

DOMESTIC VIOLENCE

HEARINGS
BEFORE THE
SUBCOMMITTEE ON SELECT EDUCATION
OF THE
COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES
NINETY-FIFTH CONGRESS

SECOND SESSION

ON

H.R. 7927 and H.R. 8948

TO AUTHORIZE THE SECRETARY OF HEALTH, EDUCATION,
AND WELFARE TO ESTABLISH A GRANT PROGRAM TO DE-
VELOP METHODS OF PREVENTION AND TREATMENT RELAT-
ING TO DOMESTIC VIOLENCE, AND FOR OTHER PURPOSES

HEARINGS HELD IN WASHINGTON, D.C.,
ON MARCH 16 AND 17, 1978

use of the Committee on Education and Labor
CARL D. PERKINS, *Chairman*



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57941

STATEMENT OF THE HONORABLE NEWTON I. STEERS, JR.BEFORE THESELECT EDUCATION SUBCOMMITTEEMARCH 16, 1978

MR. MILLER, I WANT TO COMMEND YOU FOR YOUR GENUINE INTEREST AND LEADERSHIP IN THE AREA OF FAMILY VIOLENCE. SOME OF MY FRIENDS AT THE HOUSE OF RUTH TOLD ME THAT YOU VISITED THE BATTERED WOMEN ANNEX THERE FOR SOME TIME A FEW WEEKS AGO. I FEEL CERTAIN THAT THIS ISSUE IS IN GOOD HANDS.

THE ISSUE OF FAMILY VIOLENCE IS A STRANGE BAG OF CONTRADICTIONS. ON THE ONE HAND, THE FAMILY IS THOUGHT OF AS NONVIOLENT, BENEVOLENT AND LOVING AS PORTRAYED ON TWO POPULAR TELEVISION SHOWS, "THE WALTONS" AND "FAMILY." ON THE OTHER, FAMILY LIFE IS AS STRAINING AS IT IS CLOSEKNIT. RELATIVES ARE THE SINGLE LARGEST CATEGORY OF MURDER VICTIMS AND FAMILY FIGHTS ARE THE SINGLE LARGEST CATEGORY OF POLICE CALLS.

FROM THE OUTSET, I WOULD LIKE TO SAY THAT THERE IS NO QUESTION IN MY MIND THAT WIFE BEATING MUST BE VIEWED IN THIS OVERALL CONTEXT OF FAMILY VIOLENCE WHICH INCLUDES CHILDREN, ELDERLY PERSONS, HUSBANDS AND OTHER PERSONS WHO MAY BE LIVING IN THE HOME.

BECAUSE I AM CONCERNED ABOUT THE OUTCOME OF ACTUAL SERVICES THAT WOULD BE PROVIDED BY A BILL TO HELP FAMILIES IN CRISIS, I MUST STATE MY BELIEF THAT IN A VERY REAL SENSE WHAT WE ARE TALKING ABOUT TODAY IS IN LARGE PART A WOMENS ISSUE AND THAT EMERGENCY SERVICES FOR WOMEN AND THEIR CHILDREN SHOULD BE A MAJOR COMPONENT OF ANY LEGISLATION THE SUBCOMMITTEE WOULD REPORT. THE OVERWHELMING EVIDENCE PRESENTED TIME AND TIME AGAIN -- AND THIS WAS ESPECIALLY TRUE AT THE SENATE HEARINGS ON FAMILY VIOLENCE LAST WEEK -- SHOWS THAT WOMEN ARE THE SINGLE LARGEST GROUP OF VICTIMS OF THIS VIOLENCE. MURRAY STRAUS, A RECIPIENT OF A NATIONAL INSTITUTE OF MENTAL HEALTH GRANT, HAS STATED THAT WIVES ARE MUCH MORE OFTEN VICTIMS OF VIOLENCE BY THEIR HUSBANDS THAN THE REVERSE.

SOCIETY'S TREATMENT OF WOMEN THROUGHOUT HISTORY HAS NEVER BEEN ONE THAT WE CAN BEEN PROUD OF. AS SUSAN BROWNMILLER WROTE IN HER BOOK, AGAINST OUR WILL:

MEN, WOMEN AND RAPE: "AS THE FIRST PERMANENT ACQUISITION OF MAN, HIS FIRST PIECE OF REAL PROPERTY, WOMAN WAS, IN FACT, THE ORIGINAL BUILDING BLOCK, THE CORNERSTONE OF THE 'HOUSE OF THE FATHER.' MAN'S FORCIBLE EXTENSION OF HIS BOUNDARIES TO HIS MATE AND LATER TO THEIR OFFSPRING WAS THE BEGINNING OF HIS CONCEPT OF OWNERSHIP."

IN FACT, STUDIES HAVE SHOWN THAT WIFE ABUSE HAS ITS ROOTS IN THE VERY STRUCTURE OF SOCIETY AND THE FAMILY WHERE THE HUSBAND IS EXPECTED TO PLAY THE ROLE OF FAMILY LEADER. IF THIS POSITION IS THREATENED, MANY MEN FALL BACK ON THEIR ULTIMATE RESOURCE OF PHYSICAL FORCE.

THE WIDESPREAD EXISTENCE OF WIFE BEATING TODAY UNDERSCORES THE FACT THAT THESE SOCIETAL EXPECTATIONS ARE STILL PREVALENT. VICTIMS OF ABUSE HAVE TOLD BOTH MY STAFF AND ME THAT, ONCE MARRIED, THEIR HUSBANDS TREATED THEM AS A PIECE OF PROPERTY -- THAT IN FACT THEIR MARRIAGE LICENSES HAD BECOME HITTING LICENSES.

WHEN TIMES GET ROUGH, WHEN THE HUSBAND LOSES HIS JOB, OR WHEN AN UNEXPECTED NEW BABY IS COMING, THE WIFE BECOMES A SCAPEGOAT FOR SOCIETAL PRESSURES. FREQUENTLY, THE BATTERED WIFE IS NOT READILY EMPLOYABLE, HAS NO MONEY IN HER OWN RIGHT AND SIMPLY HAS NO PLACE TO GO. TRAGICALLY, THIS INCLUDES SUCH WOMEN AS THE WOMAN WHO LOST HER KIDNEY, DURING A BEATING, WHO THEN WENT BACK TO HER HUSBAND AFTER THAT BEATING AND NEARLY LOST HER SECOND AND ONLY REMAINING KIDNEY IN ANOTHER BEATING. IT INCLUDES THE WOMAN WHO LOST AN EAR AT THE HANDS OF HER HUSBAND AND THE WOMAN WHOSE HUSBAND ATTEMPTED TO ABORT HIS OWN UNBORN CHILD.

THE PROBLEMS OF FAMILY VIOLENCE AND WIFE ABUSE IN PARTICULAR WERE FIRST BROUGHT TO MY ATTENTION BY MY LEGISLATIVE ASSISTANT, BOBBI AVANCENA, WHO IS A MEMBER OF THE BOARD OF DIRECTORS OF THE HOUSE OF RUTH, A LOCAL HOME FOR DESTITUTE AND BATTERED WOMEN HERE IN THE DISTRICT OF COLUMBIA.

ABOUT THAT SAME TIME, A COUNTY COUNCIL MEMBER, ESTHER GELMAN, IN MY DISTRICT OF MONTGOMERY COUNTY, MARYLAND, WAS INSTRUMENTAL IN SETTING UP A COUNTY-FUNDED ABUSED PERSONS PROGRAM. CYNTHIA ANDERSON, SUPERVISOR OF THAT PROGRAM WILL TESTIFY LATER IN THIS HEARING.

LAST MONTH, AN INFORMAL NATIONAL COALITION OF EMERGENCY SHELTER PROVIDERS TOLD A MEETING OF HILL STAFFERS 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, 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 VICTIMS OF ABUSE. IT WOULD ALSO BE SUED TO FUND FULL SERVICE SHELTERS WHICH ALREADY EXIST IN 44 STATE 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, FOR INSTANCE, 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. BOGGS AND I HAVE SUGGESTED THE POSSIBILITY OF LOCATING THE PROGRAM IN THE NEW ADMINISTRATION FOR CHILDREN, YOUTH AND FAMILY (ACYF) WITHIN THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE.

THE ULTIMATE GOAL OF FEDERAL LEGISLATION SHOULD BE TO ENCOURAGE AND CONTINUE LOCAL EFFORTS THROUGH SOME TYPE OF SERVICE FUNDING AND TO PROVIDE PRACTICAL KNOWLEDGE ABOUT TREATMENT AND THE SCOPE OF THE PROBLEM BASED ON SERVICE-ORIENTED DEMONSTRATION GRANTS.

SPECIFICALLY, THE BILL SHOULD INCLUDE THE FOLLOWING PROVISIONS:

1. LEGISLATION SHOULD COVER AN IMMEDIATE NEED FOR SERVICE FUNDING AND SHOULD BE FLEXIBLE TO MEET INDIVIDUAL AND COMMUNITY NEEDS.
2. SMALL NON-PROFIT GROUPS THAT PIONEERED IN THIS FIELD WITH LITTLE GOVERNMENT RESOURCES SHOULD NOT LOSE OUT IN THE AWARDED OF GRANTS OVER MORE SOPHISTICATED GROUPS WHICH HAVE NOT PREVIOUSLY EXPRESSED AN INTEREST IN THE PROBLEM. FOR THIS REASON, TECHNICAL ASSISTANCE SHOULD BE AN INTEGRAL PART OF ANY FEDERAL LEGISLATION.
3. A COORDINATING UNIT SHOULD BE ESTABLISHED SO THAT EXISTING FAMILY VIOLENCE PROGRAMS IN A HOST OF DIFFERENT FEDERAL AGENCIES ARE NOT FRAGMENTED.
4. A CLEARINGHOUSE SHOULD BE ESTABLISHED TO SERVE AS A FOCAL POINT FOR ALL INFORMATION ABOUT EXISTING SERVICES.
5. SOME TYPE OF MEDIA EFFORT SHOULD BE UNDERTAKEN TO INCREASE THE PUBLIC'S AWARENESS OF THE PROBLEM SO THAT BATTERED WOMEN AND THEIR FAMILIES WILL KNOW THAT THEY ARE NOT ALONE AND THAT HELP IS AVAILABLE.
6. SOME EFFORT SHOULD BE MADE TO ENCOURAGE STATE AND LOCAL LAWS TO BE MORE RESPONSIVE TO THE NEEDS OF BATTERED SPOUSES.

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 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."

MR. MILLER, I AM PLEASED TO HAVE THIS OPPORTUNITY TO DISCUSS FEDERAL LEGISLATION TO AID BATTERED WOMEN AND FAMILIES IN CRISIS. I HOPE YOUR SUBCOMMITTEE WILL REPORT LEGISLATION VERY SOON.

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	3
New Mexico	2	0
New York	12	15
North Carolina	4	3
North Dakota	2	1
Ohio	8	2
Oklahoma	2	1
Oregon	5	1
Pennsylvania	9	11
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

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