battering were assigned to the clinic, but the sample for this report consisted of 12 who did not resist treatment. Couples were called in for interviews, but "The men were usually resistive to psychiatric contact, tending to deny that problems existed in their marriages which required outside help" (1964:108).
4. Dobash and Dobash discuss the tendency to blame the battered wife, saying:

The very act of the search for 'provocation' is an implicit acceptance of the idea that a man basically has the right to beat his wife provided that the circumstances warrant it. The same logic is used in rape cases and in cases of homicide which are seen as "crimes of passion." What is actually being assumed is that a man has a right to control certain aspects of a woman's public and private behaviour and if she does not conform then he has the right to punish her either by beating, raping, or killing her (1976b:5).

5. Weis and Borges present a harsh methodological critique of Amir's work, revealing flaws in computation, inconsistencies in methodology, and questionable data analysis. Among those victims Amir charged with "precipitation" of their own rapes, Weis and Borges tell us that two of the "women" were under nine years of age. These critics say:

This is consonant with the book's attempt to reshuffle responsibility, even if it redirects it to individuals that enjoy the special protection of the law: "Victim behavior during the offense, especially of minors, in terms of the degree of consent or resistance may reduce the criminal responsibility of the offender and nullify the severity of the punishment" (quotation from Amir, 1971:165 in Weis and Borges, 1976:248).

6. Brownmiller tells of a Brooklyn-Bronx study of children sexually abused by adults. After arrests were made, 28 percent of the parents withdrew the complaint (1975:308).
7. Straus reports the story of a woman severely beaten by a man she lived with for 12 years, Greek shipping magnate, Aristotle Onassis (1976:546).

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Statement

of

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Bureau of Governmental Relations
and Legal Counsel

IACP

Submitted to the

Subcommittee on Child and Human Development

of the

Senate Committee on Human Resources

Regarding the

"Domestic Violence Prevention and Services Act"

July 17, 1978

Dear Chairman Cranston:

The International Association of Chiefs of Police appreciates the opportunity to submit a statement to the Senate Subcommittee on Child and Human Development regarding the "Domestic Violence Prevention and Services Act", (S. 2759).

The IACP is a professional membership organization with more than 11,000 members from 64 nations. The Association was established in 1893 to further the science of police administration. The majority of our membership is from the United States, and may be directly affected by this legislation.

As you know, the purpose of the "Domestic Violence Prevention and Services Act" is to increase state, local and private participation in programs designed to combat domestic crime, which has become an epidemic within our society. This is also the goal of similar legislation in the House of Representatives, H.R. 12299. Generally, S. 2759 authorizes a state grant program to help support projects which offer assistance to victims of domestic violence and programs which attempt to prevent such incidents. The bill has been constructed to (1) provide a financial incentive for states to support programs addressing domestic violence; (2) have states assume a rapidly increasing proportion of the costs of the program; (3) ensure that nonprofit private groups are not precluded from sharing in the resources, and (4) provide seed money for community groups. These provisions will be accomplished by the establishment of state citizen panels on domestic violence; regional centers to provide technical assistance and training; and an interagency council to coordinate federal programs with respect to domestic violence. The bill will also provide for research and reporting programs relating to domestic violence.

Legislation concerning domestic violence is of grave concern to the law enforcement community. Violence in American households is widespread, reflecting the fact that many people feel that violence is acceptable as a form of release for stress within the family. Family violence constitutes a significant percentage of homicides, aggravated assaults, and assaults and batteries in the United States. The known dimension of domestic violence represents only a small portion of the actual number of incidents, with conservative estimates speculating that 3.5 million severely battered women (requiring hospitalization) and 5 million battered children are affected annually. In addition to being a significant problem in relation to victims of abuse, family violence is one of the most hazardous assignments to which police officers must respond. The 1976 Uniform Crime Report indicates that 31.5 percent of all law enforcement officers were assaulted while responding to disturbance calls during 1976¹, representing the greatest percentage of assaults on law enforcement officers. An FBI study covering an eight year period showed that 20 percent of the total number of police officers killed in the line of duty died while responding to family disturbance calls.²

In order to respond effectively to family violence situations, the law enforcement community has recognized the importance of specialized training in this area. Police officers are trained to attempt to recognize evidence which may indicate family abuse, recognize factors which might motivate offenders and to maintain a professional attitude when responding to such calls. Law enforcement officials

¹ Crime in the United States 1976 (Washington: U.S. Government Printing Office, 1977), p. 282

² Roger Langley and Richard C. Levy, Wifebeating: The Silent Crisis (New York: E.P. Dutton, 1977), p. 165

have also attempted to become involved with social service agencies for referral purposes. While training of this type has been instrumental in the more efficient response to domestic violence situations, community assistance for domestic violence is limited, and in some areas, is nonexistent. There are numerous situations, for example, in which social service agencies do not operate on a 24-hour basis, or in which shelters are overcrowded and cannot accept victims. There are also instances in which the law enforcement community is unaware of the various services provided by family violence programs due to a lack of communication. Again, in certain areas, there is a lack of cooperation between social service agencies and law enforcement in providing assistance to victims of family violence, because of either a competitiveness between the agencies or, in some cases, a lack in definition of services provided.

To remedy these and similar situations, coordination and cooperation must be maintained at all levels of government. The proposed legislation establishes this link between the various levels, as well as providing an effective avenue through which various agencies can jointly develop viable solutions to family violence.

The law enforcement community has, in the past, been held primarily accountable for resolving incidents of family violence because traditionally they have been the first agency called on to respond. The police response to domestic violence, however, can merely treat the symptoms or consequences of the problem, rather than the causes.

The police, for example, are empowered to take whatever action is necessary to subdue the immediate instance of violence, but, in most cases, the action has little long-range impact on the causes of the violence itself. As an indication

of the effect of the police response to incidents of family violence, a study in Kansas City revealed that in 85 percent of the cases of spouse murders in a single year in that city the police had been summoned at least once before the murder occurred, and in 50 percent of the cases they had been called five or more times before the homicide.

Law enforcement officials are making a sincere effort to combat this crime. However, once they have been summoned to a domestic incident, their alternatives are very limited. They can arrest the offender if the victim will sign a complaint, but the abused party is usually reluctant to do this. Economic dependence, low self-esteem, social isolation and fear or reprisal are among the factors that cause the victim to endure the situation rather than prosecute. When faced with this problem, the police officers' only other alternative is to refer the victim to agencies which can provide immediate shelter and/or long-term help. Even this alternative is limited due to an insufficient availability of services to meet the demand. Many states and local communities are attempting to deal with the problem, but even where shelters and services do exist, the massive demand quickly overwhelms the program. By providing federal funding for community-based programs, such as shelters and counseling, as well as encouraging the availability of such services on a 24-hour basis, the causes of domestic violence can be assessed and realistically dealt with on a case-by-case basis. Studies have demonstrated that as a result of the implementation of community-based family violence programs, the total number of calls for police intervention has been reduced by half; the recidivism rate for domestic disturbances reduced by more than half; and the amount of time spent on domestic disturbance calls reduced by approximately 25 minutes per call. These studies indicate that the current high drain on law enforcement personnel generated by domestic violence can be reduced with proper training and resources.

Family violence is a complex problem affecting every facet of our society, about which there is no definite knowledge. It must be studied and dealt with on every possible level. This bill will help to coordinate federal, state and local efforts in combatting the problem. It will assist the development of effective methods of identification and treatment of offenders. It will establish a program that provides the direction, coordination, leadership, and resources necessary to develop and implement solutions to this widespread crime.

Domestic violence is a severe problem within the family, the community, the state and the nation. It has not yet received adequate attention from the society at large, even though it is becoming increasingly clear that it occurs at all levels of society, within the families of the rich and educated as well as the poor and illiterate. For the benefit of the victims, who are growing in number daily, for the benefit of the law enforcement community, which faces danger and tragedy each time an officer responds to a call, and for the benefit of a nation which is laden with criminal activity, society as a whole must cooperate to eliminate domestic violence.

The IACP wholeheartedly urges passage of domestic violence legislation.

Thank you.

Ms.

February 21, 1978

Senator Alan Cranston
452 Russell Office Bldg.
Washington, D.C. 20510

Dear Senator Cranston:

We have learned from Congressman Newton I. Steers office that you will chair hearings on family violence on March 8th. We would like to submit the following articles, letters and Ms. commentary for the written testimony for the Child and Human Development Subcommittee hearings:

AUGUST, 1976:

"MOST AMERICAN VIOLENCE HAPPENS IN THE HOME" by Judith Gingold
"HOW I STOPPED BEATING MY WIFE" --Interview with Bill M. by Ann Geracimos.

"BATTERED WIVES: HELP FOR THE VICTIM NEXT DOOR" Compiled by Marcia Rockwood

DECEMBER, 1976:

"LETTERS FROM BATTERED WIVES"

In addition, I am submitting the commentary of Gloria Steinem which was included in the WOMAN ALIVE! series produced by WNET/13 in collaboration with Ms. Magazine.

Because we recognize the importance of this national problem, we want your committee to have access to the Ms. material. Please include the our information in the written testimony of your committee hearings.

Sincerely,

Karin Lippert
Karin Lippert

370 Lexington Avenue
New York New York 10017
212 • 725 • 2666

GAZETTE

(NEWS FROM ALL OVER)

UNFORGETTABLE LETTERS FROM BATTERED WIVES

The reader response to "One of These Days-Pow! Right in the Kisses: The Truth About Battered Wives" (August, 1976) was dramatic in many ways; but most unexpected was the willingness of so many women to share their painful experiences in hopes of helping other battered women. A dialogue has begun. Here is a selection from the enormous number of moving letters "Ms." received. (Because of the sensitivity of this issue, the names of the letter writers have been withheld.)

My experience with the authorities in my wife-beating case must have been unique.

When I finally had enough and decided to move out, I called the police and they told me that they would have a car meet me several blocks from my apartment. When we got home, the officer asked me for my key because my husband was home. The officer opened the door and confronted my husband. He told him to keep his distance while I got my belongings. When my husband got insistent, the officer got nasty with him.

I went back to my husband—just the way my attorney said I would—I guess because I loved him and wanted to believe that he wouldn't hurt me any more.

The second time I moved out there were five patrol cars there, including the area supervisor's. He had a gun and the police were ready for my husband, but he never showed up.

The sergeant put his arm around my shoulder and said, "This time I hope you will know better than to believe him. Don't come back here."

I didn't. Six weeks later I "regained my freedom" and got a restraining order from the judge

who admonished me to use it!

Maybe it is just the attitude of the police officers and judges in Tampa, Florida. If it is, I surely hope it is contagious!

Life in America is competitive and insecure. For example, if a boss gives a man a hard time, there is nothing he can do about it, except take it out on his wife or kids. There aren't enough jobs to go around, so he can't quit, and the job he has is most likely to be boring and unfulfilling. So after work he goes down to the bar and has a few. With his inhibitions soaked in alcohol he goes home and takes out his frustrations on his family.

If we seriously want to end wife-beating, rape, murder, and other crime, then we must change our society into a cooperative, secure, easygoing one.

“WHEN WE TRY TO PROTECT OURSELVES, WE ARE IMPRISONED FOR MURDER”

Everyone worries about violence in the street. But there are more women beaten, bruised, broken, and battered than anybody knows. It happens in their homes.

I was one of these battered women, and I told lies for my husband and kept it from our families. I put up with it for about eight years, during three pregnancies. Now I'm living alone with four children, from four to eleven years old, and I am charged with murder.

My husband would get drunk, come home, and take out all his frustrations, failures, and anger on me. About two and a half years ago, when he would get mean and try to do this, I would try to get

away, taking my children. Sometimes I could; sometimes I didn't have money for gas or food for the kids, so I would have to stay. A lot of times he would take my car keys beforehand, and I couldn't do anything about it. He weighed about 245 pounds, and was six feet, two inches. I weigh 140 pounds and am five feet, two inches. What kind of odds were these? You can take out warrants for assault; but if you decide to

UPDATE: MORE HELP

Since the August issue of *Ms.* on battered women has come out, I've been receiving requests for information at the rate of about 30 a day! We immediately ran out of copies of our publication, a listing called "Working on Wife Abuse" and had to have it reprinted. We also added more than a dozen pages to list new groups and individuals who have contacted us about their work for battered women.

It's clear from this response that there are many concerned people all over the country who are determined to end the abuse and battering of women. Betsy Warrior
Cambridge, Mass.

EDITOR'S NOTE: *Ms.* has received numerous letters from organizations and centers throughout the country that want women to know about their services for battered wives. To be listed in "Working on Wife Abuse," write to Betsy Warrior, 46 Pleasant Street, Cambridge, Mass. 02139. The list is available for \$2.50.

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prosecute and a fine must be paid, where does the money come from? It's money your kids need for food and clothes, money for house payments, power bills, phone bills, and so on. And then the next time you really get a good beating for taking your husband to court. If I'd had a choice between being mugged on the streets rather than being at home when my husband was drunk, I'd take my chances with the mugger.

And after you decide you can't take it any more, and want a divorce, that doesn't end it either. I was legally separated for about five months. I never had a good night's sleep, and still no peace, because he wouldn't stay away from me. He threatened to kill me or to hire someone to do that. So I went back to him and tried to make a good marriage after 12 years. It worked. He stayed sober for two weeks! I stayed on four weeks more before I decided I was fed up. I left again. He came to Virginia where I was staying at my sister's house and he tried to make me go home with him. He was slapping me when I shot him. He wanted to beat me so badly that after I got him through the heart and right lung, he still ran 65 feet trying to get me before he fell.

I'm the villain now. He was the poor husband shot by his wife. I'm charged with murder. I've got four children to feed, a job. It is summer, and the school, so I can't work because a babysitter would cost me \$50 a week, or more. It takes about three or four months for the Social Security people to start sending me checks. Unless I'm cleared of the murder charge, I won't get them anyway. What do we do, we women with kids? We don't have a chance with men or without them!

Sometimes I feel like killing myself. I can't see where it will all end. Every citizen is supposed to have certain rights. But women are left out when it comes to that. When we try to protect ourselves,

we are imprisoned for murder.

If all the women in the world stood up for their own rights and raised hell about it, things would be different. I'm writing this letter for them.

“WE LEARNED THE SIGN OF AN IMPENDING ATTACK: HE DRANK ALCOHOL.”

I remember episodes in my childhood of my father's rages at my mother and the sight afterward of my mother's bruised and swollen face. I remember looking into her eyes and seeing hurt and shame; and my intense anger at my father and bitter frustration at my mother's situation.

I was surprised and disappointed that you did not give any attention to the international campaign for Wages for Housework (c/o Sylvia Federici, 491 Pacific Street, Brooklyn, N.Y. 11217) in the issue on abused women. One of the main points of the international collective is that if there were wages for housework, battered-wives' shelters would not be necessary. Homemakers with a wage could realize that their work is important. Thus they'd feel more strongly that they don't deserve bad treatment. And they'd have money—the main means of escape. The weeks or months of hassle it takes to find shelter, and the rigmarole till the woman and her children are placed, counseled, and then finally off on their own, would be bypassed. While a wage for work done in the home is not yet a reality, it is important to make emergency housing for abused women available. But I do feel it's too bad that more energy is not put into wages for housework.

Adele Brookman
Bucks County, Pa.

I begged her to leave. She always answered me. "Where would I go? I have no job, no money."

We all learned the sign of one of my father's impending attacks. He always drank alcohol first.

To see my father like that—ugly, swaying, smelling of liquor—disgusted me. It took a long time before I stopped hating him and all men, but I never fully understood why my father did what he did.

I am a middle aged reader and I enjoyed a happy, wonderful relationship with my husband until five years ago. During the last five years I have experienced things I thought would never happen to me. I perceive that what has been going on (and it now seems to be somewhat resolved, for the angry sessions are lessening) is a kind of middle-life crisis. Precipitated, I feel, by a number of other stresses, my husband would occasionally go into rages when he threw things, cursed, and, unbelievably—because he used to be so considerate, gentle, and kind—hit me.

I feel that part of the problem was my going back to graduate school, although my husband initially encouraged it. Another part was his not getting a promotion he wanted. Yet another was our taking on the care of my aging mother. But perhaps the most basic issue that has continued since his initial rage, was that my husband read a book stating that 85 percent of the women in a survey enjoyed and practiced fellatio regularly with their partners. Since my husband has discovered that I am in the 15 percent who find fellatio appalling, he has felt he is being denied. After finally persuading my husband to see two psychiatrists with me (out of town at his insistence), and after lengthy counseling, my husband refused, finally, to go for any more. Although he had chosen the

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second doctor, who also counseled that we should enjoy together those things pleasurable to us both, my husband became very angry and said he would not return.

We need to read more articles about women at middle life- for we do feel caught between old restrictions and new freedoms.

“I REALIZE NOW THAT HE WOULD HAVE HIT ANYONE WHO HAPPENED TO BE THERE”

I was at one time a battered wife, but I didn't have such a sympathetic label then. I was blamed for my first husband's violence more than he was.

My husband turned out to be an alcoholic. Many violent men and women are alcoholics. Most cease to be violent when they abstain from alcohol (and/or drugs). My husband didn't. His provocations ranged from dinner not being ready on time, to being unable to locate one of his possessions, to just being in a bad mood. I realize now that he would have hit anyone who happened to be there. Once I realized that, and that he would go on being violent until his head straightened out, I left. I was neither helping him nor aggravating his problems.

“IN MARITAL COMBAT, I WAS SUPPOSED TO BE ABLE TO DEFEND MYSELF”

I had difficulty looking at the cover photograph of the battered woman because I have worn that battered face many times. Now I am divorced from my wife beating husband and happily remarried, so I am gaining some perspective on my former problem and its causes.

Your article on the battered wife upheld the hope that a couple could get help from counseling. But I think counseling is no

panacea. The causes of wife-beating are too deeply rooted in our societal values.

My former husband and I spent thousands of dollars so that an eminent psychiatrist could tell me that by being afraid of my husband I was "programming him to be a bad boy." The doctor almost convinced me that I was the kind of woman any real man would want to beat. The only solution the psychiatrist offered for our problem was that I take care of myself. My husband was six feet tall and weighed 185 pounds; I was five feet, seven inches and weighed 130. We would not have been considered an even match in the boxing ring, yet in marital combat I was supposed to be able to defend myself.

The counseling only worsened our situation because afterward my husband was able to say as he was beating me, "Dr. H. says you want this."

Thank you for not saying in the article on battered wives that we consciously provoke attack or enjoy being attacked. I have only recently told someone about my problems because I felt ashamed that I had allowed myself to be abused, and thought that everyone would believe that I probably deserved to be. Finally, after an occurrence of abuse in the

The Women's Rights Project of the American Civil Liberties Union is compiling a packet of material on the subject of abused women. Designed to help women's rights groups bring the problem to public attention, the packet will include background information and specifics on litigation, legislation, and public education. The project is expected to be completed by the first of the year. For more information write to Pat Beylea, Women's Rights Project, ACLU, 22 East 40th Street, New York, N.Y. 10016.

presence of a friend of the family, this friend insisted on talking with me about the abusive practices and has followed up with such emotional support that I feel I have regained my lost pride and self-respect. Through this new attitude I have been strengthened to the point of not tolerating any further abuse and of talking frankly about it with my husband. The next step I feel is therapy for him and the opportunity to regain my and the children's love and respect. If this involves a separation or even divorce after 14 years of marriage, I am now ready. My only advice to other abused wives is to start talking about it with sympathetic people.

“YOUR BODY NEVER FORGETS”

As an ex-battered wife (now divorced), I feel your article is valuable but incomplete. There is a solution to the problem.

The issue is power and the use of physical force in a relationship. My ex-husband, a college professor, was bewildered and appalled by his outbursts against me. They would take him by surprise, usually occurring after a long and bitter verbal argument, and following each incident he would come to me in tears, begging forgiveness and promising it would never happen again. It took me six years to realize that his promises, though sincere, would never be kept.

It is important to understand that there is only a difference of degree between beating someone and threatening to beat her. Once a man learns that a woman can be intimidated by force, it becomes an option for him in crisis situations.

The threat of force, however minor, must be eliminated as a possibility for the male from the outset of a relationship.

Fighting back is not the answer, it is dangerous for the woman. The police cannot and should not be

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expected to intervene in most cases. Our only means of self-defense is our willingness to put the relationship on the line. It is possible to love a man who hits you, but it is not possible to experience the same quality of sexual desire toward him. You can never fully trust him again. Your body never forgets.

The bastard wouldn't live to hit me a second time.

“HIS FIRST REACTION WAS, ‘THERE MUST BE SOMETHING WRONG WITH ME’”

The one area not mentioned in the article on battered wives is an isolated beating. This is what happened to me:

I have been married for 12 years and have two children. My husband and I have had our ups and downs (mostly ups) and have built a more solid relationship on what we have learned from our experiences. About a year ago, during an argument between my husband and me, in which many things were said that had been held back, my husband became almost hysterical with anger and started hitting me. We were in the car at the time, and when we reached a public place I ran from the car into a restaurant and sought safety inside. He tried to physically pull me out, but I held on to the door saying I'd scream and that I wouldn't leave with him. I was afraid of what he would do if I got back in the car with him. He was, after several minutes, almost as terrified as I was. We sat down and talked and he gave me the keys to the car and walked home.

My husband is a college graduate, and our income is extremely comfortable. He is not a violent person; he's calm and practical, and has always been, except for this one incident, a very rational person. His first reaction was, "there must be something

wrong with me" and "how could I do that?"

I do not consider myself a "battered wife" but rather a wife who was beaten once.

As a woman who, for seven years, had to deal with the battered-wife syndrome, I would like to get in a word about it that is seldom mentioned.

Eight years after my husband first beat me, and four years after I had left him, a benign prefrontal lobe meningioma was discovered in his brain. The personality — violent paranoiac — is a symptom of brain tumors, especially the most common of brain tumors: the prefrontal lobe meningioma. The tumor was discovered because I had read a lot, and demanded a brain scan.

My children and I escaped, because I knew my husband was desperately ill. Violence is a symptom, as is pain. We live peacefully together these days in spite of some of the personality disorders that resulted from the tumor and the surgery. It's not so hard to take when one realizes that he was sick and could not help himself.

“EMOTIONAL ASSAULT IS AS CRUEL AS PHYSICAL BEATING”

I was a victim for many years of emotional assault, which I found to be as cruel as physical beating. As a naive 19 year-old, I met and married a man seven years my senior, a college professor, better educated than I, from a far wealthier family, supposedly with all the "right" connections. We had children. It took me years to see how he manipulated me.

When I realized what was going on, I finally plucked up my courage to verbalize the apprehensions I had about the state of our marriage. My husband told me that I was sick, and that I had better see a psychiatrist. Through several months of

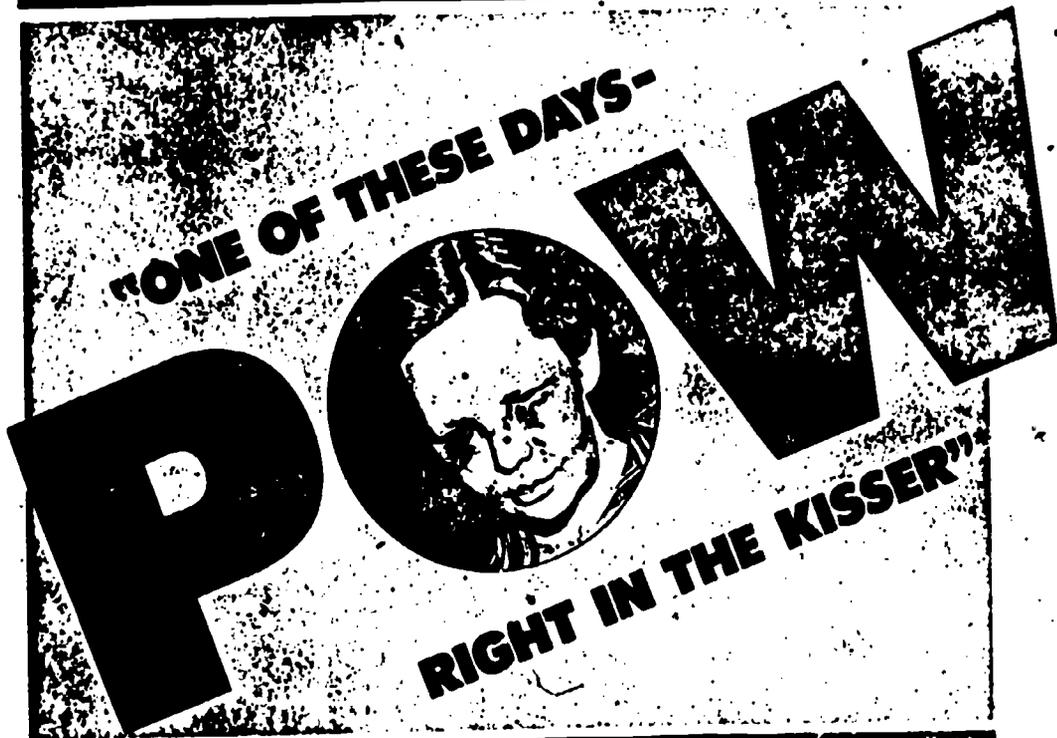
therapy I saw that I was not "sick" as I had thought, and I verbalized my further thoughts on the subject to my husband, only to be told that I was destroying him, I would have to get out, he would keep the house, the children, and I would get nothing. All this while I was 6,000 miles away from my family where the rest of the clan was rallying around a then-dying father!

With a lot of help from friends and professionals, I have since been able to totally support my two sons for the past six years. The supposedly learned professor has never paid any child support, and disappears for months at a time.

The Center for Women Policy Studies (2000 P Street, N.W., Suite 508, Washington, D.C. 20007; 202-872-1770), which was in the process of applying for a grant as the August issue went to press, is now operating as a clearinghouse for information about refuges, possible sources of funding, research, and so on. Their bimonthly newsletter, which includes notice of conferences, literature reviews, and bibliographies, can be obtained by writing to the above address.

The Baltimore Coalition Task Force on Battered Women, composed of representatives of agencies and community groups in that city, has published a pamphlet, "A Manual for Survival," and maintains a current bibliography on the subject of wife abuse. (Write to: Baltimore Coalition Task Force on Battered Women, c/o B. Gamble, 2202 Crest Road, Baltimore, Md. 21209.) For other printed resources on battered women, see "Help for the Victim Next Door," *Ms. Gazette*, August, 1976, page 95.

MOST AMERICAN VIOLENCE HAPPENS IN THE HOME



BY JUDITH GINGOLD

Victim stated the first argument started over a pack of cigarettes. Victim stated accused (her husband) held her against the bathroom wall by the hair and accused to beat victim with his right hand. Victim is six months pregnant at this time. Victim stated accused kept telling victim, "Bitch, you are going to lose that baby," and then accused would beat victim in the stomach again. After the assault in the bathroom, accused told victim to cook dinner. Victim stated the accused picked up a butcher knife and put it to the victim's throat and told victim, "I am going to kill you and you know I can do it too, don't you?" Victim answered, "Yes," and accused laid the butcher knife down on the table and turned around and hit the victim on the face with his fist and knocked victim to the floor. . . . Victim stated she blacked out. . . . Victim stated when she regained consciousness, the accused was still beating her.

4.1 Assaults, Felonious, File #41, Complaint #13626, July, 1974. Washtenaw County Sheriff's Department, Ann Arbor, Michigan.

Reports like this are atrocious, inhuman, and all too

easy to dismiss. Surely beating wives, like burning witches, is an archaic aberration, a cruelty only the deranged could commit or endure.

In fact, wife beating is among the most commonplace of crimes. For many women, even arguments over such minor items as misplaced cigarettes, unmade beds, or delayed dinners may end in blood and bruises. Complaints like #13626 routinely fill the files of city precincts and rural police stations.

Nevertheless, the plight of the abused wife has generally been ignored in our society. Assaulted wives have been convinced their ordeal is freakish and shameful— or their own fault. Increasingly, however, these women are beginning to realize that they are not singularly cursed but victims of a crime more prevalent than rape—and just as misunderstood. (For example, there were 4,764 reported rapes in New York State in 1973, according to the FBI. About 14,000 wife abuse complaints reached the Family Courts during a comparable period.)

*from "The Honeydooners"

A SPANIEL, A WOMAN AND A WALNUT TREE, THE MORE THEY'RE BEATEN THE BETTER THEY BE - OLD ENGLISH PROVERB

In our culture, the attitudes toward abused wives and rape victims are strikingly similar. Just as the rape victim is supposedly a seductive temptress who asked for what she got, the abused wife has provoked her husband into beating her. Secretly, the woman is supposed to enjoy being beaten, just as the rape victim is accused of relishing violent sex. A woman who attempts to charge a man with either crime is assumed to be vindictive; skeptical police and prosecutors must be convinced that she is indeed a "worthy" victim. Though the penalties for assault are less severe than those prescribed for rape, judges are reluctant to impose them when the assailant is married, to his victim. "In seven years of practice," reports Ann Arbor attorney David Goldstein, "I've never once seen a husband put in jail. Never once."

Wife abuse has been incorrectly considered a lower-class phenomenon. In fact, it is a crime that cuts across class lines, although middle class women may be especially reluctant to call the police. A special task force in Montgomery County, Maryland, one of the nation's wealthiest areas, reported an estimated 650 incidents of assault by husbands in a one year period. And Philadelphia social worker Jennifer Fleming, of Women in Transition, Inc., who counsels 300 battered wives each year, finds that her clients are as likely to be from the suburbs as from the inner city. "One man beat his wife with a golf club," she declares. "What could be more middle-class than that?"

Marital violence sometimes ends in divorce, sometimes in murder, but for many women it is a way of life that goes on and on. Often the beatings are a daily, weekly, or monthly ritual instituted early in the marriage and increasing in frequency and brutality over the years. Michigan lawyers Susan Eisenberg and Patricia Micklow conducted extensive interviews with 20 abused wives who had been punched, slapped, kicked, thrown across rooms and down stairs, struck with brooms, brushes, and belts, threatened with knives and guns, frequently after verbal disputes over trifles. "His bad mood precipitated the fights," one of the victims declared. "He got mad over little things, like dinner not being ready when he came home from work or that I don't think before I speak." Two of the women were attacked while they slept.

The women suffered injuries ranging from bruises, lacerations, swellings and soreness, to fractured jaws,

concussions, and miscarriages. "I would cover my head with my arms and crouch in the corner," said one woman. "I was too afraid to fight back." Those who did retaliate agreed that they were more severely beaten as a result. Humiliated by their husbands, they dreaded the further humiliation of others finding out.

Why do women endure years of such terror and degradation? In large part it's because they feel they have no other choice. Their economic dependence on the men who abuse them usually keeps them in their place. Even the many women who are employed outside the home are keenly aware of their limited earning power. In a country where the courts are notoriously unable to extract child support payments from unwilling husbands, and where female household heads and their children constitute more than 80 percent of all welfare recipients, many women don't see divorce as a possible solution.

Psychological pressures add to the economic constraints to leaving. "Women have been raised and socialized to believe they must make their husbands happy," argues Marjory Fields, an attorney with the South Brooklyn Legal Services Corporation. "So, they not only take the beatings, they tend to feel responsible for them. Their guilt feelings prevent them from getting out." Nevertheless, many abused wives do eventually seek separations or divorces. But they do so after years of waiting for kids to get bigger, or husbands to change, and years of struggling with a sense of shame. [For services for battered wives, see the Ms., "Gazette," pages 95 to 98.]

The literature on child abuse presents strong evidence that the abused child grows up to become the abusive parent, and the few studies that have been made of marital violence suggest that it, too, is transmitted from one generation to another. Not surprisingly, men who abuse their wives may also abuse their children, and women who are beaten by their husbands sometimes end up expressing their rage at their children—the only people in the family less powerful than themselves.

Marital violence may be kept secret from the neighbors, but chances are that the children know. One mother grimly admits that her six year old tried to overrule her attempts to put him to bed by threatening to "call Daddy to hit you."

(continued)

HOW IS STOPPED BEATING MY WIFE

Bill M. was a self-styled "womanizer" who, from his teens into his late 20s, was a playboy. He recently became a part-time professional boxer, and he's now a professional writer as well as a victim of his wife's violence. Because he claims he has never used any violence against her, he has trouble coping with more violent acts in the headlines and typically blame his wife's attitude and especially look to his past. *Author: Hearing in man's voice. The man's actions at work in a life about a man's own life. I don't know if it's that that's his. Just that but he's come from all this, and it's not thought of as a component of family violence is seldom the cause.*

"It was a thought I was somebody else. I'd strike out blindly and then later not believe I'd done it. The first time I'd come to being pulled to nothing is when she called the police one night. She didn't press charges, and the cops didn't take me in. They just walked me around the block and the next day I was back on her sofa drinking. Jeans, here we go again. I finally did leave, but the process was gradual. It took me a long time.

"I was born in Brooklyn, the middle one of nine kids. My father used to beat my mother at home, in front of us. We kids would intervene so she wouldn't get hurt. You grow up thinking you ought to protect a woman, but still you've seen the beatings. I get confused signs."

"Between fourteen and twenty I took up with the gangs, and in order to be one of them, to feel accepted, I went along with their way of doing things. That meant giving a girl a slap once in a while, asserting your manhood and your position, nothing serious. The guy was supposed to be the all-powerful one and if you couldn't get the point across verbally you tried to physically."

"Once I got out in the world as an adult, the frustrations really began; you're forced to make something of yourself and you've got kids in the house and your wife can't maintain

her all as well any more because there aren't no funds, and things can't do it the way he likes to be. Or he's got to pay the bills, so he'd say, you fuck your wife, but he's got another woman and you feel trapped. I just thinking about how you're going to get out of it all.

"That I came to for the first time, at eighteen, three weeks before I got sent to prison for robbery. In jail I had no concept of paying rent because the state took care of that. Immediately, on getting out and finding a job, I was the target for every change plate in the world. I had no sense of responsibility, so I ended up in debt. I'd got no high school equivalency certificate but there were a few jobs I'd ever held for any length of time were as a flipping clerk and in machinery, numbers were main. I felt I could do better.

"A guy starts out blaming the world and in a month he's blaming his wife. It's like without even realizing it. Naturally he'll take the blame way out, which is turning on someone weaker, or at least he figures women are the weaker sex. He doesn't decide the question that he needs someone to help. He's lying in bed thinking, 'What can I do and where can I go?' and not knowing any of the answers.

"There isn't any particular thing that would set me off. Drinking is a lot to do with it. The alcohol justifies any action. After you've slapped a woman around a few times it's no big deal. The woman may be desperate and the guy doesn't understand that. I'd wonder why a woman would provoke me when she knew what was bound to happen. 'This woman must be crazy,' I'd say. 'She leads me to knock her down.' And I know women who are really aggressive, who throw hot water or stab a guy.

"My second wife and I got into the habit from the beginning of the marriage. It always happened in the bedroom and it usually ended up with us making love. I wanted to own her, she was a gorgeous woman. I wanted the

personal control of her and back then we'd had the same sex. I had the same man. That's why it's up to that both and to be in control of this woman's attitude is a thing.

"I've got a lot of anger. I'm not popular over here." And I was out back to the Ferguson to see what happened. I found my wife in bed, but that I had to say to myself. 'How you're hitting on a woman, you're acting like an animal. If you want to be a fighter, you've got to be in good and put some gloves on.' Don't ask me how I got to that point. But the amount of energy expended in these violent acts could I propel you into doing a lot of constructive things if you stop to think about it. You have to deal with your self and what you want I'm capable of sharing now, but I find to be to make allowances.

"Unless a man has serious mental problems, there is no personal growth without being someone close to you that's black in blue, with bruised lips and a knocked out front tooth, trying to hide it with dark glasses. That man's clothes, his house, are all in a mess, but he's in a how do you keep things in decent order when you're fighting all the time. So many seemingly small things contribute to his anger. And more than one life is damaged in the process. The kids get knocked around and they grow up with the mental attitude."

"What the solution should be to this I don't know, but one obvious way is to talk openly and not sweep such matter under the rug. At least the kids now have got more going for them, they are dealing less with spence male and female roles. And going to a mental health center no longer is a stigma.

"There ought to be a place to go to that the government or other party wants to have home. Letting in the solution or at least owning up to the truth that this kind of life is not what you want."

Bill M. was interviewed by Ann Corcoran, a freelance writer for *The Washington*.



A WIFE MAY LOVE A HUSBAND WHO NEVER BEATS HER, BUT SHE DOES NOT RESPECT HIM— RUSSIAN PROVERB

Alcohol is often associated with wife abuse, but the nature of the connection is not at all clear. Does drinking provoke the violence or do those who are violently inclined drink? Sociologist Richard Colles suggests that some men may drink when they feel like beating their wives. "Drinking is a disavowal technique," he says. "They don't know they will be released from responsibility for their wives—and by the rest of society."

Programs and therapists may also be related. In a study of 80 New Hampshire couples, Colles found that in almost one-quarter of those families that were violent, the wife was attacked while pregnant. Many others dealing with the battered wife syndrome have also observed that pregnant women are frequent victims.

You get into things like this one by a gradual step from alcoholism and problems in my case to going along with a man whose profession is on the way. My husband once I could feel him coming, he had fists and even one power. When he was out of control ammunition he'd hit me. I had no comparable reaction. I was in psychoanalysis and group therapy and at no time did the group take seriously what was I appearing to me. It was: What had I done? What had I said? The problem was my self improvement. Later I called the police. They came put their arms around my shoulders and a kid from. What came to be the trouble? I said I wanted him out. They said: He's your husband, isn't he? The second time they told me I could get an order of protection in the morning. But the problem isn't the next day. Women are killed in their homes because no one takes seriously that they are in danger. I think the men get into it because there are no back-out and they know it.

Ingrid 34

The laws that can be invoked to protect women from assaultive husbands vary from state to state. In every state it is against the law to physically attack another person, but if the assailant is married to his victim the law is unlikely to be enforced. Though "domestic trouble" complaints constitute the majority of all calls

for police assistance, police policy dictates that these calls result in few arrests. The International Association of Chiefs of Police training bulletin states, for example, that most family disputes are "personal matters requiring no direct action." The bulletin goes on to recommend that "once inside the home, the officer's sole purpose is to preserve the peace.

attempt to soothe feelings, pacify parties . . . the power of arrest should be exercised as a last resort." In a number of cities, including New York, Oakland, California, and New Orleans, police have been specially trained in mediation and conciliation techniques for use in family cases. While these tactics seem to reduce the number of injuries per year while responding to domestic dispute calls, their protective value to the abused wife is debatable. In one case that I know of, the cops asked the husband to walk around the block and cool off." says social worker Fleming. "The husband walked around the block. When he came back he murdered his wife."

Although a study by the Kansas City, Missouri, police department revealed that 90 percent of the city's family homicides had been preceded by at least one "domestic disturbance" call, police generally do not treat these calls as high priority items. In Detroit, for example, a woman who calls 911 is advised to report to the station before on the next business day if her assailant is her husband and no lethal weapon is involved. Even in locales where there is no official policy of screening out "nonurgent" family offense calls, lawyers cite case after case of police inaction; arrest instructions where there would be no need of arrest if the people involved were not husband and wife. Some police departments have informal "stitch rules": they will arrest a husband only if the wound he has inflicted is severe enough to require a specific and considerable number of stitches.

Police point out that the officer responding to a domestic dispute call is involved in one of the more perilous areas of law enforcement. According to the

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BATTERED WIVES
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FBI, 149 policemen have been killed between 1965 and 1974 responding to "disturbance" calls. The officer does not know what to expect when he or she arrives—or which of the warring participants' charges and countercharges to believe. Many officers admit they are reluctant to arrest violent husbands for fear that a night in jail will only provoke them to harsher attacks upon their wives. "Women's groups have been too quick to condemn the police," argues New York City psychologist Morton Bard, a former policeman who is helping police forces across the country to develop family crisis intervention techniques. "These situations are fraught with dilemmas. A cop has got to have the wisdom of Solomon and still maintain order. Even if he suspects that a homicide could take place, can he deprive a man of his liberty on the basis of a prediction?"

Many lawyers insist that the failure to arrest in wife-abuse cases is frequently based on police predictions that the women plaintiffs will eventually drop the charges. "Of every hundred altercations that we get, 99 percent don't prosecute anyway," complains one Michigan official. "Arrest just makes more paperwork for us." It is true that wives often withdraw from the cases, but Jennifer Fleming, like many other feminists, points out that "the attitude of cops and prosecutors conspires to get a woman to do just that. If she doesn't drop the charges, she's made to feel she's vindictively persisting in something that doesn't belong in the courts in the first place."

At every turn, the abused wife must confront a legal system that is indifferent—if not downright hostile—to her need for protection. Women who have been assaulted are often advised to seek a restraining order or writ of protection, a document issued by a civil court which subjects the husband to contempt of court charges if he violates the order by attacking his wife again. The process of obtaining such an order can be time-consuming, expensive, and humiliating. "I had waited a long time to go to court and my bruises had healed," says Nanette, a teacher who sought an order of protection while her divorce was pending. "The probation officer pointed to a woman with bandages swathed around her head and told me not to come back and bother her unless my skull was broken."

Even after she has survived the red tape and attorney's fees involved in getting the order and having it served on her husband, a woman is likely to find that her efforts were futile when she seeks to have it enforced. If she calls the police, she may be told to call her attorney, and even if she succeeds in hauling her offending husband before a judge she is unlikely to obtain relief, for judges rarely imprison men for beating their wives. "A judge isn't going to put a guy who makes a living in jail and his wife on welfare," says Washington, D.C., attorney Carol Murray. "In terms

of the respective values of our society, his earning money outweighs her possible physical injury." From the cops to the courts the criminal justice system operates to reinforce the husband's belief that he has committed no crime and to intensify the wife's feeling of helplessness. "The assaulted wife is in a Catch-22 situation," lawyers Eisenberg and Micklow conclude. "She is caught in a vacuum of nonresponse."

Official tolerance of wife beating has its roots in tradition and the law. Legal historians trace the expression "rule of thumb" to the ancient right of the husband to chastise his wife with a stick no thicker than his thumb, and the hoary notion that a wife is the property of her husband is still entrenched in many areas of law affecting the rights of married women. In every state husbands are immune from prosecution for the rape of a wife.

Most feminists insist that wife beating must be treated as a crime if the practice is ever to be eliminated. But this is a dismaying prospect for people who believe that the criminal justice system is not a proper remedy for society's ills. "Historically, arrest has been used as an establishment tool against minorities," explains San Francisco lawyer Susan Jackson. "The struggle against discrimination has often taken the form of a struggle against arrest." But Jackson believes that in the area of family violence, the criminal justice system is using the failure to arrest as a tool to discriminate against victimized women. "The well-intentioned, civil-libertarian opposition to the arrest and prosecution of wife beaters is a knee jerk, clenched-fist, liberal reaction," she says. "Arrest is not the issue; the issue is equal protection under the law."

Even the staunchest advocates of improved law enforcement are well aware that more must be done than simply punishing assaultive husbands. Increasingly, concerned community groups are turning their attention to the needs of the women trapped in violent marriages. Their most urgent requirement is simply a place to go—a refuge where they can marshal their determination to improve their lives. In England there are now about 50 shelters for women and their children. There are others in Ireland and Australia, and refuges are being developed in France and West Germany. Within the last few years a growing number of shelters have been set up in the United States.

It is vitally important to combat the widespread indifference toward battered wives, and this requires an effort akin to the feminist assault on rape, which in the last few years has won better treatment for rape victims. More shelters and counseling and better law enforcement are indispensable to improve the lot of the battered wife, but they will not themselves eliminate wife beating, just as rape clinics will not eradicate rape. The battered-wife syndrome is rooted in centuries of sexual inequality and will disappear only when that inequality is rooted out.

Judith Ginzgold is on the staff of "Newsweek" magazine.

GAZETTE

(NEWS FROM ALL OVER)

BATTERED WIVES: HELP FOR THE VICTIM NEXT DOOR

Police Commander James Bannan of Detroit recently called on the police, the prosecutors, and the courts to "begin to view domestic violence as a 'public issue' rather than a 'private problem.'" On the inadequacy of police response, Bannan observed:

"Those of us in law enforcement, who are the first official representatives of government to respond to violence in the home, are socialized in precisely the same manner as the citizens we are expected to protect. . . . We share society's view that domestic violence is an individual problem and not a public issue. . . . Policemen, as are most males, are taught self-reliance, 'fight your own battles' philosophy from the cradle. . . . Of all the nonathletic occupations, none is so absorbed with the use of physical coercive force as that of the police officer. Nor are any more thoroughly socialized in their masculine role images. This . . . suggests to me that traditionally trained and socialized policemen are the worst possible choice to attempt to intervene in domestic violence."

Recently, there has been some effort to train police officers to deal more effectively with domestic violence. "Crisis intervention" programs have been instituted in a number of police stations around the country, sponsored by the federal Law Enforcement Assistance Administration. Although criticized for emphasizing mediation rather than arrest, these programs do train officers to regard family violence as a crime. Role-playing and counseling sessions teach officers how better to respond to family violence. The term "family fight" has been replaced by "family crisis,"

and in keeping with this more serious status, records are kept of each dispute, and statistical profiles are being compiled. Research on family violence is being disseminated by the LEAA to all participating programs.

And some police departments, reports Del Martin in her book *Battered Wives* (Glide Publications), have had success with women on patrol. "Louis J. Sherman, psychologist at the University of Missouri, found that women trainees were particularly competent in handling family disturbance calls," and evaluation of female patrol officers in Washington, D.C., and New York City confirmed that they are "often better able to defuse volatile situations."

The impetus for any real change continues, however, to come from women's groups. Ac-

tivists around the country have printed pamphlets advising women of their legal rights. In Boston, women have developed a card which lists legal alternatives and sources of help for battered women, and they've convinced police officers to distribute the card to victims of family violence. In San Francisco, women are working to initiate a special response team that would include at least one woman to accompany the police to scenes of marital violence. Mary Vail of the Women's Litigation Unit in San Francisco is working with the city's bar association to draw up guidelines for instituting grievance procedures against the police, and women's groups in several cities are bringing suit against the police for failure to respond to the needs of battered women.

—Marcia Rockwood

Many women like Judy Hartwell—trapped in marriages in which they are beaten—are embarrassed or afraid to seek help. When help is sought, it's typically not available. Judy Hartwell had often called the police when her husband was assaulting her, but they refused to help.

One night her husband returned home drunk and threatened to forcibly perform anal intercourse on her or tie her to a bed and whip her. Hoping to scare him away and escape, Judy Hartwell grabbed a paring knife and ran for the door. He obstructed her passage and lunged at her. She panicked and stabbed him.

On March 16, 1976, a Wayne County, Michigan, jury of eight women and four men acquitted Judy Hartwell of murder charges

stemming from the fatal stabbing of her husband. The case may have established an important legal precedent, for Circuit Judge Victor Baum instructed the jury that a married woman has a legal right to forcibly resist unwanted sexual advances by her husband. The law refuses to recognize that rapes can and do occur within the marital relationship. Baum's instruction—that although a husband cannot be convicted of raping his wife, the woman has a right to refuse and resist what in fact may be a rape by him—is therefore an unexpected and significant step toward legal recognition of women's rights to control their own bodies. —Excerpted from an article by Marjory Cohen, published in the "Sun," a Detroit biweekly newspaper.

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HOW TO TELL IT TO THE JUDGE

Legal remedies available to battered women vary greatly from state to state. Not all the options listed below are available in every state, and details of remedies may differ somewhat. Therefore, this roundup cannot serve as a guide for individual use, and in every case it is important for a woman wishing to take legal action to consult an attorney.

In addition to these immediate protective remedies, a woman should seek legal advice on how to sue for damages or to file for support, custody of children, separation, or divorce.

CIVIL AND CRIMINAL PROCEEDINGS. A criminal prosecution is initiated by a private citizen, but the complaint itself is pursued by a district attorney who decides whether or not to prosecute. Successful prosecution of criminal charges stemming from family violence is infrequent, but can result in a more severe penalty, such as longer imprisonment, than that of a civil action. A civil suit is initiated and pursued throughout by a private citizen seeking either money damages or any of a variety of protective orders which may include limited imprisonment. (If a state has a special court to handle family disputes, cases of wife abuse are heard there where civil rather than criminal procedures apply.)

CITIZEN'S ARREST. A woman choosing this recourse, the right of an individual in most states, must inform the police that she wants to make a citizen's arrest, describe the crime, and identify her assailant. In some states the woman is required to take physical custody of her assailant, although in others a simple identification is sufficient. Anyone choosing to make a citizen's arrest must accept responsibility for possible charges of false arrest. (The effectiveness of a citizen's arrest depends on police cooperation, which traditionally has been minimal.)

Counselors to battered women may suggest the remedy of a citi-

zen's arrest, since police officers rarely make arrests in cases of family violence. The police officer won't have an arrest warrant unless the woman has previously filed a complaint in court, and it is highly unlikely that the officer will be able to witness the crime or will decide that there is probable cause to make an arrest. (An officer unwilling to arrest for assault may agree to make an arrest on charges the officer observes, such as "disturbing the peace" or acting "drunk and disorderly.")

CRIMINAL COMPLAINT. In order for a woman to take her assailant to criminal court, she must file a criminal complaint. Prior to authorizing a complaint or prosecuting, a district attorney must have probable cause that the accused committed the crime and must also determine that the prosecution is in the "interest of justice." Usually it is necessary to have witnesses to the incident, evidence of serious injuries, a record of previous attacks, and a police report on file before a warrant will be issued and the accused arrested. (Subsequent proceedings can range from dropped charges to reduced charges, stemming from plea bargaining. Only a small percentage of wife-battering cases result in jury decision.)

PROTECTIVE ORDERS. One type is a *restraining order*, a civil action usually issued after a divorce suit has been filed, which requires the assailant to stay away from the woman or to "cease and desist" from offensive conduct for a specified length of time. A woman and her attorney must file a petition showing that the order is necessary, and that if it is not issued, the woman will suffer irreparable damage or injury. (In an emergency, a *temporary restraining order* may be issued until a hearing can be held.) When a restraining order is violated, a woman and her attorney must petition the court for a contempt order (a misdemeanor) to ensure further compliance or to punish the violator.

Another type of protective order is a *get out or vacate order*, with which a judge instructs the husband to remove himself from the family home. The judge may also require the husband to post a *peace bond*, a sum of money as "security to keep the peace," and warn that he will forfeit the money and be prosecuted if he assaults his wife again. However, many attorneys feel that peace bonds can violate the accused's right to equal protection under the law. —Marcia Rockwood

SCREAM QUIETLY

Since I wrote "London: Battered Wives" (*Ms.*, June, 1974), much progress has been made in England. There are now some 50 refuges all over Great Britain, many of them operating under the banner of the National Federation of Women's Aid.

Chiswick Women's Aid, the pioneering group set up by Erin Pizzey five years ago, has grown stronger and stronger as an independent organization. In addition to maintaining the Chiswick "crisis" refuge, the group took over an empty, condemned hotel outside of London last spring as squatters. They've now been assured that the 80 women and children living there can stay until a suitable, permanent building of the same size is found.

In the past year, they have also set up 21 "second stage" homes for longer-term housing of more than 500 women and children. An anonymous donor has helped them buy and equip their own school for the "very special education," says Pizzey, that "children of violence need." They've established a workshop to train and employ some of the extremely disturbed teenage sons of battered women—an effort to break what could become an environmental chain of violent behavior. They're also about to open their first house for batterers—those men, says Pizzey, who genuinely

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want to be helped instead of put off with "a bottle of tranquilizers and twenty minutes with a psychiatrist."

In the House of Commons, a bill to give better protection to battered wives reached a stalemate this spring. But Chiswick Women's Aid did win an important legal battle to maintain their "ever open door" policy. The local council took Pizzezy to court for overcrowding—100 women and children in a house designed for 30

—but failed to force the crisis center to close. The council has appealed to a higher court where the case comes up in September. If Pizzezy does go to jail, then the Honorable David Astor, former editor of the *London Observer*, has promised to take her place and keep the refuge open.

The group has just produced a 90-minute color film called "Chiswick Women's Aid," which tells the group's history and offers a detailed blueprint for running a

refuge and after-care service for battered women. For information on how to obtain the film, contact Chiswick Women's Aid, 369 Chiswick High Road, London W4, England.

Erin Pizzezy's book, *Scream Quietly or the Neighbors Will Hear*, is still looking for a U.S. publisher, but to obtain a copy, send \$1.50 (surface mail) or \$2 (airmail) to J. Barnicoat, P.O. Box 11, Falmouth, Cornwall, England. —Gay Search

LIVES ON THE ROCKS: THE PHOENIX SOLUTION

The first of the now-existing refuges for abused wives in the United States was Rainbow Retreat, which opened its doors in Phoenix, Arizona, on November 1, 1973. Unlike other refuges that are open to all battered women, admission to Rainbow Retreat is limited to abused or displaced families of husbands with drinking problems. According to Joanne Rhoads, executive director, alcoholism *per se* is not the criterion for admission, but rather alcohol involvement: "We stretch it a bit. But even when a woman denies that alcoholism is involved, we find that in nine out of ten cases drinking is still a factor."

Rainbow Retreat started with \$50 and 11 dedicated and determined individuals. Today they have an annual budget of \$110,000 to shelter up to 13 women and children at a time. During its first two-and-a-half-years' operation, Rainbow Retreat housed more than 1,000 persons. Families, from as far away as New Jersey, are referred by doctors, counselors, and protective services. Some companies also pay to send wives of executives who have drinking problems in an effort to rehabilitate the family. The average woman resident is 35 and has been married 10 years; her husband's income is over \$7,000.

The first concern of the staff is

to deal with the crisis that brought the woman to the shelter—the trauma of a beating or being thrown out of the house. As soon as possible, she is worked into the schedule. Residents receive one-to-one counseling and participate in group sessions.

"We try to get at the underlying problems," Rhoads told me. "Abuse takes many forms—not just the physical." So many wives

are kept emotionally and financially dependent by their husbands that job training and placement has become another essential service provided at the retreat. "But that doesn't mean that we advocate divorce," the director quickly added. "We have found that sixty-four percent of the husbands get treatment"—a most promising side effect of the program. —Del Martin

WHERE TO GET HELP

The following list includes a sampling of people and places dedicated to meeting the specific needs of battered women, and makes note of publications and workshops being sponsored through their efforts.

NATIONAL

Center for Women Policy Studies (2000 P St. N.W., Suite 508, Washington, D.C. 20007; 202 672-1770) Have applied for a grant to establish clearing house for victims of rape, child abuse, and wife abuse. Particular concern is legal problems of battered women.

National Organization for Women National Task Force on Battered Women (c/o Del Martin, 561 Duncan St., San Francisco, Calif. 94131; 415-926-2400; or c/o Nancy Kirk Gormley, 7 Aloha Drive, Pittsburgh, Pa. 15220; 412-327-3077). Recently established as a result of 1975 NOW national resolution on battered women. Welcomes information from around the country. Planning national conference.

REGIONAL

CALIFORNIA. Haven House, Inc. (644 S Mariposa Ave., Pasadena, Calif.

91106; 213 684 2826). Limited to families of alcoholics. Can stay three weeks. La Casa de las Madres (1800 Market St., Box 137, San Francisco, Calif. 94102; 415 626 7859). Refuge which can accommodate up to 30 battered women and children. Hot line, counseling, advocacy program, and emergency rescue service.

Women's Transitional Living Center (c/o Susan Maples, Director, Community Development Council, 1140 S Bristol St., Santa Anna, Calif. 92704, 714-992-1931). Provides shelter up to 45 days for women and children as well as counseling and referrals.

FLORIDA. Joanne Richter (Fort Lauderdale Police Dept., Victim Advocate Office, 1300 W. Broward Blvd., Fort Lauderdale, Fla. 33312; 306-761-2143). Provides crisis intervention counseling with follow up sessions; referrals, child-care centers and job training available.

Citizens Dispute Settlement Center (Metro Justice Building, 1351 N.W. 12th St., Miami, Fla. 33125; 306-547-7062). Provides counseling, referrals. Florence Margenroth (Task Force on Battered Women, YWCA, 100 S.E. 4th St., Miami, Fla. 33168; 306-377-8161, ext. 416). Has set up task force

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to provide shelter, to work with wide range of county agencies, and to develop local and state legislation.

Women in Distress (Jackson Memorial Hospital, 122 N.E. 24th St., Miami, Fla. 33137; 305-573-5528). Will provide food and shelter for battered women without children.

MARYLAND. Battered Wives Task Force (Chairperson Evelyn Bata, 5403 Queens Chapel Rd., West Hyattsville, Md. 20782; 202-WA7-5877). Fully funded shelter working with county representatives, police department, government agencies.

MASSACHUSETTS. Women's Transition House (c/o Jimenez, Womendet, and Foulis, 46 Pleasant St., Cambridge, Mass. 02139; 617-547-5942). Twenty-four-hour hot line. Limited accommodations for women and children.

Elizabeth Stone House (128 Minden St., Jamaica Plain, Mass. 02130; 617-522-3417). Temporary residency and therapeutic community which can house four women and two children for up to two weeks; 24 hour paraprofessional care.

Respond, Inc. (Box 556, Somerville, Mass. 02143; 617-776-5931). Currently runs support group for battered women. Plans to establish a refuge.

MICHIGAN. Ann Arbor County NOW Domestic Violence/Spouse Assault Task Force (1917 Washtenaw Ave., Ann Arbor, Mich. 48104; 313-995-5444). Booklets entitled "How To Develop a Wife Assault Task Force"; "Counselor Training Manual"; "Handbook for Victims of Domestic Violence" are available for \$1.50, \$2, and 50 cents, respectively.

MINNESOTA. Women's Advocates (584 Grand Ave., St. Paul, Minn. 55102; 612-727-8284). Refuge for women and children offering collective atmosphere. Provides support, advocacy, and a 24 hour information and referral service. Their newsletter is available for a \$4 donation.

NEW YORK. Marjory D. Fields (South Brooklyn Legal Services, 152 Court St., Brooklyn, N.Y. 11201; 212-655-1003). A divorce lawyer who conducts herself as a clearinghouse for material on battered women. Fields is seeking a grant for support systems. **Abused Women's Aid in Crisis** (AWAIC c/o Maria Ray, P.O. Box 431, Cathedral Station, New York, N.Y. 10025; 212-473-8181; or hot line: 212-473-8182). Currently provides hot line, daytime counseling, and monthly evening outreach meetings. Plans to establish refuge.

OREGON. Bradley Angle House (c/o Women's Place, 1915 N.E. Everett,

Portland, Oreg. 97232; 503-243-7044). Refuge where women and children can stay up to eight weeks.

PENNSYLVANIA. Women's Center South (2929 Brownsville Rd., Brentwood, Pa. 15227; 412-885-2888). Refuge for battered women and their children. Provides referrals, rap groups. Maximum stay six days.

Women Against Abuse (Germantown, Women's Center, 5519 Wister St., Philadelphia, Pa. 19144; 215-848-7327). Published "On the Braten Track--A Resource List for Abused Women in Philadelphia," \$1.

WASHINGTON. Women's Emergency Housing Project (1012 W. 12th St., Vancouver, Wash. 98660; 206-695-0501 or 694-8366). Provides temporary housing, food, counseling, and referral for women and children who would otherwise be without shelter.

WISCONSIN. Women's Coalition, Inc. (Task Force on Battered Women, 2211 E. Kenwood Blvd., Milwaukee, Wis. 53211; 414-964-6117, or 414-964-7535 after 5 P.M.). Plans to establish a refuge. Currently offers daytime counseling, evening counseling by appointment. Sponsoring conference October 2 and 3 for sharing skills, information, and insights among feminists working with battered women.

CANADA. Internal House (596 Huron St., Toronto, Canada M5R 2H7; 416-924-1491). Will accommodate women with children for two to six weeks.

BOOKS AND RESEARCH

The Assaulted Wife: "Catch 22" Revisited, by Susan Eisenberg and Patricia Micklow, a study of wife beating in Michigan, will be published in June of 1976 in the *Women's Rights Law Reporter* (180 University Ave., Newark, N.J. 07102, \$3.50).

Battered Wives, by Del Martin (Glide Publications, San Francisco, Calif. 94102; 1976; paperback, \$6.95). An overall treatment by the co chair of NOW's task force on battered women. *Law Enforcement Problems with Intra-Family Violence*, by James Blannin (available from author at Detroit Police Department, Second Precinct, 2801 W. Vernor, Detroit, Mich. 48216; 1975; send request with a stamped, self-addressed, business size envelope). A speech given to a conference of the American Bar Association.

Sexual Inequality, Cultural Norms, and Wife Beating, by Murray Straus (available from Betsy Warrior, 46 Pleasant St., Cambridge, Mass. 02139; 1976, 50 cents). A sociological study of

violence in the family.

Violence and Pregnancy, by Richard Gelles (available from author at Dept. of Sociology, University of Rhode Island, Kingston, R.I. 02881; 1975; 25 cents). Gelles has written widely on domestic violence, including *The Violent Home* (Sage Publications, 275 S. Beverly Drive, Beverly Hills, Calif. 90212; 1972; paperback, \$6) and *Abused Wives: Why Do They Stay?* which will be published in November of 1976, available from the university address for 25 cents.

Violence in the Family, edited by Suzanne K. Steinmetz and Murray Straus (New York: Dodd, Mead & Co.; 1974; paperback, \$6.95). A study of wife beating as a sociological phenomenon in the United States.

Working on Wife Abuse, by Betsy Warrior (available from the author at 46 Pleasant St., Cambridge, Mass. 02139; 1976; \$1). The listing includes groups and individuals in this country, some abroad, who are involved in all areas of help for battered wives, as well as publications concerned with the issue. To be listed in a possible fall supplement, write to Betsy Warrior and tell her how you want to be listed.

CONVENTIONS

The American Sociological Association (1722 N St., Washington, D.C. 20036) is sponsoring a convention to be held at the Hilton Hotel in New York City from August 30 through September 3. One workshop will be devoted to battered women. Speakers will include Robert Dobash, who has recently completed a pilot study on battered women, in Stirling, Scotland, and Ja Sutton of the Women's Aid project in England. Further information will be published in the ASA journal.

Battered Women--Beyond the Stereotype. An all day seminar sponsored by Temple Israel in Miami, Florida, a part of their Evelyn Behrman Memorial Forum on Women to be held October 14. Speakers include Murray Straus of the University of New Hampshire, who has published extensive work on violence in the family (see BOOKS AND RESEARCH PROJECTS), and Dr. Frank Elliott, a neurologist from the Pennsylvania Hospital in Philadelphia, who will discuss his theory that many men who beat their wives have organic disorders of the brain, which can be medically treated and corrected. (Information can be obtained from Rabbi Joseph Narot, Temple Israel, 187 N.E. 19 St., Miami, Fla. 33132; 305-573-3900.)

Michelle Koshiner

WOMAN ALIVE!

A LICENSE FOR VIOLENCEThe Tragedy of Battered Wives

Executive Producer

Host

Coordinating Producer

Associate Producer

JOAN SHIGEKAWA

GLORIA STEINEM

JACQUELINE DONNET

JANIS KLEIN

CHISWICK WOMEN'S AID Film

Producer/Director

MICHAEL WHITE

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Gloria Steinem Analysis and Commentary

WHERE TO GET HELP

Ms. Magazine Reprint - "How to Tell it to the Judge"

This program is made possible by a grant
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GLORIA STEINEMIntroduction to CHISWICK WOMEN'S AID Film

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Good evening, I'm Gloria Steinem.

The documentary you are about to see is a shocking one. It has never been shown on television before. It is a film about women who have been beaten and brutalized, always more than once, and sometimes systematically over a period of months or even years.

These are women who have been beaten with fists or cut with knives and razors. They have been burned with boiling water or lighted cigarettes, most often on parts of their bodies that will not show their suffering to the neighbors; parts of their bodies that betray their attackers' specific hatred for them as women. They have been thrown down flights of stairs, strangled until they lost consciousness, kicked or beaten in the stomach and genitals - sometimes while (and especially because) they were pregnant.

These are not beatings suffered by women in concentration camps, or in the streets at the hands of muggers and strangers. These beatings happened in the privacy of women's own kitchens and bedrooms, at the hands of men they were married to, or depended

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on emotionally and financially as husbands. Some of the women were beaten in front of their own children. Those who were battered while pregnant were victimized by the very men who had made them pregnant. A few of the women who might have been in this film didn't live to tell their stories. Many more might have appeared had they not been too frightened of their husbands' revenge to speak out -- too frightened even to turn for help to the women's shelter in which this documentary was filmed.

The reality you will see is shocking in part because our television shows and even our law enforcement agencies have led us to believe that most violence to women happens in the street. In fact, most of that violence happens in the home.

Yet the home is precisely the place most likely to be thought private and "none of our business" by the police and the rest of the community alike. It is precisely the place where women are the most tied by financial dependence, pride, loyalty or an unwillingness to leave their children. And indeed, where can a woman find protection from a vengeful husband whose crime of wife-battering, if it is taken seriously by the police at all, is usually a misdemeanor which allows him freedom a few hours after arrest? If she has limited financial resources, where can she go?

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This documentary is about one of the few such places: a women's shelter in England, started in 1971, which is a model for groups now setting up similar shelters in this country. British women have pioneered in recognizing this submerged and shameful problem, but wife-battering is a fact of life in this country, too. It has been discovered at every economic and educational level. Just as we have begun to recognize the seriousness and prevalence of rape in the last few years, now we are just beginning to understand the reality of battered wives.

Understanding the true and hidden dimensions of this problem is the first step toward understanding what we - what you and I - can do.

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GLORIA STEINEMAnalysis and Commentary

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The women in this film will never forget what has happened to them. Perhaps, having seen the film, we will never forget those women.

But the temptation is still to set them apart; to say that the women we know -- and especially women married to the men we know -- could never find themselves in such a brutal and paralyzing situation. Certainly, these women must be very different from us.

In fact, no matter who we are, there is a good statistical chance that they are or could be us. For instance:

- * The Boston City Hospital reports that about 70% of all the assault victims received in its emergency room are women who have been attacked in their homes, usually by husbands or lovers.
- * In California, almost one-third of all female homicide victims in 1971 were murdered by their husbands.

(no. 2)

- * In Atlanta, 60% of all calls to the police at night are reports of domestic disputes.
- * Two studies of wife battering -- one in a black working-class section of Harlem, another in the white, upper-middle class community of Norwalk, Connecticut -- found the same incidence of this crime.
- * At least two major public opinion polls have found that approval or acceptance of marital violence in this country actually increased substantially with increased education -- a complete contradiction of the notion that only the uneducated resort to domestic violence.

Statistics about wife abuse are even less complete than those for rape. Not only is the victim almost as likely to be blamed as the attacker in both these cases, but legal remedies for wife abuse are even less certain than those for rape. After all, most legal systems have assumed that husbands have some right to possess and discipline wives.

For these reasons, wife abuse may be the least reported and most hidden crime in the country. Nonetheless, even with available statistics one can still make a good argument that women are less safe in their own homes than they are in the street.

If you find this is difficult to believe, so did I.

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Eight or nine years ago, when I first began to travel around the United States speaking about feminism, I would not have thought of wife-battering as a major issue. Then, Florynce Kennedy began to tell me about her experience as a lawyer whose women divorce clients often arrived on her doorstep with bruises and broken ribs. "If you don't believe that it's common," she told me, "ask any group you're talking to. They may laugh and act uncomfortable at first, as if you were telling a joke about 'Are you still beating your wife.' But, in the end, you will find that there is almost no group in which a person has not heard about or experienced some incident of wife-battering."

In the years since then, I have asked literally hundreds of groups that question. It's true that the first response is often ridicule or laughter or some idea that women actually want to be beaten up; that female masochism is an inevitable or even desirable part of the male-female sex game.

But if you pursue it long enough to pass through that defensive barrier, you will find one or more people who remember the "accidental" bruises on the face of the woman next door; or the Saturday night drunken fights of male relatives who seemed well-behaved and civilized all week long; or the late-night crying and pleading of their own mothers. And sometimes, if the discussion goes on long enough, you will see women breaking down in tears, or confessing with shame that, yes it has happened and perhaps it still is happening to them.

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What can we do to help these women?

First, we need to take the crime seriously. No more disbelief or nervous laughter. No more assuming that a man who attacks another man is dangerous, but a man who beats up his wife is just having a private marital spat. In cases where the husband is drunk, no more blaming the attack on alcohol instead of the attacker. The evidence indicates that those men may drink to give themselves an excuse for violence.

Second, as we have seen in the film, we must provide shelters. Creating a telephone hotline may be an interim step. A hotline service can at least match up needy women with volunteer families who can give them shelter and support for a few weeks or days, in their homes. Separate shelters, half-way houses and long-term social services are beginning, but most women's groups in this country are still struggling to gain even the inadequate and temporary community and government support of the English shelter you have just seen.

Third, there is a problem of educating the police to the seriousness of domestic crime. Teams of trained men and women officers have been especially effective in dealing with family crime. We may also have to bring legal action against police

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departments for depriving domestic violence victims of equal protection under the law as guaranteed by the Fourteenth Amendment. That is already happening in Oakland, California, and New York City. Certainly, this process must include rewriting the many law enforcement manuals that actually instruct police, prosecutors and judges that their duty is to conciliate, to bring attacker and victim back together-- an attitude that would seem outrageous if applied to any other criminal act.

Changes in legislation and court procedures, are reforms to work for. But we don't have all the answers yet. We are just beginning to ask the right questions. We do know that the root cause of violence against women cannot be eliminated without a deep change in patriarchal values. Until then, women will always be viewed in some degree as the property or the private concern of their husbands, and a home will be seen as "the man's castle" rather than the proper concern of relatives or neighbors or even the law.

At the International Tribunal on Crimes Against Women, held in Brussels in 1976, women from all over the world told of their personal experiences. Wife-beating, rape, sexual mutilation to ensure fidelity, confinement to unpaid or under-paid women's work, and even female infanticide, since boy children are more

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desirable than girls: all these were varying degrees of the same problem -- that women are lesser human beings, and men are full human beings with some right to rule or possess them.

Until men are not made to feel that they must earn their masculinity through aggressiveness or violence; until we learn that women are not naturally passive or masochistic beings on whom men can vent their life's frustrations, then the problem will never really be solved. Yes, there may be penalties for the most violent men and help for the most victimized women, but there will never be a real solution. Only an egalitarian society can save the executioner from being the executioner as well as the victim from being the victim.

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WHERE TO GET HELP

For information on crisis centers and refuges for battered women in the United States:

Working on Wife Abuse by Betsey Warrior
c/o Betsey Warrior
46 Pleasant Street
Cambridge, Mass. 02139

This is the most extensive list available of groups and individuals involved in all areas of help for battered women. 1977. \$3.00 plus 50 cents postage.

* * *

National Task Force on Battered Women
National Organization for Women
c/o Del Martin
651 Duncan Street
San Francisco, California 94131

The Task Force has been established to keep in touch with women's groups working on the issue throughout the country.

BOOKS AND RESEARCH

"The Assaulted Wife: 'Catch-22' Revisited"
by Susan Eisenberg and Patricia Micklow

Women's Rights Law Reporter
Spring/Summer, 1977
Rutgers University
180 University Avenue
Newark, New Jersey 07102

A study of wife beating in Michigan. \$7.00

Battered Wives by Del Martin

Glide Publications
330 Ellis Street
San Francisco, California 94102

An outstanding basic feminist overview and analysis of the problem by the co-chair of NOW's task force on battered women. 1976. Paperback, \$6.95.

Battered Wives Materials compiled by
Betsey Warrior and Lisa Leghorn

c/o Betsey Warrior and Lisa Leghorn
46 Pleasant Street
Cambridge, Mass. 02139

A collection of articles, case studies, and
other material on battered women which includes
Working on Wife Abuse. \$11.00

Battered Women edited by Maria Roy

Van Nostrand Reinhold Company
450 West 33 Street
New York, N.Y. 10001
Attention: Mr. Richard Pohanish

A psycho-sociological study of victims of
domestic violence. August 15, 1977.
Hardcover, \$14.95.

Crimes Against Women: The Proceedings of the
International Tribunal compiled and edited
by Diana E.H. Russell and Nicole Van de Ven

Les Femmes Publishing
231 Adrian Road
Millbrae, California 94030

More than 2,000 women from 40 countries testified
on crimes against women including wife battering,
forced sterilization and economic discrimination.
\$5.95 plus 60 cents postage and handling.

"Battered Wives: Help for the Secret Victim
Next Door" by Judith Gingold

Ms. Magazine Back Issues
370 Lexington Avenue
New York, N.Y. 10017

A Ms. cover story plus a special section on
where to get help. August, 1976. \$1.50.

"Unforgettable Letters from Battered Wives"

Ms. Magazine Back Issues
370 Lexington Ave.
New York, N.Y. 10017

December, 1976. \$1.50.

Scream Quietly or the Neighbours Will Hear
by Erin Pizzey

J. Barnicoat
P.O. Box 11
Falmouth
Cornwall, ENGLAND

The story of Chiswick Women's Aid. 1974.
\$1.50 surface mail, or \$2.00 airmail.

Violence in the Family edited by Suzanne K. Steinmetz
and Murray Straus

Harper & Row
10 East 53 Street
New York, N.Y. 10022

An anthology of articles on wife battering in the
United States. 1974. Paperback, \$7.50.

Wife Beating; The Silent Crisis by Roger Langley
and Richard C. Levy

E.P. Dutton & Co., Inc.
A Sunrise Book
201 Park Ave. South
New York, N.Y. 10003

An introduction to the subject by two Washington
journalists who present facts along with case
histories. 1977. Hardcover, \$9.95.

GAZETTE

NEWS

HOW TO TELL IT TO THE JUDGE

Legal remedies available to battered women vary greatly from state to state. Not all the options listed below are available in every state, and details of remedies may differ somewhat. Therefore, this rundown cannot serve as a guide for individual use, and in every case it is important for a woman wishing to take legal action to consult an attorney.

In addition to these immediate protective remedies, a woman should seek legal advice on how to sue for damages or to file for support, custody of children, separation, or divorce.

CIVIL AND CRIMINAL PROCEEDINGS. A criminal prosecution is initiated by a private citizen, but the complaint itself is pursued by a district attorney who decides whether or not to prosecute. Successful prosecution of criminal charges stemming from family violence is infrequent, but can result in a more severe penalty, such as longer imprisonment, than that of a civil action. A civil suit is initiated and pursued throughout by a private citizen seeking either money damages or any of a variety of protective orders which may include limited imprisonment. (If a state has a special court to handle family disputes, cases of wife abuse are heard there—where civil rather than criminal procedures apply.)

CITIZEN'S ARREST. A woman choosing this recourse, the right of an individual in most states, must inform the police that she wants to make a citizen's arrest, describe the crime, and identify her assailant. In some states the woman is required to take physical custody of her assailant, although in others a simple identification is sufficient. Anyone choosing to make a citizen's arrest must accept responsibility for possible charges of false arrest. (The effectiveness of a citizen's arrest depends on police cooperation, which traditionally has been minimal.)

Counselors to battered women may suggest the remedy of a citi-

zen's arrest, since police officers rarely make arrests in cases of family violence. The police officer won't have an arrest warrant unless the woman has previously filed a complaint in court, and it is highly unlikely that the officer will be able to witness the crime or will decide that there is probable cause to make an arrest. (An officer unwilling to arrest for assault may agree to make an arrest on charges the officer observes, such as "disturbing the peace" or acting "drunk and disorderly.")

CRIMINAL COMPLAINT. In order for a woman to take her assailant to criminal court, she must file a criminal complaint. Prior to authorizing a complaint or prosecuting, a district attorney must have probable cause that the accused committed the crime and must also determine that the prosecution is in the "interest of justice." Usually it is necessary to have witnesses to the incident, evidence of serious injuries, a record of previous attacks, and a police report on file before a warrant will be issued and the accused arrested. (Subsequent proceedings can range from dropped charges to reduced charges, stemming from plea bargaining. Only a small percentage of wife-battering cases result in jury decision.)

PROTECTIVE ORDERS. One type is a *restraining order*, a civil action usually issued after a divorce suit has been filed, which requires the assailant to stay away from the woman or to "cease and desist" from offensive conduct for a specified length of time. A woman and her attorney must file a petition showing that the order is necessary, and that if it is not issued, the woman will suffer irreparable damage or injury. (In an emergency, a *temporary restraining order* may be issued until a hearing can be held.) When a restraining order is violated, a woman and her attorney must petition the court for a contempt order (a misdemeanor) to ensure further compliance or to punish the violator.

Another type of protective order is a *get out or vacate order*, with which a judge instructs the husband to remove himself from the family home. The judge may also require the husband to post a *peace bond*, a sum of money as "security to keep the peace," and warn that he will forfeit the money and be prosecuted if he assaults his wife again. However, many attorneys feel that peace bonds can violate the accused's right to equal protection under the law. —Marcia Rockwood

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TESTIMONY ON THE NEEDS OF VICTIMS OF BATTERING
 FROM THE AD HOC COMMITTEE ON BATTERED WOMEN OF THE
 LOS ANGELES COUNTY COMMISSION ON THE STATUS OF WOMEN
 Beverly Polokoff; Committee Chair

One of the most pressing problems facing society is domestic violence. Until recently, the problem was hidden. There is now a nationwide effort to address the needs of victims of battering.

The Ad Hoc Committee on Battered Women offers the following recommendations:

Making available long term sources of Federal funds from various departments for emergency shelters, second stage housing and multi-service centers.

The emergency shelters located in Los Angeles County receive far more requests for aid than their available space. The shelters must also fight a continuing battle to develop and maintain adequate sources of funds to support their operations.

There is an enormous need for adequate long term sources of Federal funds to establish a network of emergency shelters and to maintain their operation. This would free valuable staff time now devoted to fund raising and would insure more efficient delivery of primary services to the victims and their children.

Another essential need is to develop sources of second stage housing to allow the victims and their children time to develop resources and transition from emergency shelters to an independent life style. The Committee recommends Housing/Urban Development make available repossessed houses and other dwelling units for this purpose. Arrangements should be made and funds provided to allow shelters to acquire the properties.

The problems of victims of battering reach beyond the need for emergency shelters and second stage housing. These needs must be met if they are to become productive individuals.

The Committee recommends funding the establishing of multi-service centers to provide:

- Hotlines for victims of battering and batterers

TESTIMONY ON BATTERED WOMEN
PAGE 2

- Crisis and long term mental health counseling
- Job counseling, training and placement
- Legal services and court advocacy
- Coordination among emergency shelters
- Health Services
- Financial and other training to insure an independent lifestyle
- Other necessary services

Requiring Documentation of incidents of domestic violence.

Inadequate documentation of incidents of battering is a major problem.

The Committee recommends requiring police and hospitals to maintain records on calls from and treatment of victims of battering. In addition funds should be made available to train police and hospital personnel to the problems and needs of victims of battering. This training would insure more sensitive and appropriate handling of the cases.

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RESOLUTIONS

developed at the
BATTERED WOMEN'S CONFERENCE
February 24-26, 1978

sponsored by
Women's Resources & Research Center
University of California
Davis, California 95616

PHYSICIANS AND EMERGENCY ROOM STAFFS

- A. WHEREAS emergency rooms are frequently the first contact for battered women

BE IT RESOLVED THAT

1. Mandatory protocol for suspected wife battering be developed similar to that for child abuse and rape.
2. The suspected victim be offered a supportive advocate to be present with the victim for the duration of her stay in the emergency room.
3. The emergency room staff (including doctors, nurses, social workers, etc.) be educated and sensitized to the problems of domestic violence. This training must be approved by local battered women's groups.
4. The schools in the medical professions be required to teach about treatment of domestic violence.
5. The victim have the right to choose a female physician, as available in the emergency room.
6. The victim be referred to community support systems while in the emergency room.
7. A wallet size card be given the victim in the emergency room with community support system information (telephone numbers and contact people).
8. Information be available to the batterer in the emergency room on community support services appropriate to his needs.

- B. WHEREAS private physicians are frequently the first contact for middle class battered women

BE IT RESOLVED THAT a mandatory protocol for suspected wife battering be developed specific to private practice, similar to that for child abuse and rape in the emergency room.

SOCIAL SERVICE AGENCIES

WHEREAS each county and community has in existence some public and private social services agencies which offer some of the services needed by a battered woman, and are available to her:

BE IT RESOLVED THAT

1. That a paid committed advocate for battered women
 - a. represent her needs to all local agencies and
 - b. work to develop sensitivity in individuals in all service agencies to these needs, and
 - c. identify needs of battered women that cannot be met by existing agencies and educate the community to the necessity to create new resources to meet these needs.
2. That a specific plan be developed, under the coordination of the committed advocate, to bring together representatives of all agencies to discuss and identify services that are available and how these services can be pooled to meet the multiple needs of the battered woman and the batterer.
3. That the agencies prepare and distribute a pamphlet that describes the services that are available and appropriate for the battered woman, emergency short-term and long-term. These pamphlets should be made available to all social service agencies for referral purposes and to the public at large.
4. That social services offer their expertise in proposal writing and identifying potential funding sources for those attempting to set up shelter, under the coordination of the advocate.
5. That a general crisis line, responsive, though not exclusively to battered women be created in all counties with workers trained to assist battered women and that such a line would be widely publicized through the media.
6. That social service agencies be counseled as to the importance of aspects of family counseling i.e. prevention of battering in on-going relationships, (vocational training)

SETTING UP A SHELTER

WHEREAS shelters for battered women have been a cornerstone of women working against violence against women,

BE IT RESOLVED THAT

1. Recognition and active participation of funding on the community, state and federal level be established
2. A national clearing house be devised to share and establish reserves and resource organizations clause: An updated publication of current shelter status and program development be produced
3. Legislation be enacted so that Title XX names "battered women" as a distinct class
4. Self determination of shelters prevail as a separate entity from peripheral agencies clause: that community organization for support services for battered women should consist of two coalitions: the core group being women helping women and the secondary coalition composed of community service organizations (criminal justice, social service and mental health)
5. Eventually the shelters be predominantly run by the battered women themselves
6. The problem of battered women is not of an experimental nature, but rather an already documented problem that demands recognition, action and funding, both public and private, on an indefinite basis
7. The definition of the displaced homemaker be expanded to include battered women of any age with or without children

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PERSONAL SUPPORT FOR THE VICTIM

WHEREAS women who have been involved in a battering relationship need a personal support system in order to:

- a. Discuss alternatives to her present situation
- b. Leave the battering relationship to enter a shelter or establish herself independently
- c. Receive continuing support after she's left the battering relationship

BE IT RESOLVED THAT

1. We oppose the prolonged and excessive use of psychotropic drugs to battered women in lieu of other action
2. Mental health agencies, hospitals and other agencies dealing with battered women be responsible for collecting and mandatory reporting of statistics documenting numbers and needs of battered women (needs including shelters, support groups) to appropriate local, state and national authorities
3. Battered women should be eligible for criminal justice funds available to victims of violent crimes
4. There should be funds for specialized personnel in public agencies to respond to the needs of battered women
5. County task forces should be established which are composed of representatives from public agencies and grass root organizations to explore the needs and make recommendations to appropriate funds to meet the needs of battered women
6. Funding for programs for battered women be seen as a legitimate ongoing social service need and that funds be made available on an ongoing basis through Title XX funds or local forms of revenue
7. Private foundations, corporations and individuals be approached for fund development
8. Money be available to train personnel in shelters
9. Welfare money be made available within one working day of application for funds by battered women

THE WOMEN'S POSITION

WHEREAS the attitude of police departments in the past has been to consider all domestic violence in one group

BE IT RESOLVED THAT police officers and other police personnel should go through continuous training (at the academy and on the job) to become sensitive to the needs of battered women; curriculum to be developed in conjunction with battered women's groups. Further, police departments could cooperate with specially trained civilian crisis intervention units accompanying officers on domestic violence calls. These units will not necessarily discourage arrests.

Local police departments should give domestic violence calls high priority, and should require mandatory reporting of these calls, and develop short forms which will record sufficient information to enable prosecution.

Local courts should develop simple, easy forms and procedures for women to obtain TRO's (Temporary Restraining Orders) quickly and without a lawyer. These forms should be distributed widely and be easily accessible.

ED

- A. WHEREAS the educational system is sexist in nature and stereotypic ethics under the curriculum and materials and the school system has access to the greatest number of children and a responsibility as a primary socializing agent

BE IT RESOLVED THAT

1. We organize as communities, parents, teachers, students, and school board to establish guidelines for the development of nonsexist textbooks and curriculum materials.

That we work for election of school board members who are responsive to these guidelines.

And that we equalize opportunities and funds for athletic and extracurricular programs for all students, female and male.

And that we work actively to incorporate self-defense classes into the school curriculum.

2. We demand the elimination of corporal punishment in the schools.
3. We work actively for the inclusion of family life and sexuality courses in all school systems which teach alternative sex role models.
4. That we work for vigorous enforcement and implementation of affirmative action and Title IX policies at all levels of the educational system.

- B. WHEREAS women exiting a battering situation often find themselves lacking in skills to support themselves or their families

BE IT RESOLVED THAT continuing education programs be expanded which include career and personal counseling, academic and job training and job hunting skills.

- C. WHEREAS difficulties women experience both during and after leaving a battering situation often relate to her ability to communicate her feelings and needs to others

BE IT RESOLVED THAT both educational institutions and community service programs provide free assertiveness training programs for all students and clients.

- D. WHEREAS it is important to deal with the preventative aspects of violence

BE IT RESOLVED THAT we support the development of educational programs in schools and other service agencies dealing with violence in the home, with the long-range goal of implementing rap groups and on-going support.

CRIMINAL JUSTICE SYSTEM

- A. WHEREAS law enforcement officers are called upon to intervene in domestic disturbance calls and often respond ineffectively,

BE IT RESOLVED THAT

1. Police Departments provide mandatory training to officers responding to such calls. Such training must include women who can educate law enforcement officers regarding the myths and realities of battering as well as local feminist referral resources available to them.
2. The police departments establish domestic violence intervention teams in cooperation with local women's groups.
3. That police departments must be accountable to the victims as well as the perpetrators and must remove the batterer from the home for a period of time which will ensure the physical safety of the victim.
4. That law enforcement officers must be mandated to a) inform the victim of her rights, b) inform the victim of community, medical and legal resources available to her, c) inform her of the process for making a citizen arrest, d) inform her of the criminal justice process and e) actively enforce temporary restraining orders.

- B. WHEREAS there has not been adequate support for victims of criminal violence by the criminal justice system

BE IT RESOLVED THAT

1. That legislators and Governor Brown be encouraged to explore the possibility of establishing neighborhood courts of one's peers to deal with intra-family violence matters.
2. That district attorneys set up special units for domestic violence.
3. That district attorneys and judges be required to attend training sessions on domestic violence which must include women who can educate such personnel regarding the myths and realities of battering as well as local feminist referral resources available to them.
4. That law schools provide mandatory courses regarding domestic violence.
5. That the State Bar and/or appropriate legislative committees review present procedures for handling domestic disturbance cases in order that they more quickly & efficiently be resolved.
6. That district attorneys offices provide an advocate to work with victims throughout the prosecution process.
7. That district attorneys become more innovative in developing increased prosecution in cases of battering.
8. That the legislature be asked to appoint a committee to hold public hearings in the area of domestic violence and propose alternatives to the existing law.
9. That legislation be enacted to eliminate the filing fee for obtaining a Temporary Restraining Order.
10. That feminists research legislators voting histories and attitudes and work actively for the election and re-election of persons who are supportive of feminist issues. Further, that only feminist legislators be asked to author bills regarding women.

MEN

- A. WHEREAS traditional sex role stereotyping has created battering as an acceptable male behavior, and that men must begin working actively to decrease violence toward women:

BE IT RESOLVED THAT

1. Men be encouraged to form male-conscious-raising groups in local communities.
 2. That men be supported for actively fighting sexism in their personal and social lives.
 3. That men be encouraged to take active roles in working with children who have been effected by violence.
 4. That men be encouraged to accept active and nurturing parenting roles.
 5. That men be encouraged to develop hotlines and peer counseling services and resource centers for batterers.
 6. That men begin openly discouraging acts of violence among their peers.
- B. WHEREAS this conference has provided a successful forum for male-female communication regarding a shared problem

BE IT RESOLVED THAT funding be made available by both local and state federal sources for further conferences such as this one.

CHILDREN OF BATTERED WOMEN

WHEREAS there is much documentation regarding the negative effects of battering upon children, including its cyclical effects

BE IT RESOLVED THAT

1. That special programs be funded and implemented for children of battered women which include both crisis intervention and long term support.
2. That shelters for battered women include space for children of the residents
3. That the criminal justice system recognize and attend to the needs of children in making decisions regarding family separation, child custody or child visitation.
4. That shelters include parenting classes for mothers who might need to redevelop nurturing relationships with their children.
5. That, due to lack of information on the subject of children of battering families, research is needed and practical applications developed, both being compiled into a resource book which will be available to centers.
6. That a child's history-taking, in schools, social service centers, and medical facilities should include inquiry into battering within the family.
7. That a study be conducted on the effects of visitation rights by the non-custodial parent, including the use of neutral pick-up places, and supervised and evaluated visitation. The possibility should also be considered to qualify people to see (detect) the effects of visitation, and to be able to testify in court concerning the results of the evaluation.

MENTAL HEALTH

WHEREAS Mental Health practitioners and agencies must be accountable to clientele who are mostly women and often the victims of violence perpetrated by men,

BE IT RESOLVED THAT

1. Licensing of all mental health professionals be contingent upon education regarding myths and realities of violence against women.
2. Existing mental health agencies and practitioners be sensitized to issues and be prepared to deal effectively with violence against women.
3. It must be mandated that a feminist therapist serve on the staff of all agencies funded by public monies.

WHEREAS the negative effects of both sex role stereotyping by therapists and sexual contact between clients and therapists have been well documented,

BE IT RESOLVED THAT

1. The mental health profession and the criminal justice system take strong action against any therapist having sexual relations with a client.
2. Feminist therapists be given positive recognition by the mental health profession and the public.

MARRIAGE AND FAMILY

WHEREAS the traditional family structure and its rigid sex roles prevents a realization of an individual's full potential and options,

BE IT RESOLVED THAT

1. The houseperson be compensated and recognized for his/her labor (ie wages and social security).
2. Funds be appropriated for the research and exploration of creative and alternative lifestyles.
3. Federal funding of 24-hour day care centers be provided.
4. National legislation to protect women from sexual and physical assaults in any co-habiting situation.
5. Public provisions and availability of national education for premarital counseling; encouraging clear marital expectations between both partners.
6. A list of rights and loss of rights be presented to individuals when they apply for marriage licenses.
7. Legislation be enacted for the legal recognition and enforcement of marriage contracts written by the two parties.

MEDIA

WHEREAS men and women have been presented in the media as unsatisfactory role models and that many of these roles promote an acceptance of violence and sexism in our society

BE IT RESOLVED THAT .

1. TV networks develop programs which depict people in both nonviolent and nonsexist lifestyles.
2. That we boycott products of manufacturers who sponsor violent and sexist TV programs.
3. That pressure be applied to FCC for removal of sexist and violent programs and commercials.
4. That equal and prime time be allotted to feminists by all forms of media to present their views.
5. That the media be encouraged to cover conferences, shelters, and other issues regarding battered women.

CHURCHES

WHEREAS traditional religious institutions and practices have actively excluded women from full personhood

BE IT RESOLVED THAT

1. Contributions be withheld from religious bodies until the following goals are achieved.
2. Women's participation in decision making and leadership at all levels.
3. Responsiveness to the real needs of women, e.g., supportive counseling which presents realistic alternatives to women.
4. Revision of liturgical texts to remove sexist references and replace them with inclusive terminology.

GENERAL

WHEREAS women associated with men on military bases are regarded as dependents and not as human beings with rights of their own

BE IT RESOLVED THAT recognition must be given of women affiliated with men on military bases as persons with rights of their own, and given right to transportation to a safe place and/or home base of choice without their husband's signature.

WHEREAS the marriage contract is one into which people enter without awareness, and is often a precipitator of violence between women and men

BE IT RESOLVED THAT marriage licenses be increased in cost and profit be appropriated toward the support of shelters for battered women.

Testimony of CASA
(Citizens Against Spousal Assault)
of Howard County, Maryland

CASA (Citizens Against Spousal Assault) of Howard County had its inception in Spring 1976 as the Howard County Task Force on Battered Women. In that same year, a survey of Howard County, conducted by the Task Force, revealed that virtually no organization was maintaining statistics on the incidence of spousal assaults. These findings alerted the Task Force to the need for increased awareness of this problem in the county.

The first community awareness program was held in Fall, 1976 at Howard Community College. Soon after that, the Task Force turned its attention toward the needs of the victim, as calls from victims seeking help began to come in. Other concerns were that the victims' needs were not being sufficiently met by existing community social services and that the development of a program to meet these needs was imperative.

To date, CASA has been supported only through small contributions from individuals in the community. Despite this constraint, CASA has begun to develop the following comprehensive program staffed by volunteers:

1. A telephone helpline. Such a service will enable victims of spousal assault to seek and receive immediate help. The telephone line will be open on a 24-hour basis and staffed by volunteer counselor/advocates trained in crisis intervention techniques and the problem of battered spouses. The existence of a helpline

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will facilitate CASA'S service to and communication with battered victims, and will aid CASA in meeting their needs. The volunteer counselor/advocates will support the victim in the following areas: medical assistance, temporary shelter, mental health counseling, legal referral, financial and employment counseling, moral support, and advocacy in the social service and court systems.

2. A network of private homes for emergency shelter. Ideally, in the future, CASA will acquire a shelter that will house many victims and their children. Since shelter funds are not now available, a network of private volunteer homes, accessible on a short term basis, is being utilized.

3. A support group for battered women. This group is composed of battered and formerly battered women and a team of psychiatric nurses as facilitators. The support group enables the women to gain insight into their own situation, to feel a part of a caring, attentive group, to learn that others have experienced similar patterns of abuse, and, finally, to develop self-confidence and be better able to make important decisions regarding their future.

Another support group will consist of couples, i.e. both the victim and the battering spouse.

4. Community education and the expansion of community involvement.

All of the goals of CASA necessarily involve community participation and cooperation. CASA has presented and will continue to present informational training seminars to health professionals,

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attorneys and police officers on the emerging problem of spousal assault. The purpose of the sessions is to acquaint these professionals with the many myths regarding spousal assault and to encourage them to refer victims and suspected victims to CASA or other agencies. Another aspect of CASA's program of community service is the presentation of educational programs to the general public. In addition, CASA's speaker's bureau is available to community groups and professional organizations interested in spousal assault as an issue.

The anticipated results of these educational efforts will be a community program of maximum effectiveness.

Recommendations

We urge Congress to address the growing problem of battering and violence in the home. We urge passage of a bill that will not only provide assistance to locally run community groups, but will also provide the public with information on the problem of spousal assault. The funding can be used to implement numerous programs. CASA envisions a comprehensive approach that would include the following:

1. Fully Staffed shelters for battered spouses and their children to insure a safe, supportive and informative atmosphere for decision making regarding their future;
2. Crisis helplines so that victims of battering can begin to solve their problems through telephone counseling and referral to needed services;

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3. A public information campaign which would include pamphlets in both English and other languages, including, for example, Spanish, Chinese and Vietnamese. The pamphlets would be distributed through the U.S. Government Printing Office in order to educate health, social service, law enforcement and legal personnel and the general public. An example of a target group for such information are teenagers - the girls, who often allow themselves to be abused by their boyfriends, because they are learning that jealousy and possessiveness equals "true love" - and boys, who believe that domination and control of a woman is the "manly" way; and

4. Police training, imperative for training police officers to understand that spousal assault is not a victimless crime, and that it is related to many other social problems including child abuse and runaway teenagers. The police officers must learn to listen to the victim, to understand the fears and frustrations, and to be able to inform the victim of available options without discouraging the arrest of the abusing spouse, if that is the choice.

Whenever possible, grants should go to groups with little or no resources, who have already begun to address the needs of battered spouses, rather than to universities and private firms who suddenly show an interest in the problem when federal monies become available.

CASA is pleased to have had this opportunity to contribute our testimony to this hearing on domestic violence. We appreciate the concern and attention that you have given this issue.

Needs Assessment for The Whittier Area
Concerning Women As Victims Of Violence In Their Homes

Even though public awareness of the problem of domestic violence is growing, the statistics are difficult to gather. Law enforcement experts consider wife beating the most unreported crime in the country, however more police calls involve family violence than any other criminal incident. This apparent contradiction is because most law enforcement agencies do not keep separate statistics for wife beating.

The research conducted in the Whittier area involves a population of 71,788, which is taken from the 1970 census and the Whittier City Planning Department calculations. The Whittier Police Report for 1975 indicates there were 59,075 calls for service, of which there were 279 cases of assault and battery, and 4,456 for disorderly conduct. Reports of a person injured lists 149 citizens. There is no category for family violence except under Felony: Corporal Injury to Wife and Child. In the year 1975 the report listed one male and one female injured. In an interview with the information officer of the police force it was explained that women do not make these charges for fear of reprisal and the difficulty of proof.

Another way to collect statistics was to call the local hospitals for their estimate of cases per month. Thirteen hospitals were called and the personnel in charge of admittance were interviewed. Three hospitals did not have emergency rooms, so they were eliminated from the survey. However their services are psychological or psychiatric in nature and the personnel interviewed noted that some patients have a history of brutal beatings from persons that they were close to in a personal relationship.

Of the ten hospitals participating in the research, not one replied that they did not have patients who had been physically abused by a member of their family. Using the monthly estimate from one per month to ten per month the averages were totaled to be 35 per month for all 10 hospitals. If this amount were multiplied by 12 per month that would indicate 420 women were receiving treatment in the Whittier area for the results of domestic violence in 1977.

Physical problems are usually treated by medical services. How lets turn to the mental anguish that comes from psychological fear. The fear of not having a safe, secure place to live, and the fear of being abused and threatened. To gather these statistics we have turned to a professional providers survey. Eight psychologists and/or attorneys stated that approximately 90 of their clients in the past year had been battered women. The estimates ranged from "10% of my caseload", to "numerous", "but hard to estimate", and "two in the last month". This survey was taken in July of 1977 and the evidence was not documented, and was only used to sample the professional community in the Whittier area. This research also uncovered some prominent community leaders that had been victims of violence in years past.

An extensive independent, survey done by the Whittier Chapter of AAUW, (American Association of University Women) by their members, produced some interesting results. The questionnaire was mailed to 437 members (requirements for membership include a degree from an accredited college). 91 members responded, which is 21%. The following information comes from this research.

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One of the questions asked, "has anyone close to you ever been a battered woman?", and the response was yes, from 11% of the women. 22% said they had been a victim of a crime in their community, and 4% said someone close to them had been a rape victim. Asked if they favored a center in their community for battered women, the answer was 89% yes.

Fifty-three other questions were asked on this survey dealing with attitudes about money, men, legal rights, age, and other social questions. Therefore bias can be ruled out. 49% of the women surveyed consider themselves socially moderate, with 32% conservative and only 18% feeling liberal about their social mores. The political distribution attitudes were distributed as 40% conservative, 43% moderated, and only 15% liberal and 2% didn't answer.

The conclusion to the problem researched is that, there is a significant percentage of awareness in the community to define the problem. Statistics from law enforcement (where the calls for help seem to fall on deaf ears), are difficult to extract. There is physical evidence by the number of clients in hospitals and from the professional community that women are victims of violence in their homes in the Whittier area.



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REPORT ON

BATTERED WOMEN
 AND
 CHILDREN CONFERENCE

SHIPROCK, NEW MEXICO
 MAY 5. & 6, 1977

SPONSORED BY:
 N.M. COMMISSION ON THE STATUS OF
 WOMEN AND BUREAU OF INDIAN AFFAIRS

PREPARED BY:

ROBERT KNOX
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Introduction

In response to a request from two Navajo women in Shiprock N.M.C.S.W. helped organize and present a two-day conference on Battered Women and Children. The conference, aimed at the entire San Juan Basin area, was held on May 5 and 6, at the Shiprock Chapter House. Co-sponsored by the Bureau of Indian Affairs, the conference consisted of presentations by national experts on domestic violence and a panel of local, state, federal and tribal officials. The objectives of the conference were to:

1. Bring local residents and agency personnel together to identify services and procedures for addressing problems related to domestic violence;
2. Identify the national and local needs of victims of domestic violence and;
3. Stimulate the coordination of existing resources, while identifying gaps in service for domestic violence victims.

The conference was attended by 217 registered participants and an estimated 60 unregistered people. Following the formal presentation, attendees had an opportunity to meet in workshops with representatives of social services, mental and physical health, law enforcement and prosecution, and emergency and special services. The workshops were designed to acquaint local residents of the San Juan Basin with social service workers, to clarify problems and concerns, and to generate recommendations aimed at aiding state and local planners in the development of responsive services.

Over 47 agencies were represented, including federal, state, local and tribal offices. Attendees at the conference came from around the state representing Farmington, Shiprock, Paquate, Laguna, Oak Springs, Cove, Santa Clara, Kirtland, Newcomb, Mesaview, Albuquerque, Teec Nos Pos (Arizona) and Redrock (Arizona).

Content Summary

Dr. James Weston, Chief Medical Investigator for New Mexico, opened the conference with an address on child abuse. In his presentation, Dr. Weston indicated that the abuse and neglect of children occurs at all social and economic levels of society. According to Weston there has been a dramatic increase in the number of child deaths in New Mexico in the past six months. A more pervasive problem exists in the area of child neglect. Emotional neglect is found more often in upper or middle income families, where a greater emphasis is placed on materialism, while physical neglect is found more often in lower economic groups.

Weston stated that emotionally neglected children may have an abundance of possessions and good clothes, and are usually well fed. However, their parents may be unable to spend time with them and as a result they experience feelings of isolation and neglect which can result in severe psychological problems ranging from acting-out behavior, withdrawal, and even a failure to assimilate food.

Emotional and physical neglect and abuse are generally outgrowths of a parent's emotional insecurity and feelings of social isolation. Dr. Weston pointed out that parents with depressed self concepts and insufficient ego strength are often unable to provide their children with the security they need. The resulting pattern of neglect or abuse is self perpetuating. Abused or neglected children, Weston pointed out, are more likely to act the same way towards their own children. Children that are habitually harmful to others often come from backgrounds of abuse or neglect.

In most instances, Weston indicated, child abuse is triggered by a specific incident or event. Exasperated parents, losing their tempers may inflict harm unintentionally on their child. The need for some form of release mechanism for these people is apparent.

Following Dr. Weston's presentation, representatives from various local agencies addressed problems associated with child and woman abuse. Included among the difficulties in seeking legal solutions to problems of domestic violence were:

1. The legal requirement to prove intentional battering of a child.
2. A high rate of charges being dropped by victims of woman abuse, preventing the majority of such cases from ever reaching the courtroom.
3. The loss of financial support of the family if a wage-earning battering spouse is jailed and/or heavily fined.
4. Laws which restrict police officers from making an arrest unless the officer is a witness to simple assault.
5. Reluctance on the part of many women to file a complaint and to press charges against their husband.

Dr. Shirley Hill Witt, Executive Director of the Rocky Mountain Regional Office of the U.S. Commission on Civil Rights, presented the results of a survey conducted by her office on woman abuse. According to Dr. Witt's survey, woman abuse is only just being recognized as a problem. Few statistics exist which accurately reflect the degree or nature of woman abuse. What information is available is largely buried in law enforcement, prosecution, social service and medical records under a variety of headings.

According to Dr. Witt, surveys conducted in major population centers around the country indicate that woman abuse occurs in as many as 50% of all families. While figures obtained are high, authorities agree that they are not an accurate representation of the problem. Some groups of battered women, such as upper and middle income people, are reluctant to report abuse because of its potential impact on their family's economic and social standing. Available data on woman abuse, however, suggests a pattern similar to that found in child abuse surveys. Woman battering appears to occur in all segments of the population, with a surprisingly frequent occurrence among law

enforcement officers, physicians and service professionals.

Few existing federal, tribal, state and local agencies are equipped to handle woman abuse. Complicating situational problems such as the presence of children, lack of financial resources, reluctance on the part of families to become involved, and hesitant police, contribute greatly to the abused woman's inability to escape her situation.

Dr. Witt identified several key problem areas where significant change is necessary: research, social policy, emergency services and the criminal justice system.

Research: Adequate knowledge about woman abuse, its extent and nature and the nature of the victim and the offender is currently lacking. Frequency data, procedures for handling woman abuse, and an understanding of both the victim and the offender are not currently available to aid planners in determining programs or revising procedures.

Social Policy: Social and cultural norms tolerating, condoning or encouraging violence, especially against women and children, have contributed greatly to the "hidden" nature of domestic violence. The absence of preventive approaches, myths which hinder recognition of domestic violence, stereotypes of women, failure to prepare people adequately for the parent role, neglect by the general community, fear of reprisal, and lack of public awareness were but a few of the problems cited which impede the development of responsive programming and services to families under stress.

Emergency Care: The victims of domestic violence are often in need of a range of medical, legal and social services, each of which has its own unique perspective. Some aid, usually slow in coming, is available provided the family has additional problems which qualify

them for a particular agency's services. (Domestic violence often becomes secondary to other problems such as unemployment, alcoholism, financial distress, psychological distress, or chronic medical problems.) A lack of specialized emergency services, insufficient interagency cooperation and coordination to effectively mobilize resources, and inadequate definition and understanding of domestic violence as a social problem were cited as the major obstacles to providing emergency care through existing agencies and organizations.

Criminal Justice: A number of circumstances were identified which work against the victim of domestic violence. The courts and law enforcement branches of the criminal justice system are reluctant to become involved in intrafamily problems. Family violence is one of the most dangerous situations to a police officer, and involvement by law enforcement officers frequently intensifies the situation rather than reduces the violence.

In simple assault situations, an officer must actually witness the attack in order to make an arrest. While the family remains united, legal solutions such as imprisonment or fines harm the entire family, contributing to an already difficult and perhaps unstable situation. The absence of legislation to cover such crimes as rape by a spouse, further contributes to the difficulty of achieving a legal remedy.

Also cited as contributing factors to an unresponsive criminal justice approach were the high incidence of complaints withdrawn by victims, and judges who do not view domestic violence seriously.

While many other problems were cited which contribute to or maintain a high frequency of domestic violence, conference participants generally felt that addressing these problems would do much to reduce the incidence of violence and enhance the availability of

service to victims.

Recommendations:

Following the presentations, participants broke up into workshops to discuss problems and needs in depth. Below is a list of recommendations produced by those workshops to address the problem of domestic violence.

Prevention Services:

Domestic violence is a progressive problem, passing from one generation to the next. In addition, a variety of social and cultural practices exist which support or encourage the occurrence of domestic violence. The following recommendations were made. In order to prevent domestic violence:

1. Increase the availability of mental health and self-concept development, services available to the general public, prior to the emergence of personal and social dysfunctions.

All people experience some degree of stress and frustration, yet few individuals learn how to manage these feelings until after they have encountered an extreme or severe difficulty. Conference participants felt that services designed to strengthen individual coping skills, improve parenting techniques, and encourage personal growth and development should be made more readily available to the general public prior to the onset of a severe emotional or behavioral problem.

2. Additional research locally and with respect to the various New Mexico cultures to better understand the scope and nature of the domestic violence problem is needed. Research aimed at understanding the development and underlying dynamics of violent behavior should also be undertaken.

3. Develop mental health service networks which can provide

crisis intervention and support services to individuals and families under stress prior to the emergence of severe dysfunction.

Many communities around the state do not have an effective crisis intervention program to provide meaningful, short term, emergency help to victims of stress. In addition the present treatment and service philosophy of the State emphasizes rehabilitation and reintegration of individuals and families whose lives have been disrupted. Conference participants acknowledged that many people will require continuous supportive services while residing in a community. Support networks, designed to respond to people undergoing normal stress, will be increasingly needed as life becomes more complex and demanding.

4. Increase public education on the nature of family life, with an emphasis on parenting, child development, and relationship-building.

5. Provide consciousness raising experiences for women and men to examine current attitudes and behavior patterns associated with sex role stereotyping, and explore more positive alternatives.

6. Develop adequate recreation facilities for youth and families and provide respite services to parents in need of, but unable to obtain a minimal amount of time out of the home.

7. Increase the opportunity for contact between families and the agencies which serve them. Include families in the development and provision of social services, and establish mechanisms through which families and community members can provide input to social service planners and organizations.

8. Provide a coordination mechanism through which community support and service agencies, such as schools and churches, can strengthen their effectiveness, and augment professional mental health and social service efforts.

7.

9. Increase the emphasis on social responsibility, especially in programs affecting the young, and intensify responses to the unmet spiritual and philosophical needs of youth.

Emergency and Social Services:

A substantial number of conference participants indicated that a major factor in perpetuating domestic violence is the lack of alternatives available to victims. Oftentimes, the victim of household violence is lacking in funds, support and the psychological strength necessary to escape the situation. Among the specific requirements of victims of domestic violence were:

1. Develop a central registry to identify target families in distress as an aid to the mobilization of preventive, protective and treatment resources.
2. Develop a wider range of in-family intervention and crisis strategies which de-emphasize the negative and self depreciating aspects of being unable to cope effectively, while identifying and reinforcing inherent strengths in the family.
3. Establish a 24 hour crisis intervention shelter care service to provide a full range of short term emergency services including protective services, medical care, crisis intervention, counseling, advocacy, referral and follow-up.
4. Provide community-based and supported respite and homemakers' services to relieve intrafamily tensions and reduce the stress which leads to episodic outbursts of family violence.
5. Establish an elementary school social work program as part of an expanded case-finding and early intervention network.
6. Insure closer coordination and cooperation between emergency, medical, social service, law enforcement, mental health, and judicial resource agencies to improve the quality of available service, and provide the level of care suited to individual or family needs.

Criminal Justice System:

The majority of conference attendants indicated a need for legal and physical protection. To obtain those services, participants made the following recommendations:

1. Expand and improve education and training programs for law enforcement, emphasizing alternative protective intervention strategies and defusing techniques.
2. Strengthen law enforcement procedures to insure prompt and effective responses to domestic disturbance calls.
3. Revise and up-grade existing protective legislation to expand and strengthen protective services to adults and children.
4. Develop and enforce mandatory adult and child abuse reporting legislation which provides stiffer penalties for failure to report by professionals.
5. Develop specific legislation aimed at protective and prosecutorial recourse for female victims of household violence.
6. Explore and develop alternatives to the present system of judicial involvement in family disturbances, with an emphasis on chronic reports and multiple problem families.
7. Recognize that a substantial segment of the population engaged in criminal behavior is in need of comprehensive social, psychological, and rehabilitation services as an alternative to more traditional criminal justice responses, and provide that range of service needed by this group.
8. Expand the judicial process as it is applied to family disturbances to include consideration of and responsiveness to cause motivations and situations which impact on intra-family violence.

Tribals:

Many of the recommendations appearing above are applicable (some with modification) to tribal needs and institutions. However, two areas were cited specifically pertaining to tribal policies and practices..

1. Improve cooperation and coordination within and between federal and state agencies to reduce duplication of services, and fill existing service gaps.

2. Include in the tribal code provisions outlining the rights of children and women, and provide an effective mechanism for the enforcement and protection of those rights.

Conclusion

Considerable interest in and support for an organized, systematic and effective response to the problem of intrafamily violence exists in the San Juan Basin. Residents of the area are looking towards their leaders and officials for assistance and support in responding to this emerging need. Untreated, domestic violence can only spread, leaving in its wake disturbed lives and wasted human resources at a time when few communities can afford the social costs.

Senator RIEGLE. That completes our hearing for today and our witness list, and I want to again thank everyone who was here.

[Whereupon, at 11:15 a.m., the subcommittee adjourned, subject to the call of the Chair.]

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