

**DOMESTIC VIOLENCE: NOT JUST A FAMILY
MATTER**

HEARING
BEFORE THE
SUBCOMMITTEE ON
CRIME AND CRIMINAL JUSTICE
OF THE
COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES
ONE HUNDRED THIRD CONGRESS

SECOND SESSION

JUNE 30, 1994

Serial No. 93



Printed for the use of the Committee on the Judiciary

U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1994

85-081

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-046982-1

H521-56

COMMITTEE ON THE JUDICIARY

JACK BROOKS, Texas, *Chairman*

DON EDWARDS, California
JOHN CONYERS, JR., Michigan
ROMANO L. MAZZOLI, Kentucky
WILLIAM J. HUGHES, New Jersey
MIKE SYNAR, Oklahoma
PATRICIA SCHROEDER, Colorado
DAN GLICKMAN, Kansas
BARNEY FRANK, Massachusetts
CHARLES E. SCHUMER, New York
HOWARD L. BERMAN, California
RICK BOUCHER, Virginia
JOHN BRYANT, Texas
GEORGE E. SANGMEISTER, Illinois
CRAIG A. WASHINGTON, Texas
JACK REED, Rhode Island
JERROLD NADLER, New York
ROBERT C. SCOTT, Virginia
DAVID MANN, Ohio
MELVIN L. WATT, North Carolina
XAVIER BECERRA, California

HAMILTON FISH, JR., New York
CARLOS J. MOORHEAD, California
HENRY J. HYDE, Illinois
F. JAMES SENSENBRENNER, JR.,
Wisconsin
BILL McCOLLUM, Florida
GEORGE W. GEKAS, Pennsylvania
HOWARD COBLE, North Carolina
LAMAR S. SMITH, Texas
STEVEN SCHIFF, New Mexico
JIM RAMSTAD, Minnesota
ELTON GALLEGLY, California
CHARLES T. CANADY, Florida
BOB INGLIS, South Carolina
BOB GOODLATTE, Virginia

JONATHAN R. YAROWSKY, *General Counsel*
ROBERT A. LEMBO, *Counsel/Administrator*
ALAN F. COFFEY, JR., *Minority Chief Counsel*

SUBCOMMITTEE ON CRIME AND CRIMINAL JUSTICE

CHARLES E. SCHUMER, New York, *Chairman*

DON EDWARDS, California
JOHN CONYERS, JR., Michigan
ROMANO L. MAZZOLI, Kentucky
DAN GLICKMAN, Kansas
GEORGE E. SANGMEISTER, Illinois
CRAIG A. WASHINGTON, Texas
DAVID MANN, Ohio

F. JAMES SENSENBRENNER, JR.,
Wisconsin
LAMAR S. SMITH, Texas
STEVEN SCHIFF, New Mexico
JIM RAMSTAD, Minnesota
GEORGE W. GEKAS, Pennsylvania

DAVID YASSKY, *Counsel*
MELANIE SLOAN, *Assistant Counsel*
ANDREW COWIN, *Minority Counsel*

CONTENTS

HEARING DATE

June 30, 1994	Page 1
---------------------	-----------

OPENING STATEMENT

Schumer, Hon. Charles E., a Representative in Congress from the State of New York, and chairman, Subcommittee on Crime and Criminal Justice .	1
---	---

WITNESSES

Benguereel, Yvette, Alexandria, VA	11
Biden, Hon. Joseph R., Jr., a Senator in Congress from the State of Delaware	29
Coffey, Vicki, executive director, Chicago Abused Women Coalition, Chicago, IL	9
DeJuliis, Connie Galiazzo, member, Maryland House of Delegates	19
Diggs, Peggy, Williamstown, MA	93
Digirolamo, Karla M., executive director, New York State Office of the Prevention of Domestic Violence	15
Prepared statement	99
Lee, Debbie, associate director, Family Violence Prevention Fund, San Francisco, CA	71
Perrone, Richard, McCoy Lumber Co., San Marcos, TX	110
Roberts, Rona, volunteer, Women's Emergency Services, Salisbury, CT	103
Sherman, Lawrence W., professor of criminology, University of Maryland, and chief criminologist, Indianapolis Police Department	48
Shriver, Pegi, Burke, VA	14
Wynn, Sgt. Mark, Nashville Metropolitan Police Department	46
Zorza, Joan, senior attorney, National Battered Women's Law Project of the National Center on Women and Law	54

LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING

Biden, Hon. Joseph R., Jr., a Senator in Congress from the State of Delaware: Prepared statement	35
Diggs, Peggy, Williamstown, MA: Advertisements on commercial product containers	95
Prepared statement	99
Epstein, Ruth S.: Prepared statement	102
Goldfarb, Sally, senior staff attorney, NOW Legal Defense and Education Fund: Prepared statement	176
Humphrey, Hubert H., III, Minnesota attorney general, on behalf of the National Association of Attorneys General: Prepared statement	128
Lawson, Donna, mother of homicide victim, Convington, PA: Prepared statement	117
Perrone, Richard, McCoy Lumber Co., San Marcos, TX: Prepared statement ...	112
Roberts, Rona, volunteer, Women's Emergency Services, Salisbury, CT: Prepared statement	105
Sherman, Lawrence W., professor of criminology, University of Maryland, and chief criminologist, Indianapolis Police Department: Prepared statement	50
Soler, Esta, executive director, Family Violence Prevention Fund: Prepared statement	74
Zorza, Joan, senior attorney, National Battered Women's Law Project of the National Center on Women and Law: Prepared statement	57

DOMESTIC VIOLENCE: NOT JUST A FAMILY MATTER

THURSDAY, JUNE 30, 1994

**HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CRIME AND CRIMINAL JUSTICE,
COMMITTEE ON THE JUDICIARY,
*Washington, DC.***

The subcommittee met, pursuant to notice, at 12 noon, in room 2226, Rayburn House Office Building, Hon. Charles E. Schumer (chairman of the subcommittee) presiding.

Present: Representatives Charles E. Schumer, Don Edwards, John Conyers, Jr., Dan Glickman, George Sangmeister, F. James Sensenbrenner, Jr., Steven Schiff, Jim Ramstad, and George W. Gekas.

Also present: Representative Patricia Schroeder.

Staff present: David Yassky, counsel; Melanie Sloan, assistant counsel; Rachel Jacobson, secretary; and Andrew Cowin, minority counsel.

OPENING STATEMENT OF CHAIRMAN SCHUMER

Mr. SCHUMER. The hearing will come to order.

First, the Chair has received a request to cover this hearing in whole or in part by television broadcast, radio broadcast, still photography, so in accordance with committee rule 5, permission will be granted unless there is objection.

Without objection, so ordered.

Good afternoon, everybody. Whether O.J. Simpson murdered Nicole Brown Simpson and Ronald Goldman is not the question before us today. That, we will leave to the courts. While O.J. Simpson's preliminary hearing is taking place in California, there is a great deal that we can do here in Washington to stop violence against women.

Today's hearing is about 4 million women a year whose names and faces are not gracing magazine covers and are not on the evening news. The O.J. Simpson case has received so much attention because of Mr. Simpson's celebrity, but it is not a new story.

In fact, the Simpson case is all the more remarkable because it is so terribly ordinary. It is ordinary for police to respond halfheartedly to complaints of spousal abuse. It is ordinary for domestic violence offenders to get off with a slap on the wrist and, tragically, it is ordinary for women who have been repeatedly abused to end up as murder victims. In these ways, the Simpson case is all too ordinary.

Domestic assault is the single most frequent form of violence that police encounter, more common than all other forms of violence combined. Yet, for the most part the police remain untrained as to how to deal with such violence.

How unfortunate it is that it has taken Ms. Simpson's death to focus on the national emergency of domestic violence. It shouldn't have come to this.

This hearing has three purposes: Our first goal is to let you know that the next woman beaten by her husband could be your daughter, your friend, your colleague, or your neighbor. Sadly, in this way the O.J. Simpson case was not an aberration.

Our second goal is to learn about mandatory arrest, a controversial enforcement policy aimed at reducing domestic violence. Panel two will be devoted to the pros and cons of mandatory arrest policies.

Our third mission is to let you know that each and every one of us, particularly those of us in Congress, has the power and the responsibility to stop domestic violence. The Violence Against Women Act now pending in the crime bill can help combat this insidious crime.

For years, for decades, for centuries, our society has evaded taking responsibility for family violence. Until the 20th century our courts actually upheld the right of a man to beat his wife under the so-called rule of thumb. The rule of thumb allowed a husband to beat his wife with a stick so long as it was not thicker than his thumb.

The rule of thumb is gone. But societal acceptance of family violence endures. In a case where a mugger might be sentenced to a lengthy jail term, a wife beater may not even be arrested.

Today, we will hear from several women who have survived domestic violence and the problems they have faced, including a lack of safe havens, a criminal justice system indifferent to their plights, police not trained to deal with the problem, and a society that believes family violence is less significant than other violence.

The number of murders caused by domestic violence is truly astonishing. One-third of all women who are murdered die at the hands of a husband or boyfriend.

According to one study, as many as 90 percent of all family violence defendants are never prosecuted, and one-third of the cases that would be considered felonies if committed by strangers are charged as misdemeanors when committed by nonstrangers.

Our society pays a heavy price for this violence. One million women a year seek medical attention for injuries caused by violence in the home. Children in homes where family violence occurs are 15 times more likely to be abused or neglected than children living in nonviolent homes.

Finally, some estimates suggest that we spend between \$5 and \$10 billion a year on health care, criminal justice, and other social costs as a result of domestic violence. Indeed, the U.S. Surgeon General has warned that family violence, not heart attacks or cancer or strokes, pose the single largest threat of injury to adult women in this country.

We, as a society, must wake up and respond to this problem in a forceful and effective way and that is why we in Congress have

created the bipartisan Violence Against Women Act, which has passed both the House and Senate and is included in the omnibus crime bill.

As an original cosponsor of the act, I am committed to ensuring that the strongest possible Violence Against Women Act appears in the eventual conference report. I want to take this opportunity to salute Senator Joe Biden for his leadership on this issue.

The Violence Against Women Act focuses on crimes of domestic violence. Gaps in the legal protection offered to victims of domestic violence have been highlighted in the last two decades, but State and localities have not addressed the issue sufficiently.

The Violence Against Women Act responds to the call for national leadership on this issue in five ways. First, money is authorized to fund a national toll-free hotline to provide information and assistance to victims of domestic violence. Second, the act imposes stiff Federal penalties for people who cross State lines to commit family violence. Third, recognizing the potency of protective orders as a remedy for domestic violence, the act closes a major loophole by requiring each State to honor the protective orders issued by other States. Fourth, the act provides much needed Federal assistance to combat domestic violence, including substantial funding for battered women's shelters. Fifth, the act provides significant incentives to encourage States to treat domestic violence as a serious crime. The act creates a model State program encouraging comprehensive reform, arrest, prosecution, and judicial policies.

One of the most controversial aspects of the Violence Against Women Act is a provision concerning mandatory arrest, which many localities and States are now implementing. As mentioned earlier, our second panel will discuss the pros and cons of this policy and whether it is an effective tool in dealing with domestic violence.

But we all know legislation can only do so much. The key is changing attitudes. Our third panel showcases American ingenuity, resourcefulness, and commitment to community. You will see people who represent what is best about our country, people who have recognized the problem and stepped in and tried to solve it.

These witnesses have come from across America to tell us how they learned of the problem of domestic violence, how they became part of the solution. Their creativity and dedication to public service should be noted and copied.

Before concluding, the only other point I would like to make is that I am optimistic that we can get a real handle on this problem and reduce domestic violence.

It is not like so many other problems in the crime area that seem so intractable. Teaching people about this issue will reduce the problem. Letting the world know, letting police departments know, and letting prosecutors know that this is a serious crime and should be treated as such will improve the situation.

Once education is achieved, I think many of the other things will fall into line.

So if there is one message I would like everyone to hear today, it is that battered women are no more responsible for the crimes perpetrated against them than are any other victims, and that batterers must be treated like the criminals that they are.

Mr. Sensenbrenner.

Mr. SENSENBRENNER. Thank you, Mr. Chairman.

Domestic violence is an issue I have been working on for some time. In fact, I introduced a crime bill last year which contained more than a dozen ways to fight domestic violence. This year, both the Senate and House crime bills have sections on domestic violence similar to those in my crime bill. They also have sections that are different and I hope that this hearing will provide some guidance to help determine which approach is correct.

Wisconsin has had a mandatory arrest law for a number of years. However, let me caution that this is not the panacea that some claim that it is.

Just in the past week, the television investigative reporting squad for a Milwaukee TV station reported in Madison, WI, that 85 percent of those who have been arrested under the domestic violence mandatory arrest law go to court, while in Milwaukee only 40 percent of those arrested end up in court. Significantly, neither the police chief nor the prosecutor wished to be interviewed by the roving camera man.

Second, I am concerned that issues of federalism and who pays the bill will arise should the conference report on the crime bill contain a mandatory arrest law that would be imposed upon States and localities.

We, in Congress, quite often hear complaints about unfunded mandates where Congress requires local governments and their officials to take certain action, but does not back up that mandate with any Federal dollars. Consequently, the costs of complying with the mandates usually end up on local real estate taxpayers' bills. Face it, a mandatory arrest law will take police time, prosecutors' time, and court time if it is to be effective and consequently, it is incumbent, in my opinion, for Congress not to leave real estate taxpayers holding the bag at the local level, but to back up its nice sounding mandates with the dollars to implement those mandates.

I also feel that I would be remiss in my responsibilities if I didn't express a concern. Congressional committees and subcommittees have two types of hearings: legislative hearings and oversight hearings. A legislative hearing is called for the purpose of considering legislation, marking up and amending legislation, and advancing legislation through the process that is set forth in the Constitution.

This isn't a legislative hearing. The chairman has called this an oversight hearing. An oversight hearing is generally called by a congressional committee to see if Federal departments and agencies are doing their job implementing the laws that Congress has passed and funded.

However, we don't have any witnesses today from the Justice Department for their input on the topic that is under discussion.

Now, last night Congresswoman Susan Molinari of New York made a motion to instruct the House-Senate conferees relative to various provisions relating to domestic violence and making our court system much more sympathetic to those who are victims of domestic violence when cases go to court.

Unfortunately, the chairman of the committee not only voted against the motion to instruct the conferees, but also spoke against

the motion to instruct conferees and then today follows this up with a nonlegislative and really a nonoversight hearing as well.

I wish this hearing had been held earlier on in the process when we were considering the crime bill because I think it would have had a greater impact on how the House acted on the crime bill. But I guess better late than never. Even though the train has left the station, this is a very important topic that I am glad we are making a record and perhaps it will convince the chairman of the committee to vote the other way the next time a motion to instruct on this subject is offered on the floor by Congresswoman Molinari or someone else.

Thank you.

Mr. SCHUMER. Mr. Edwards.

Mr. EDWARDS. I subscribe to my chairman's statement, very extensive statement, and I think it is a very wise hearing we are having today. Our work is not done, as you know, in conference and a hearing like this is very useful to all of us conferees and I am pleased that Mrs. Schroeder is here. She, indeed, has been the leader for many, many years on this important issue but, thank you. I am very anxious to hear witnesses and so I won't say more.

Mr. SCHUMER. Thank you, Mr. Edwards.

Mr. Schiff.

Mr. SCHIFF. Thank you, Mr. Chairman. I would like to say two things, Mr. Chairman. First of all, I was the elected district attorney in the Albuquerque area for 8 years and at the beginning of my first term in 1981, one of the first actions I took was to issue instructions to our office and law enforcement agencies in our district that domestic relations violence was violence. In other words, a charge of assault and battery should be treated like a charge of assault and battery and the relationship between the accused and the victim were not relevant for legal presentation. We handled all cases the same.

Although, I took that position, because as you have indicated, there is a past history in society—since most, not all, but most domestic violence is by men against women—that arose from a feeling that men owned their wives and could take any action they wanted to as virtual slave owners. But that is long past. It is time that enforcement of the law caught up with that.

Nonetheless, I have to add that making the statement and implementing the policy that all violence is to be treated and prosecuted the same is not a magic wand that solved all the problems of these cases. The contact between victim and defendant in these cases, whether they continue to live together or even if they didn't live together, if they had contact because they have children in common, caused a great number of opportunities for intimidation against the victim from testifying.

So these still remain very difficult cases to handle. I look forward to the witnesses to hear their views on what we can do at the Federal level and what can be done at the State and local level to assist prosecutors.

A final word, Mr. Chairman, the Violence Against Women Act that you referred to, that is in the crime bill, is part of the entire crime bill which is still in the conference committee. I think that is outrageous. I think it is a disaster for the United States that

nearing the end of the 103d Congress no crime bill has reached the House and Senate floor from the conference committee to be voted upon.

I would like to say that I have a suggestion in that matter, one I communicated in writing to all the conferees. It appears to me, as it appeared in the past, that the issues that are holding up the crime bill are the controversial issues of the death penalty and gun control. These are important issues and Members have very strong feelings on them. I am not suggesting that we avoid them. We are going to have to deal with them.

But I do respectfully suggest, since I am not a conferee, to the conferees that they temporarily set aside the issues of the death penalty and gun control and work on all of the many other issues of which you have mentioned one today that are in the respective House and Senate crime bills. There are still differences in those issues, but those differences, I think, are relatively small and certainly I believe can be worked out.

The conferees could then present to the House and Senate a crime conference report on all the other issues, in other words the domestic violence, community policing, funding for prisons, and crime prevention.

Then I would suggest a straight up or down vote on the gun control and death penalty issues and let the majority work their will. But it seems to me we are heading toward the same result I saw in the last Congress of no crime bill because these issues are holding up resolution of all other issues.

Thank you, Mr. Chairman. I yield back.

Mr. SCHUMER. Thank you, Mr. Schiff.

Mr. Sangmeister.

Mr. SANGMEISTER. Thank you, Mr. Chairman. Although I am sure the focus of domestic violence is obviously going to shift to California for the next few months, hopefully not years, but really here in Washington is where we can do what needs to be done in this area.

I accede to the minority. We ought to be doing something with the crime bill in conference to get it out, but the chastising of the chairman as not better late than never, obviously that is the case. Obviously, we should have had a hearing like this earlier, but nothing can be more important than to focus on it now.

I can tell you when I was State attorney in my county for some 4 years that we dealt more with probably domestic violence than anything else. Every Monday morning in my office everything was there that happened over the weekend and there is no easy answers to what has to be done here. You have to face the problems of women who on Friday and Saturday night would sign complaints, but on Monday morning would be sitting in my office telling me that maybe we better not prosecute him, because if you do, he is going to lose his job and where will our income come from.

It is a very, very difficult situation. That is why I think homes are necessary for battered women, and other avenues. That is why I look forward with, I want to hear from the witnesses as to what we really need to be doing back in our local States. This is not a problem that we can resolve totally with Federal legislation, but we

do have to help the States in this matter, and I would be happy to hear from the witnesses.

Thank you.

Mr. SCHUMER. Thank you, Mr. Sangmeister. I just would inform everyone, as the committee members know, this is the third hearing we have had on domestic violence. But one of the reasons we are holding today's hearing is, as Mr. Schiff suggested, trying to importune this conference to move along.

Believe me, nobody wants that to happen more than I do.

Mr. Ramstad.

Mr. RAMSTAD. Thank you, Mr. Chairman. I, for one, wish to applaud your leadership in this area. I remember well the three previous hearings you called. I will never forget the image of the survivor lying in a prostrate position nearly, connected to tubes, and the other survivors who testified at that hearing. I am sure we will have the same kind of testimony at today's hearing.

I also appreciate the opportunity to work with you and Mrs. Schroeder closely in a bipartisan way on the Violence Against Women Act. If there is any silver lining in the horrible, horrible tragedy of Nicole Simpson, it is that the American people and the Congress are both focusing on the epidemic of domestic violence against women. We know the statistics, more than 2,000 women are reported raped every year and unreported rapes according to law enforcement estimates total approximately 12,000 a week. Every 15 seconds a spouse is battered, fully one of four women in this country will be abused by a current or former partner during their lifetime.

No other civilized nation has ever tolerated this level of violence against women. In this Nation this Congress can no longer fail to take comprehensive action to deal with this serious problem.

It is high time we pass the Violence Against Women Act and get it to the President's desk. It is too late, obviously, to help Nicole Simpson or the 28 women who died in my home State of Minnesota last year at the hands of their husband or boyfriends, but it is not too late to provide critical assistance for sexual assault or domestic abuse.

It is not too late to provide needed resources for prevention and public education, rape crisis centers and battered women shelters. It is not too late to provide critical grants to States for victims programs, law enforcement, prosecutors, and the courts who handle these cases.

It is not too late to require each State to enforce those protective orders against a spouse batterer or stalker issued by another State. It is not too late to strengthen rape shield laws and toughen penalties for sex crimes. And it is not too late to prod the States to pass mandatory arrest laws like Minnesota's. I agree such a law is not a panacea, but I also know it is working in Minnesota to break the cycle of violence in many cases as the statistics show.

Mr. Chairman, Congress can no longer ignore the fact that violence against women has reached epidemic proportions, nor can we continue to ignore its devastating impact on the lives of so many women.

As an original cosponsor of the Violence Against Women Act, I believe Congress must pass the act without further delay because the women of America deserve nothing less.

Mr. SCHUMER. Thank you, Mr. Ramstad.

Mr. Gekas.

Mr. GEKAS. I thank the chairman. Mr. Chairman and members of the committee, we welcome the witnesses today to the ultimate talk show, the one that allows the most complete exchange of opinion and discussion between citizen and the citizen's lawmaker.

We should point out, though, that we have not been inactive on the subject matter of today's hearing. Every year through an act of Congress we declare a formal Crime Victims' Rights Week. It is not just an empty gesture. It is a week during which discussions are held across the country by various victims' age groups, rape crisis, women against violence, the gamut, child abuse, victims abuse, victims of murder, all the despicable crimes about which we read.

So incrementally through funding processes and other projects we do keep an eye and an ear out for developments in this very critical arena. So today is another peg in that ongoing process which we intend to continue toward ultimate resolution, we hope.

One element has to be addressed and I hope some of the witnesses, if not in their opening statements, at least during the round of questioning, that is sure to follow, will address it. We ought to focus on the role of the policeman, the neighborhood policeman, who is put in an awful, awful position when he is called to the scene of a domestic or potential domestic crime, most of the time without guidelines, unsure of whether an arrest should be made immediately or conciliation should be undertaken, or what the role is in the mind of the law enforcement officer in these kinds of cases. Sometimes that ends up in disaster of one of two kinds: One, an overreaction by the law enforcement officer who has no choice but to seize someone and take him or her into custody or, on the other hand, making the ultimate decision that it is a domestic situation in which, if the law enforcement officers did become involved, he and his department would be subject to adverse criticism at the disciplinary action. That is an awful, awful role in which, without guidelines, we thrust our law enforcement people too often. I would like to ask in advance that the witnesses consider that situation as we go forward with the testimony and perhaps we will learn more about how best to address that particular subject.

I thank the Chair.

Mr. SCHUMER. Thank you, Mr. Gekas. We have been joined by another Member, not a member of the subcommittee, but somebody who has been active and a lead cosponsor along with me of the Violence Against Women Act, Pat Schroeder. We would like to welcome you, Pat, and thank you very much for coming.

OK, we will now call our first panel forward. Would Ms. Coffey, Ms. Benguerel, Ms. Shriver, Ms. Digirolamo, and Ms. DeJuliis please come forward.

I am pleased to welcome four women who are here to share their stories about domestic violence. First, we will hear from Vicki Coffey, an abuse survivor now executive director of Chicago Abused Women Coalition.

Second, we will hear from Pegi Shriver, currently residing in Burke, VA. After Ms. Shriver, we will hear from Ms. Yvette Benguerel, a lawyer here in Washington, DC, and we will also hear from Ms. Karla Digirolamo. Am I saying that right?

Ms. DIGIROLAMO. Digirolamo.

Mr. SCHUMER. Domestic violence and executive director of the New York State Office for Prevention of Domestic Violence, and Connie Galiazzo DeJuliis, a State delegate in Maryland and herself a victim.

Ms. Coffey, you may proceed. Everyone's full statement will be laid into the record so you may proceed as you wish. You may read your statements, speak with or without notes, however you wish. Ms. Coffey.

**STATEMENT OF VICKI COFFEY, EXECUTIVE DIRECTOR,
CHICAGO ABUSED WOMEN COALITION, CHICAGO, IL**

Ms. COFFEY. Thank you. Representative Schumer, distinguished members of the Subcommittee on Crime and to all those who join us in our efforts to end domestic violence, thank you for allowing me this day to be a voice for battered women and their children and to participate in this most historical and vital proceeding.

I stand here in support of passage of the Violence Against Women Act. I come today to share my experience as a victim, as a survivor, as an activist and an expert to share with you how my experience has informed my work in the community and changed systems to improve the quality of life and choice for abused women and children; to demonstrate how your investment today can be a force for positive change and how you individually and collectively can help move our society to a time when there is life without abuse.

Every 9 seconds a woman is battered in America. Domestic violence is the leading cause of injury to women exceeding auto accidents, muggings and rapes combined.

Three to four million women are victims of battering annually. Ten of these women die a day. Abuse affects all people. It is nondiscriminating in its taste and crosses all socioeconomic and ethnic strata. Abuse is the most lethal crime in our society. It will take the life of your children, your sisters, your brothers, your mothers, your fathers, it will take your life.

Our children are victims, too. Domestic violence perpetuates teenage suicides, runaways, and pregnancies. Children who grow up in homes where abuse occurs are they themselves at serious risk of increased abuse and neglect.

Over half of the homicides of young females age 15 or older result from domestic violence. One study showed that 63 percent of young boys age 15 to 20 who were incarcerated for murder killed the man that was abusing their mother. Abuse constantly and consistently exhausts the resources of our community.

The fastest growing segment of America's homeless population is women and children. Abuse is the leading cause of this problem.

Businesses lose billions of dollars annually due to absenteeism and loss of productivity because employees are abused. Abuse creates 100,000 days of hospitalizations and 30,000 emergency room

visits annually in America. So you see, domestic violence is not just a family matter. It is a plague on our society that must be stopped.

Chicago Abused Women Coalition is working to reverse these statistics. CAWC created the first 24-hour hotline for abused women in Chicago in 1975. Two years later CAWC opened Greenhouse Shelter, Chicago's first battered women's shelter. Since its inception, CAWC has served over 11,000 women and children providing safe refuge, crisis intervention, support and information.

My tenure with CAWC began in 1989 and was greatly inspired by my own personal experience as a survivor of abuse. I was affected by the tragedy of abuse almost 20 years before there was a CAWC. This was a time when our society was conditioned to turn a deaf ear to battered women and a time where wife beating was an accepted status of women, and at a time such is the case today, that woman abuse is still thought of as a personal and private matter between women and their spouses or partners.

In essence, what goes on behind closed doors is not the business of the neighbors. Back then, the term, "domestic violence," did not exist. Similarly, community support and resources to address this problem also did not exist.

Thus, women were left with few options, but to tolerate the abuse or leave and risk subsistence as I did.

The realization of what was happening to me after years of countless visits to doctors and hospitals, after years of victimization and self-denial became apparent when I arrived in a hospital emergency room one night battered beyond recognition. For the first time, I was approached by a physician who looked beyond the physical symptoms of my injuries and cared enough to ask me, who did this to you? A physician who refused to accept my concocted story and attempts at avoiding the truth and humiliation of what really had happened to me.

It was this experience that inspired the development of the hospital crisis intervention project at Cook County Hospital in Chicago.

CAWC, in collaboration with the Cook County Bureau of Health Services, United Way of Chicago, and a host of community corporations and foundations established the first public-hospital-based intervention and training program in 1992 due to my experience.

In 1993 CAWC entered into yet another important community-based collaboration. In conjunction with the Chicago Police Department, the Illinois Criminal Justice Information Authority, and Family Rescue, the Domestic Violence Reduction Program was launched. The program is designed to reduce homicides and serious injuries caused by domestic violence. It is predicated on research that indicates that early intervention can prevent the lethal outcomes of abuse.

Again, the framework of my experience as a survivor guided my ability to contribute positively to the process of developing this model program.

In the early 1970's and in the State where I live, typical police response to domestic incidents consisted of a lecture to wives on how not to provoke and nag your husband and sending the abuser for a walk to cool off. Rarely was serious concern or interest demonstrated for the victim.

In cases of abuse among gay and lesbian couples concern or acknowledgment did not exist. Victim blaming was the norm rather than the exception. In fact, police action frequently served to revictimize the victim by discrediting and invalidating their experience.

When I left, I left everything I owned and loved. For years my children and I lived below poverty and experienced great sacrifice, all in the name of living free from violence.

It took 10 years for me to rebuild my life after leaving and 20 years for me to come before you today with my story. Programs like the hospital crisis intervention project and the Domestic Violence Reduction Program would not be possible without the support of a caring, sensitive, and concerned community. I thank President Bill Clinton and Attorney General Janet Reno for their recent recognition of the accomplishments of Chicago Abused Women Coalition and my achievements as a survivor. The strength of their commitment gives strength to our commitment to end domestic violence.

I implore you, as you consider passage of the Violence Against Women Act, to ensure that the voices of battered women are present at all levels of legislative and community policy and decisionmaking, that we are constantly listening to the changing needs of battered women and their children and that we stay acutely aware of those changes, and their effect on the constituency we say we serve.

Your voices can carry the message that abuse is not an acceptable condition of our society and you can influence our Federal Government to take this matter seriously by investing real dollars into solutions to the problem and providing support for existing programs to expand and improve services. You can encourage incentives and mandates for States to respond to this present problem. You can encourage and support the development of innovative responses to the problem such as specialized domestic violence units, registries of protective and restraining orders, increased funding to make programs and services fully accessible to physically challenged women and children, and endorse community-based organizing and collaborative efforts to address this problem.

You all have the power to engage the resources of our community on the local, State, and Federal levels to work to end abuse in our lifetime.

There is an old African proverb that says it takes a whole village to raise a child. I say to you today help us raise our children in a world without abuse.

Mr. SCHUMER. Thank you, Ms. Coffey.

Ms. Benguerel.

STATEMENT OF YVETTE BENGUEREL, ALEXANDRIA, VA

Ms. BENGUEREL. Echoing the opening comments of Representative Schumer, the events of the past 3 weeks have been painfully familiar to me. I do not think there is a battered woman on this panel who heard the 911 tape released in the Simpson case last week and did not identify with the pain and the fear in Nicole Simpson's voice. We have been there. We know.

How did I get here?

I certainly never saw myself as a victim of domestic violence. I did not grow up in a physically abusive home. When I was in law school, I participated in a moot court competition which involved the battered woman defense. I remember telling my trial partner, "I would never let anyone hit me. These women must be weak."

I met my batterer shortly after I moved to Washington, DC; a business acquaintance set us up. He was charming and funny and smart. He had attended the best schools and worked for a well-respected law firm. He went to church regularly and volunteered with developmentally disabled adults. On our second date he talked about marriage and children. I was thrilled and flattered.

The first time he was violent with me, we had been dating several months. I was late and he was angry. He was in my face, yelling at me, and I put my hand up to protect myself. He pushed me so hard that I lost my balance. As I lay weeping he knelt over me and put his arms around me, he said that he was sorry but that it was really my fault because I had pushed him first. I honestly do not remember laying a hand on him.

The violence stopped for a while after that, but the arguments continued. He seemed angry most of the time. One time during an argument he picked me up by the neck and threw me several feet. Afterward, he cried and told me that he loved me. He swore that he had never been physically violent with any other women and he promised to get into counseling with me.

The counselor was male. He did not seem surprised or particularly bothered by the violence. He told us that we had to learn how to argue constructively and take "time out." He also told me I needed to stop taking hurtful things my partner said personally. I think the phrase he used was, "you have to learn to take it in the gut."

During one of our sessions we began arguing. My batterer became so enraged that the therapist asked him to leave. Then the therapist turned to me and said, "He really wants to beat the shit out of you. I don't think he would ever really hurt you, but you just better straighten yourself out."

I remember feeling shocked at this advice, but the man was a professional therapist. Surely he knew best. Besides, if something were wrong with me, well, I could fix that. With an overachiever's enthusiasm, I vowed to try harder and harder in therapy. Why didn't I leave?

Domestic violence crosses all socioeconomic and ethnic lines. However, there are some traits that are common to every batterer. "It is not my fault." "I didn't do it." "It is no big deal." "It is a family matter." "If I did it, you made me." These themes are repeated so often that the battered spouse begins to doubt herself. Maybe I am just imagining it. Maybe I am asking for it. In my case, here was this warm, funny, attractive man who everybody liked. How could he be beating me? It did not make sense. My downfall was in trying to apply logic to an illogical situation and in trusting the wrong people.

The last attack was by far the most brutal. He came into the room where I was sitting and began yelling at me. I took a deep breath, counted to 10 and said calmly, "I don't want to argue with you. I am going to take time out. I am going into the office now."

In other words, I did everything that the therapist told me I should do. My batterer did not care. I started to leave, but he blocked my exit. He grabbed me around the neck and started choking me, all the while shouting the most horrible things at me. Somehow I managed to get away. I ran into the bedroom and tried to lock the door, but he overpowered me.

He threw me on the bed and knelt on my legs. One hand held down my arms, the other was gripped around my neck. I started screaming and he took a pillow and put it over my face so that no one would hear my screams.

It was Sunday morning and we lived in a condominium on Connecticut Avenue. No one called 911. No one came to my aid.

The pillow had been on my face for what seemed a very long time. I started to lose consciousness. It was like I was hovering over the bed looking down on my body. I remember thinking "I am going to die."

Then all of a sudden he jumped off me. I struggled to my feet. I was disoriented and in shock. All I could think of was "I have to get dressed; I have to go to work."

I kept mumbling that over and over to myself like a mantra. All the while he followed me around saying, "I know where you are going. I am going to follow you. I am going to be two feet behind you all day."

Periodically, he would throw me down and start choking me again. The attack lasted about 45 minutes. Somehow I managed to pull on some clothes and leave the apartment. I do not remember how I managed to get to my friend's house. I told her that this person had just tried to kill me. She tried to talk me into going to the hospital or to the police, but I refused. She tried to take pictures of my bruised and swollen neck, but I wouldn't let her. I was dazed and in shock. I kept repeating, "I have to go to work."

Why didn't I go to the police or to the hospital then? The answer is complex. I kept thinking he is a professional; this will ruin him. Besides, he promised me that he was trying to get better, didn't he deserve a second chance?

I suppose, too, in the back of my mind I was thinking, well, I am bruised, but I am not bleeding. I am hurt, but I can walk. Am I battered enough? Will the police chide me for making a big deal out of nothing. Will they believe me?

There are some truisms that I have since learned about domestic violence. One is that if there is violence in a relationship it will almost always escalate. It starts with a push or a slap, and then a punch or kick and then a pillow over the face or a knife in the chest.

I did not come forward later because I was ashamed and embarrassed. I was also afraid. Two days before the last beating, my batterer and I attended a session with his personal therapist. During the course of the session he had again become enraged. I remember thinking, good, now someone he knows, someone he trusts, has seen how he can become when he is alone with me. However, one of the things he kept shouting at me that morning is "you made me look bad."

So why am I here? I have had a sick headache ever since I received a phone call to come here today and testify. It would be easi-

er for me to look the other way, to ignore it and to go on with my life, but that is the point. We have all been ignoring this too long. Women are not safe in this country, not even from the people that they love. You can make it safe.

Mr. SCHUMER. Thank you, Ms. Benguerel.

Ms. Shriver.

STATEMENT OF PEGI SHRIVER, BURKE, VA

Ms. SHRIVER. Thank you Representative Schumer. When I was asked to appear today I was a little reluctant due to pending litigation and of the very personal nature of this issue. Given my circumstances, there is a hope. My story will give additional insight into a world of confusion and bewilderment many battered women experience. Once they take the leaving a life of fear and pain they often find a system which betrays them.

I have been married for 9 years and I am now separated. My husband is a big man, 6 feet, 3 inches tall and his average weight is about 230 pounds. During most of our married life he was loving, romantic, and extremely charming. But he had a dark side and it was one I helped him keep secret until 1992.

The violence began before that with his punching holes in the walls and kicking doors. After some time he began shoving and slamming me against walls.

In June 1992 he shoved me into the fireplace. I ran to the bedroom and called 911. As I was dialing, he kicked in the door. I hung up terrified.

But the police arrived anyway. The two police officers talked to us individually and although clearly they didn't believe him, they advised me that he was claiming self-defense and that if I pressed charges I could be arrested, too. The issue was dropped. Two months later I found myself lying in an emergency room brutally beaten. Two things were really clear. My marriage was over and I needed help.

The police officer that was dispatched to the hospital couldn't help because the assault had taken place in another county. I was urged by the medical staff and the police to go back to that county and press charges. But out of the fear of retaliation, I waited 5 weeks and when I finally gathered up my courage to walk into the police station, I was admonished for waiting to try to press charges 5 weeks after an assault.

I started to leave the police station, but then the officer stopped me. He asked to look at the injuries. He looked at my body and he looked at the pictures they had taken at the hospital. He had a change of attitude. He even took me to the magistrates office and did my talking for me. An arrest warrant was issued and they assured me my husband would be picked up, handcuffed, and taken in to be booked. They told me at that time that oftentimes that is enough of a message to deter a man like my husband.

In fact, that is not even close to what happened.

He went in at his convenience to be booked and because of a divorce proceeding, the criminal charges were seen as an impediment to dissolving the marriage and the outstanding warrant was referred to as an unnecessary cloud.

I was subpoenaed to court February 18, 1993. When I called to find out what to do, I was told to just show up, the prosecutor will find you. The scene at the courthouse was overwhelming. There were a lot of people there. No one seemed to know what was going on. I was totally confused and lost. I felt absolutely helpless. I was told I didn't need an attorney, that the prosecutor would be representing me.

My husband, however, was very confident. He had an attorney with him, and they got the deal they wanted. It was a plea agreement. He agreed to plead guilty to the charge of assault, the case was continued for 1 year and if the terms of the agreement were met, the charges would be permanently removed from his record.

He agreed not to beat me up for 1 year and in that county and to seek a psychological evaluation and treatment with a therapist of his choice. There was not a fine, there was not jail, there was not a restraining order, nor any payment of any of my medical bills. It was a travesty.

Since that day, he has violated the terms of the agreement. He didn't show up for his counseling because he didn't feel like he needed it, but the court solved that problem, too, by continuing the case for another 6 months.

In a partnership with the system my husband has broken me physically, emotionally, and financially. I lost my home, I am without a permanent home now, I have lost my job and my health insurance, my credit is ruined and I still face an enormous medical bill and legal fees. But the real tragedy is that today because of the message the system sent to my husband, he thinks he has done nothing wrong. Thank you.

Mr. SCHUMER. Thank you, Ms. Shriver.

Ms. Digirolamo.

STATEMENT OF KARLA M. DIGIROLAMO, EXECUTIVE DIRECTOR, NEW YORK STATE OFFICE OF THE PREVENTION OF DOMESTIC VIOLENCE

Ms. DIGIROLAMO. Thank you. I am pleased to be invited to testify today and I am particularly honored to share the panel with these courageous women.

Sixteen years ago I packed everything that would fit into a single suitcase, left behind a few possessions I owned, took my 2-month-old baby girl and ran for my life. It was a turning point; the first time that I had consciously rejected the roles that I had been socialized throughout my life to accept.

As I got on the airplane in Dallas that day, I knew I would go and I could begin to create a future for my daughter and myself, a future of freedom and safety.

I was extraordinarily fortunate that I had a family who would take me in, protecting and supporting me, a family that had always been an anchor in my life. It is important that you all know that my family was and is a completely nonviolent family and as the oldest of three daughters growing up in rural, western New York, I never questioned the love and support of my folks, especially my mother and father.

Later, I would come to understand how lucky I was. Also, my former husband, for whatever reason, did not continue his abusive behavior against me after I left.

Although he also was to return to our hometown area, he had very little contact with me, seeing his daughter for one of the few times and what would be the last time on Easter of that year when she was 6 months old. She is now 16.

On my part, I never asked for or wanted anything from him after that day because I had the things most precious to me, my life, my baby, and my freedom.

I mention these things, that I grew up in a supportive, non-violent family, and that it was mere luck that I was able to get away from my batterer because there is so much focus on the woman as the public tries to understand domestic violence. We have a deep need to believe that there is something distinctive or peculiar about us that can explain why we were battered or why we stayed or why we went back or why we left.

The truth about domestic violence is too frightening and in some ways too simple. The difference between me and Nicole Simpson and Karen Straw in New York and countless other battered women rests solely in the luck of the draw about who our partners were and how far they were willing to go to control us.

This is the reality that many people find too frightening or perhaps too offensive to accept. Our culture, not some abstraction, but the social life we are all part of is responsible for the perpetuation of domestic violence. My parents, friends, and family never taught me to be a victim or socialized me to accept abuse. But everything about my socialization led me to recognize that I was expected to play a traditional female role in life and that my worth as a woman would ultimately be measured by looking at the success and quality of my marriage and family.

Violence was part of my marriage. It was my responsibility to fix it. I took this responsibility very seriously, as do many other battered women, who then find themselves criticized or punished for doing the very things we were told to do, trying to keep our families together, trying to make our marriages work, trying to understand and heal our partners.

I was asked today to share with you my story and how it shaped or affected my life, in particular how it relates to the work which I do today as the executive director of the New York State Office for the Prevention of Violence. The office is the only independent, State-level agency in the country dedicated exclusively to the issue of domestic violence.

I began work there 13 years ago and a great deal of the focus of our work is directed toward increasing public awareness and sensitivity about this issue and providing training to a wide range of professionals, law enforcement, health care, human services, and educators.

I must tell you that there is nothing extraordinary about my story or about me. Mine was a story which could be told by millions of women in this country, many of whom have suffered horrors far beyond what I experienced.

But maybe it is the sheer ordinariness of my story that makes it important. Those 2 short years, the brief length of my marriage,

became the defining experience of my life and have informed my work since the day I came to State government as a VISTA volunteer and with welfare mothers trying to rebuild life for me and my daughter.

Why did I marry in the first place? In large part because he asked me and because I believed that this was what I was supposed to be doing with my life. For a brief time, in fact, I thought that the violence was what I deserved because I had married against my better judgment. I soon saw it very differently, but nonetheless I was determined to make a succession of this marriage and to make good on a commitment I had made to him.

During our courtship I was treated very well. He had told me, in fact, that his father had been abusive toward his mother and he would never forgive him for that. So I was not ignorant about his childhood experience nor did I discount it. In fact, I really believed that his life had been so painful for him that he would not repeat it in his own marriage.

One month after our wedding, I discovered I was wrong. We had a disagreement and he responded violently, minor violence, if you will. I was slapped and pushed on the bed. But it was violence that scared me a great deal. I went to my parents that night confused and afraid and he shortly called me to apologize, profess his love and promise it would never happen again.

I felt a responsibility to go back and make it work. That was the first and only time that I asked my family for help because I was so ashamed of my failure to make this relationship work that I could not tell anyone again. So as the violence grew worse, I became more afraid, more isolated, and more despairing of ever finding a way out. I became pregnant soon after and was hopeful this would make him feel better and make the violence go away. It did not. Instead it continued and escalated.

We moved three or four times within a very short period of time and each time I was literally and figuratively moved further and further away from the friends and family I had. I continued to work during these months although I began missing more and more work as he kept me home or I was unable to leave because of the visible injuries I had sustained.

I knew others at work and in my personal life knew what was happening to me and their silence spoke volumes to me. Silence is not neutral. Silence is complicity. When I was 6 months pregnant he decided to move to Dallas. I had no input into this decision and no ability to change it once it was made.

Isolated cannot begin to describe how I felt during those few short months in Dallas. Once there the violence began to escalate very quickly and very severely and the other forms of abuse that we know so well about began also to become acute.

We lived for a period of time in a rent-by-the-hour hotel where I was never sure if I was more afraid of the other folks who made this place their home or of my husband. I had no television, no phone, no friends, only him.

I had no money and no access to money, to the point where there were times I was actually hungry and so desperate that I once went to a food pantry for food and another time begged \$5 from a priest. Economic abuse does not mean that battered women do not

have money to buy clothes or we don't have credit cards at our disposal. Economic abuse may mean we have no food or shelter.

We moved from the hotel to an apartment, not a bad place but without a stick of furniture. At 8 months pregnant, I often slept in the bathtub full of water because it was the only place I could get my huge pregnant body comfortable. I had regular medical care during this time and both my obstetrician and nurse at various points remarked at my clumsiness because I often came to the appointments with bruises.

My ex had a proclivity for kicking me with steel-toed boots. Again, their unwillingness to acknowledge what was happening to me was a powerful message. One time the police were called to our apartment by neighbors. On finding it was a husband-wife thing they told us to keep it down and went on their way. Again, a very powerful message to me and my batterer.

Well you see, battered women don't just believe or perceive that no help is available. We accurately read the reality. There is no help available.

When at 8 months pregnant my ex-husband broke my nose I told the emergency room staff I had hit my head on the cupboard door and again this explanation was accepted without question. No one asked. I believed no one cared.

I had had a difficult labor and delivery, my baby showing signs of distress after birth and I was very ill. All again, I now know, connected to the battering. I was hospitalized for 2 weeks. There was no respite from the violence when I returned home. Instead it began to involve behavior that put my baby in jeopardy. He threw things at me as I held her in my arms. He kicked me and hit me as I held her and in the two events that became the straws that broke the camel's back, he made very clear to me that my daughter would not be spared the danger. In a terrorizing car ride with my daughter in the car, he raced down the road deliberately swerving close to trees and telephone poles. I believed we might die right then and there in a tragic car accident.

Then he locked the baby and me in a room for a day; perhaps, however, the best thing he could have done for me because I spent that day making some decisions about my future, decisions which evolved, from my understanding, that my daughter was not safe and that I had an obligation to protect her. It was then that I made the decision to leave and thank God my parents, without question, sent me a plane ticket home.

As I said, when I started, he did not stop me and I went home to the safety and security of my family. I had always thought when I grew up I would be a helper of some kind, a social worker or counselor, so when I decided to go back to college after my divorce and finish my degree, that was the direction I headed in and at that time, domestic violence was an unknown issue. We did not even have terminology to speak about the problem. So I had not really understood or articulated what I had experienced.

When I began to look at the possibilities for internships, I was drawn to a number of VISTA openings in these newly developed domestic violence programs. Without really knowing why, I knew this was what I was destined to do, that this was how I would make sense of my life.

I was right and I had the incredible good fortune to find a receptive environment in State government at that time. My story became the seed from which the work of my agency grew. When I developed curriculums talking about the forms of abuse and the pattern of violence, my experiences informed this work and my personal experiences became a source of the illustrations that I used.

I did not, however, advertise that I was a survivor because I was determined to develop my own expertise and credibility independent of my personal experience. I believed I have now achieved that professional credibility and that I have an obligation to tell my story. It is what my life is all about.

Even more importantly, it is what I owe to my three daughters and my husband, a nurturing, nonviolent soul who alone convinces me there is hope for men and hope for women who love and wish to live in peace with them. You all have an obligation to me and Nicole Simpson and Karen Straw and all the people who are here and who are not here.

This problem is not mine or ours. It is yours. Because it will only go away when you speak out loudly and clearly and say, no, the violence must end.

Silence is not neutral. Failure to act, to stop the violence is complicity with the batterer. Silence and the failure to act upon the evidence before you conveys a bizarre blessing upon abusers, freeing them to continue and condemning their victims to more, and more, and more, and more of the same.

It cannot be allowed. You must not allow it.

Thank you.

Mr. SCHUMER. Thank you, Ms. Digirolamo.

Ms. DeJuliis.

STATEMENT OF CONNIE GALIAZZO DeJULIIS, MEMBER, MARYLAND HOUSE OF DELEGATES

Ms. DeJuliis. I am Connie Galiazzo DeJuliis and I am a member of the Maryland State Legislature. My sister to my right is absolutely accurate.

As the Maryland Legislature passed in 1994 the Domestic Violence Act in 1994, I stayed silent. This is the first time I have made any public statement about this issue in a personal way. I have made statements as an elected representative in my State. I am here today because I am a survivor.

I am here today because it is the right thing to do. I am here today because national attention should focus on the problem of domestic violence because it is not a domestic problem between a man and his wife or his girlfriend, it is a violence problem and it is a crime problem that affects all of society.

It is a problem that reaches beyond the home and into the streets because violence begets violence. I am here today because of a picture in Time magazine. It showed an 8-year-old boy, an 8-year-old boy, witnessing his father being taken in handcuffs from his home, with his finger pointing at his father and an angry look on his face. He said, "I hate you for beating my mother. I hit you with a pot to make you stop, and I hope you never come back."

Another picture flashed in my mind. I saw another little boy. He was only 7 years old. His mother saw his face peering over a ban-

nister as his father brutally beat her and she told him go to his room.

Sometime later when the father left the home, the little boy returned to the room. His mother was lying on the floor bleeding. He was too little to reach the sink without a chair. He climbed up on a chair to reach the faucet to wet a paper towel to wipe the blood from his mother's face.

As he very gently wiped her face he said, "Mom, when I grow up I am going to get a knife and kill him." I am that mother. That day a little over 25 years ago, I took my children and I walked out. I survived, I took charge of my life that day. I took my children and I walked out.

Twenty-five years ago there were no shelters for battered women and children; 25 years ago there were no hotlines to call; 25 years ago no one talked about domestic violence as anything but a problem between a man and his wife.

Today things are a little bit better. I talked to my daughters before I made a decision to come here and share this. My daughters said don't testify, don't testify, mom, they said, what will they think of you?

What will they think of you?

And that is the reason that I am here. I am here because my daughters said don't do it. I am here because we need to change that attitude. We need to understand that it is not me. It is not this lady; it is not us. This is a problem that reaches across all boundaries, all economic, socioeconomic boundaries. This is a problem that creates bigger and bigger problems for every single one of us in this country.

I am here because I want to help change that attitude. Today things are better, a little better. We have accomplished many things in the last 25 years, but I hope we can do a lot better in the next 25.

In 1994, I cosponsored a bill entitled, "The Domestic Violence Act of 1994." We made things significantly better for the women in the State of Maryland who are trapped in violent situations.

The gentleman earlier said what is the role of the police? It is the same as it is in any other criminal act. In the State of Maryland we say to the police when they are called on a domestic violence situation that they will inform the victim of her rights. They will inform the victim of the services available to them. They will inform the victim that there are shelters, that there are crisis intervention programs available for them. Twenty-five years ago when I was a victim of domestic violence and the police came to my home, there was a large policeman standing in the doorway. I'll tell you, Mr. Chairman, members of the committee, what he said to me.

He looked at me and he said, what did you do? What did you do?

In the State of Maryland today I doubt very seriously if there is any police officer who would make that same inquiry. We need to invest in training for our police. Things are a lot better, but they are still not good enough. As you have already stated, domestic violence is the leading cause of serious injury to women in the United States.

We were able to do in the State of Maryland many things for women and for children, but not enough. There is much more that needs to be done from providing easy access to information to victims of domestic violence, to mandating counseling and jail time, jail time for the violent criminals who ruthlessly beat women that are often half their size and completely, totally defenseless.

We need to train our police. We need to sensitize them. They need to understand that this is no different than if they are called to a shopping mall in a parking lot where someone is brutally beating a woman. In that situation they don't say, what did you do? They don't look for motivation. They look for the perpetrator.

The reason I have chosen to come here today is that I believe for too long this issue has been seen as a woman's issue, but it is not a woman's issue. It is not a domestic issue. It is a crime issue. We need to get tougher on domestic violence and on crime. If we do nothing to prevent these crimes, then we will see that 8-year-old boy in Time magazine again. We will see that young man again. And we will see him in the criminal justice system. We will see him committing violent crimes down the road because violence begets violence.

If we tell that 8-year-old boy it is OK to commit a violent crime, you can rest assured that he will hear that message and he will act on it down the road.

I made sure that that 7-year-old boy didn't confront the criminal justice system. That 7-year-old boy is now a 32-year-old father with a 4-year-old daughter, my granddaughter. I am here for him and I am here for her.

Fighting crime is about punishing people when they break the law. By not punishing violent criminals, we are sending the wrong message to all the children of this country. Domestic violence is not the whole problem, but it is symbolic of the problem as a whole. It is a clear case of a class of criminals that are not being punished for their crimes.

We as a society have failed to do an adequate job of deterring criminals. There is no difference between the criminals who beat their wives and girlfriends and the criminals who rob women on their way home from the grocery store. And there should be no difference in the way we treat them.

We have said that it is OK for them to be criminals by allowing plea bargaining, by allowing them to bargain away their sentences to no more than a slap on the wrist. Thousands of times we allow violent criminals to go free on a plea bargain because prosecutors say the dockets are too full.

That is a sin. It is a sin against society and the innocent citizens of this country.

We have said it is OK for people to make us all feel unsafe when we leave our homes. And even in our homes this vicious cycle of you commit a crime and you walk away without fear of ever having to pay the price has got to stop. We can no longer afford to let criminals go back out on the street and commit more crime. We need to get tougher, we need to be tougher on domestic violence, we need to understand that oftentimes domestic violence is at the root of the violence that we see down the road with our juvenile offenders.

We need to do it and we need to do it now so that there is a future for our children that is more than a constant worry, a constant worry about making it through the day without getting mugged, raped, or killed.

Thank you very much.

Mr. SCHUMER. Thank you, Ms. DeJuliis. First, I want to commend our entire panel for their courage, their stoutheartedness in coming here. I know that this is not easy to do. And I, for one, and I think all of the members of the subcommittee would join me in this, truly admire your ability to come here and tell your all too true stories.

What we have tried to do in this first panel is very simple, show that O.J. Simpson and Nicole Simpson are not some isolated television-related case, but to show that domestic violence happens everywhere in different ways to all sorts of people in ways that they never expect. You have made that case much better than this panel ever, ever could have.

I just have a couple of quick questions. First, for those of you who have lived with this for a long period of time, have things gotten better, better with law enforcement, better with the police, better with women? Are women who are battered and abused more willing to come forth today than they were 10 to 12 years ago or have we not made very much progress?

Ms. DIGIROLAMO. I can tell you from my place having done this work in New York State since 1981, I think that things have definitely gotten better in that we at least can name this problem now and we can articulate that it is something that happens. I think that that is a huge step that we have taken.

As I said, when I started the work in 1981 there was no name for this. But I think that we now face an even more daunting challenge because it has been relatively easy, I think, to convince people it is no longer OK to say it is OK to hit your wife.

Now, we have to convince people to go beyond that and to start getting at the way we feel about it and what our attitudes are about it and to really, then, take that attitude and make it real in the way that our systems respond. I think that we have a very long way to go in that, so that while I think we have to acknowledge the progress, I think we have to acknowledge that the progress is in many ways a double-edged sword because as women have stepped out and sought help, they have put themselves into dangerous situations.

As you probably know, the most dangerous time for a battered woman is when she is trying to leave. I get scared sometimes in that we have said to women, step out, speak to us, ask for help and then we are not there to offer it. We don't have shelter space, we can't guarantee you the police will arrest, we can't guarantee you the courts will enforce. So the answer is, yes, but also the answer is a very, very big, no. We have so much more to do to change that sort of fundamental response.

Mr. SCHUMER. You know we face the opposite side of the same coin problem that you have been talking about in government. And that is the sort of attitude, this really isn't government's job; well, maybe attitudes have to change, but not government's job.

That is the kind of attitude we faced with the Violence Against Women Act. Does anyone want to comment on that; how that might be as insidious as the other attitudes that we have seen before or almost as insidious in trying to create the solution?

Ms. DEJULIIS. Are you saying this is not government's job?

Mr. SCHUMER. Some have said, you don't need an act, you don't need to change the law, you don't have to get the Federal Government involved, these kinds of things. That is what we hear all the time.

Ms. DEJULIIS. The people are not an extension of government. It is the reverse. Government is the extension of the people. I think that the people in this country are clearly saying today get involved, do something, do something. Crime is the No. 1 issue. So whether it is crime against women, crime against children, crime in general, get involved. While they are saying that crime is the No. 1 issue, let me tell you what else they are saying, and I apologize if I appear to be lecturing. I feel very strongly about this.

People are also saying and people believe that it is the breakdown in the family that has created the level of crime.

Where does the family break down? It breaks down in these situations. It breaks down when we allow this kind of violent situation to go unchecked; when we say to that 8-year-old boy it is OK for your dad to pound on your mom. Yes, the clear message we sent to that young man is you don't have to pay for it. Daddy didn't pay for it. That boy is 15 years old now in Minnesota. I wonder where he is. I worry about him. I wonder what he is doing. I hope that I am wrong, but my guess is that he has encountered the criminal justice system at some point.

We need to get involved. Things are better. In the State of Maryland 25 years ago there were no shelters. Today there are 20 shelters for battered women. The Federal Government has a responsibility. The State government has a responsibility. Local government has a responsibility. Government is an extension of the people and we need to do something to help the people.

Ms. DIGIROLAMO. I would like to add, having worked in government 13 years, I am fully aware of the difficulties of doing this work inside government and that one of the things we struggled with is that though government has in some cases allowed work to take place and provided support, we have consistently been marginalized. Even to the extent where we find it necessary often to say this isn't a woman's issue, the reason we say that is if it is a woman's issue, it is like a sea level issue. It is a less important issue.

I think government has a really important role to play in providing leadership, because whether we like it or not, what government does says something to us about what government believes is important. Government is involved in the mental health area, in various social services area, in housing, in community development.

I think that we have to start saying to government, don't pick out this one issue consistently when it relates to women and violence against women as sort of a unique issue.

Mr. SCHUMER. Let me ask you this, whoever wants to answer it, what would you say to the certainly hundreds of thousands, prob-

ably millions of women who right now are in relationships where they are battered and are sticking with it?

Ms. COFFEY. I would certainly say, Representative Schumer, that women should know they are not alone, that there are people in the community that do care about the existence of laws and protections for them and that programs like the Chicago Abused Women Coalition and national resources throughout the country have been established to support women who make the choice to leave.

Our situation in and our plight at this time is to make sure that that information is out there, that the phone numbers are there, that there is information for people to reach us and to be able to, in fact, access the services that now exist. What is often the problem is there is not enough of the services out there and we implore Congress through the passage of the Violence Against Women Act, that funding will be increased so that more women can be helped and so that there will be more substantive services out there that will help us resolve this problem.

Mr. SCHUMER. By definition, the five of you are different than the people, the people I have asked you to advise because you did get out. Not easily in many cases, but you did get out and other people do not.

Mrs. SCHROEDER. Mr. Chairman, if you would yield.

Mr. SCHUMER. I yield.

Mrs. SCHROEDER. I think the one thing they are saying, and I hope everybody here is because it is so critical; that is, that more women may be encouraged to be empowered as you finally became empowered to leave the situation and start a new life. My understanding is the resources we had were flooded before this and now I imagine there is like a tidal wave. There is deep concern as women to take that step and we have not as a society provided those resources.

What happens to women in that interim period? I think it would be interesting to know. For those saying why are we here, what are we doing, we are saying we have to get this bill out that has money to help with the resources, but what happens to the woman in the interim period if you have to turn them away in New York or Chicago or something and say—

Mr. SCHUMER. Do you have to turn people away now from shelters and things like that because there is not enough of them?

Ms. DIGIROLAMO. Yes.

Ms. COFFEY. We turn away about 1,200 women a month. That is for lack of domestic violence shelter space in Chicago.

Mr. SCHUMER. Would you say that, again, and say it louder so everyone can hear it.

Ms. COFFEY. We turn away about 1,200 a month.

Ms. DIGIROLAMO. In New York at our shelters we turn away between two and five women for every one woman that we serve largely due to lack of space.

Mrs. SCHROEDER. That is before this onslaught.

Ms. DIGIROLAMO. Before, yes.

Mrs. SCHROEDER. Who knows what this next few weeks will bring out.

Mr. SCHUMER. Mr. Schiff.

Mr. SCHIFF. Thank you, Mr. Chairman. I commend you and join in your commending this testimony. Because there are a number of Members who wish to discuss matters with the panel, I would like to discuss only some brief matters.

Representative DeJuliis, as a district attorney, I took your position that you stated as a legislator and that is violence is violence and crime is a crime and whether the victim and defendant have the same last name is irrelevant. You prosecute it the same. But I have to acknowledge that stating that as a policy and actually implementing that were not always the same thing.

Let me just pick one example. It was referred to directly by Congressman Sangmeister, who was also a State's attorney in Illinois. The No. 1 reason we found for women who continued to return to the situation, who didn't leave that situation, was financial. These women were not mentally ill. They didn't enjoy being the victims of violence. They wanted it to stop. But, particularly, if they felt they didn't have a high earning power, if they had young children, they felt the abuser was also still the breadwinner and there was no support for them and their children without the abuser's assistance, the point being they made it clear even if they participated in the system and we could always subpoena them, we couldn't make them testify. The last thing they wanted was for the abuser to go to jail because if the abuser went to jail he might lose his job and then lose the economic support that they continued to be in the situation for.

Whereas, obviously, if someone is assaulted by a stranger, they are not concerned whether the abuser, when convicted, goes to jail. So we had that continuous catch-22 situation where the victim, in cooperating with us, even when cooperating with us, put very strong limits in their opinion as to what we should do.

In your work as a legislator, particularly with your personal history, which we appreciate your sharing with us, do you have a suggestion of how law enforcement can get around that problem?

Ms. DEJULIIS. Under the Domestic Violence Act of 1994 in the Maryland State Legislature, one of the things we did—let me tell you that it was not easily done. When that bill came out of the Maryland House Judiciary Committee on to the floor, on second reading the bill had been gutted. It did nothing. Nothing.

So the Women's Caucus of the Maryland General Assembly fought that bill on the floor and put the bill back in the posture of doing something. One of the things the bill does is it compels testimony. If there is a second arrest in a 12-month period, the victim is compelled to testify.

In answer to the second part, it is called work release. Put them in jail, let them go to their job, bring them back at night. Take their money and give it to their family to support their wife, support their children, but tell them that, no, this is no longer acceptable.

Mr. SCHIFF. I thank you for that response. I yield back.

Mr. SCHUMER. Mr. Conyers.

Mr. CONYERS. Thank you, Mr. Chairman. I congratulate you for holding these hearings. I am pleased to recognize the strength and courage of these leaders who are before us on this panel today and

we think it is so important that we begin to prevent, in a far more effective way, the kinds of violence that brings us here today.

You may want to know that new domestic violence laws in the State of Michigan go into effect on July 1. That is tomorrow. These laws will expand restraining orders to include verbal threats, make it easier to obtain restraining orders when individuals are not married but have a child or children, increase penalties for those who violate restraining orders, require police to advise complainants where they can get help, and require police to establish a set of policies governing response to domestic calls.

In the city of Detroit there is in effect a no-drop policy so that a prosecutor can pursue a case against an abuser even if the victim declines to press charges.

By the way, these kinds of crimes are going up in the State of Michigan, unfortunately. So I would like to emphasize that the Federal contribution in terms of this program that Senator Biden has worked so hard on in the Senate and we in the House dealing with violence against women is absolutely important to send the moneys in for the prevention programs for many of the community groups that are working.

Any suggestions about other steps that we might consider in Detroit or in Michigan?

Ms. COFFEY. Engage your entire community in the work that you are doing. What we have found has worked in Chicago and is effective to make sure that great community organizing is done. Very often policymakers, legislators get involved with the task of looking at policies and issues and forgetting the constituency that they represent. It sounds to me like all of you are very much listening to your constituency.

I would encourage you to continue to do that because resolutions to problems lie right within the community that you represent.

Mr. CONYERS. We have got some great groups, the 1,000 Men Against Domestic Violence in Detroit and other organizations that are community-created are working closely with law enforcement officials. But I hear your message loud and clear.

Ms. COFFEY. I am happy to hear you have engaged men in the problem of resolving this problem in that men are not always the problem, but are also very much part of the solution, so we encourage you to continue that.

Mr. CONYERS. Thank you. Thank you, Mr. Schumer.

Mr. SCHUMER. Thank you, Mr. Conyers.

Mr. Ramstad.

Mr. RAMSTAD. I am going to be brief because we have two panels waiting patiently. I just want to tell each of you witnesses that each of you is a profile in courage. That is what you tell your daughter and you give hope to the children. If the statistics are correct, 600 women were abused in the 5,400 seconds since this hearing started, 600 women since Chairman Schumer convened this hearing today have been battered. You give those women hope to exercise the same courage to come forward with their stories and to report them to police to break their cycles of violence.

I also want to make a second point. The very articulate witness from Chicago, Ms. Coffey, talked about how many people and their children are turned away from your shelters. You are all very ar-

ticulate. The witness from New York testified as to the similar situation in New York.

Let me just for the record state that the same situation happens in my district in Plymouth, MN, Home Free. The battered shelter turns away the same percentage of women. Cornerstone, another shelter in Bloomington, MN, my middle-class district, turns away the same percentage of women. So it is not just in the more urban areas, Chicago, New York, so forth. It is out in the suburban America, in rural America where we know the epidemic of violence against women is proportionally the same and the resources are also very scarce. So I think your testimony underscores very eloquently the need for passage of the Violence Against Women Act. I thank each of you for being here today.

Mr. SCHUMER. Thank you, Mr. Ramstad.

Mr. Gekas.

Mr. GEKAS. I thank the Chair. I am personally encouraged by the tenor of the testimony if not exactly by the words of the testimony of the witnesses as to the evolving position of the law enforcement officer in the domestic violence situation. One of you said, I think it was the delegate, who said that she does not believe that the policeman will appear in the doorway anymore and say what did you do, maybe it was—

Ms. DEJULIIS. It was I.

Mr. GEKAS [continuing]. What did you do, in effect, to cause this situation.

So you are testifying, are you not, that indeed the guidelines governing or the training that went into law enforcement nowadays in Maryland, at least, and I know it is true in Pennsylvania, does take into account that the the law enforcement officer, has to be sensitive to the crime that has been committed rather than to the victim and what brought on the crime or what brought on the battery. Am I feeling better about the situation properly?

Ms. DEJULIIS. I hope you are, but I hope you are not feeling too good because we have a long way to go.

Mr. GEKAS. I will try to feel a little better, then.

Ms. DEJULIIS. It is no different than when we had to raise the national conscience on drunk driving, saying it is not OK to have a couple drinks and get out on the road and maim or kill. And we no longer look at women in situations of rape and ask how did you provoke this, are you provoking it in any way, it is the same kind of thing. It is an attitudinal thing. It is a place in which we have to begin by changing attitudes and, yes, I think it is happening. I have not had any personal experience with domestic violence in 25 years. The women who call my office tell me, my constituents say that the police at least in my home district and in my home State, no longer look at women and suggest that they are somehow responsible, but, again, I think we still need to go a lot further.

Mr. GEKAS. Then, the next logical step is the one that has been undertaken by many jurisdictions, including municipal advertising and States really that have mandatory arrest. For a long time, only upon witnessing a battery could a law enforcement officer arrest on sight or even with a warrant. Arrest in a domestic violence situation was nonexistent. But now mandatory arrest seems to be creep-

ing into the picture. I assume that you favor the implementation of that kind of statute.

Ms. DEJULIIS. Yes. I do.

Ms. DIGIROLAMO. I do, too. New York State, in fact, just recently enacted a law that includes mandatory arrest which we suspect will be signed shortly.

Mr. SCHUMER. We are going to have our second panel now. It is our third, but one of them has to leave at 2:45.

Mr. GEKAS. I take the hint.

Mr. SCHUMER. No, just a fact of information.

Mr. GEKAS. I yield back the balance of my time.

Mr. SCHUMER. As I mentioned, Mrs. Schroeder has been a great leader on this issue and although she is not a member of the committee, do you want to inquire of the witnesses?

Mrs. SCHROEDER. In the interest of time, I want to thank the panel. I think it was very compelling and I see Senator Biden at the door, and the one thing I want to say because I have suddenly started to see a backlash coming over talk radio and other places saying this is all about gender politics. This is the women doing male-bashing again and on, and on, and on. I think this hearing is wonderful because it is an answer to that.

This is not gender politics, not women bashing men. This is a society trying to deal with violence that has been here for a long time. And I am sure there are some women who are violent, too, but we have got to deal with violence in the home or we are never going to deal with it in the streets.

A young person raised in that situation is very, very apt to be, much more apt to be violent. We are not going to break the cycle of violence otherwise. I hope the gender politics and cutesiness we hear on talk radio can stop and we can roll up our shirt sleeves, which is one of the great American traditions we have and finally address this problem, get resources for it so no one is turned away, because most women in America are about one paycheck away from welfare. That is one of the driving forces that I think keeps them locked in there and they need a secure place to go.

So I thank you. Thank you. You put it better than any of us could. I think we are more committed than ever to get this bill out and passed as soon as we get back from the Fourth of July.

Mr. SCHUMER. Thank you, Mrs. Schroeder. I want to thank the panel again. You are marvelous, there is no better word.

We are going to just delay what is listed here as panel two because we have a late starter, unexpected surprise guest. Senator Joe Biden is coming up to the panel. I mentioned you were such a leader. We are honored to have you here. Everyone knows who Senator Biden is. He is the chairman of the Senate Judiciary Committee, working hard on getting the Violence Against Women Act passed. He was one who initiated the act several years ago. And he has done a great job pushing this legislation forward.

We have been working closely together to get the crime bill passed including the Violence Against Women Act as well as other provisions we have been discussing.

I would say the person probably more responsible for the fact that the Violence Against Women Act is in our crime bill is the

gentleman at the other table, so it is really an honor to have you here, Senator. You may proceed as you wish.

STATEMENT OF HON. JOSEPH R. BIDEN, JR., A SENATOR IN CONGRESS FROM THE STATE OF DELAWARE

Mr. BIDEN. I know you have another very important panel to follow and I say to all the members of the committee, I appreciate your indulgence.

Thank you, Mr. Chairman. I would like to ask unanimous consent that a written statement I have been entered into the record.

Mr. SCHUMER. Without objection.

Mr. BIDEN. Let me summarize.

I am sure the panel that just spoke is gone now, but it struck me as they spoke—and I first heard such a panel 7 years ago in the Senate Judiciary Committee—that after going through the statistics, I thought, like all of you working on crime issues for so many years, That violence was the ultimate equal opportunity employer.

I thought violence visited itself upon everyone equally. But I found startling statistics in 1987 and that is that violence directed at young men between the ages of 18 and 30 during the period of the decade of 1977 to 1987 actually dropped about 12 percent. But violence against young women 18 to 30 increased over 52 percent during that period.

Quite frankly, that is what got me started on writing this bill in the first instance. It is with the help of the chairman of the subcommittee that, and he knows, even the women's groups didn't support my legislation when I introduced it the first time. It is the same exact legislation in our bill now. Because everyone was extremely skeptical.

But one of the things that started to happen was not or merely that more women came forward, but it was that the grassroots level, the women who you heard testify today and thousands and thousands like them, young and old, 65-year-old women, 17-year-old women, 12-year-old women, it didn't matter, it was universal. It had no bounds based on economic standing. It had no bounds based on race or culture.

Then—the next thing in holding the hearing in 1988—there was a study which I will submit for the record done by a very prominent group in the State of Rhode Island and in that State they asked seventh, eighth, and ninth graders, a statewide poll, seventh, eighth, and ninth graders, and they asked some of the following questions, and I will submit the article for the record, but it asks the question, if a man and a woman had been dating—these are seventh, eighth, and ninth graders, talking about the attitudinal problem here, if a man and woman have been dating at least 6 months, was it OK for the man to force sex on the woman.

The question was, did you hear what I just said, if a man and woman had been dating for 6 months, was it OK for the man to force sex on the woman.

Sixty-five percent of the seventh, eighth, and ninth grade boys said, yes, and 47 percent of the young girls said, yes, the girls said, yes. That is a cultural problem. That is about our society. That is about values being transmitted in families.

Half of the students said a woman who dresses seductively and walks alone at night is essentially asking to be raped. Half the boys and 41 percent of the girls said a man has the right to force a woman to kiss him if he spent quite a lot of money on her on a date.

This is not an aberration. When I first called this to the attention of everybody, I got the press all over my back saying this is sensationalizing this issue. Everybody, including some of the leading women advocates in the country, said wait a minute. You are blowing this out of proportion.

We went back and looked at the study and we started doing our own studies in the committee. We issued a report in 1989 on response to rape. We found out startling things. If you are raped, you were not going to see the attacker get convicted. You had about five times less chance of being convicted if you rape than if you commit a burglary. You have two or three times less chance of being charged.

The message of the study to rape victims—is that, society has made a judgment, that this is not that big a deal.

Now, the one message that came through today in my humble opinion, gentlemen, I realize Congresswoman Schroeder is gone, but the one message that came across with every bit of testimony I have heard before committees and I have held hearings around the country on this, is simple, that is that we have to do something to change attitudes. That is why the most controversial provision of my legislation is in there. It is called the civil rights cause of action.

We, as a society, in my opinion, gentlemen, cannot mean what we say unless the sanction we attach to a violation of the values we say we hold is significant. For example, if we said for murder you get 2 years and for burglary you get life it would be clear to the public we thought property was of more value than human life. Real simple. Simple straightforward concept.

Now, what is the ultimate piece of disapprobation vote society can thrust upon an individual today? That you have violated my civil rights.

Mr. SCHUMER. Senator, I was going to say being a Congressman or Senator.

Mr. BIDEN. That may be. And if we don't pass this, it will be deservedly so.

Mr. SCHUMER. Well put.

Mr. BIDEN. So seriously, think about this. So the reason to put this civil rights cause of action in here, which has caused consternation, I realize the chairman has supported me on this, is because, A, we must change attitudes and say to people, look, this is the ultimate, the ultimate violation of a value we hold dear and that is the right of women to be free from physical abuse merely because they are women.

The second reason is simple. What did all these women say today and every woman you are going to hear testify and all the women back here? They are not empowered. What happens now? A woman gets battered by her husband and/or a stranger and it is up to a district attorney to determine whether or not he or she will prosecute the case.

In many large jurisdictions, for legitimate reasons because they are overwhelmed, the victim finds out a day, two, a week, a month later, by the way, we are not prosecuting that case. We dropped that case. We didn't do that case. And the catharsis required to go through recovery is denied these women.

I would like to tell you in Chicago, if this civil rights cause of action goes—and you know as well as I do the way it works is doctors, lawyers, Senators, Congresspersons, chief executive officers have as great a propensity to commit violence against their wives as some poor laborer does—and guess what happens now? The State can say we don't want to go forward, but you can say you are going to Federal court, Jack, and I tell you what I am going to do. I am going to take your car, I am going to take your house, I am going to take your bank account, I am going to take you. Because that empowers women.

No one can make that decision for them—of how they want to respond—other than them, and it is the only place in the entire institutional framework where they will be able to have control of their destiny.

I want to tell you something, you watch men straighten up when the wife says, OK, I am out of here, I am gone, you are about to be prosecuted, I am going to testify against you and, by the way, that Mercedes you like riding in, that house you think is yours, I am coming after it and if a jury believes me and a Federal court believes me, I collect damages against you, Jack, and I want to tell you I ain't going to need you to work because you can go to jail if you are well-off enough.

The women who don't leave are the women economically in a circumstance where the husband provides a lot. That husband provides a lot, usually has a lot, and if she can take a lot, the son-of-a-gun can go to jail.

Really, I am being very practical about this. That is why the civil rights cause of action is so important. It empowers women to make decisions for themselves.

The last point, second to the last point I will make to you, Mr. Chairman and to the members of the committee, is with all due respect, and I love you all, you gutted my bill. You gutted my bill in a significant way, in every important way. What you did, first of all, is you took out the civil—not you, Mr. Chairman, but the House did—took out the civil rights cause of action.

The House also eliminated a billion dollars. What did you hear the woman from Chicago say? I don't have any room for shelters. If the Biden bill passes, you got a billion dollars, a billion dollars.

But the House took out a billion dollars. We only have \$800 million out of the \$1.8 billion. You took out the earmarking for lighting, cameras, surveillance, telephones, emergency facilities at bus stops and places where high crime rates occur where women are victimized by strangers. You also took out the requirement of confidentiality for the addresses of shelters.

I had women testify before me 5 years ago like the woman from Chicago and the woman from New York and the one thing they told us was, hey, even though we provide shelters, the husband knows precisely where they are and we have to tell them where

they are. He waits outside the shelters sometimes. So we put that in the law, saying you don't have to be told where they are.

Let me conclude by saying to you all, think about this, I respectfully suggest. In every other thing, we Democrats and Republicans do in the name of the public good, and I mean that sincerely, because I don't know any Democrat or Republican I have worked with in 22 years who has introduced legislation because they believe it is against the public good, but in every single case—but violence against women we give deference to the solutions offered by the aggrieved.

How about our crime bill? Our crime bill, in every other aspect we go to the victims and say what do you need? We go to the police and say what do you need? They are victims.

They say we need more cops or more prisons or as Congressman Conyers does, we need proper prevention money. We need more treatment. We need more whatever. So we listen to the people who are victimized.

The only place we haven't listened—there is nothing new about this testimony. These women have been saying this for 15 years that I have been here. And they have a clear solution. They say, by the way, an arrest policy, it does impact. You will hear testimony on that in a moment. They say to us, give us someplace we can tell a woman to go. There are a number of very practical things in the Violence Against Women Act that can affect this, and this is the last part of my comment about empowering women.

There are a number of things, because what I get is, Joe, God I love you trying to do this. You are a nice guy but nothing will make a difference. Then you hear about the Nicole Simpson case and they say what difference would it make? The press asked me all over the place, so what if your legislation passed; what difference would it make?

Let me tell you a couple things it would have done. No guarantee whether Nicole Simpson, whoever her murderer was, would be alive; but here are some of the things it would practically do.

No. 1, if in fact she was called an abused woman, the State of California would not be in a position to be able to treat it as if it were a mild undertaking. She would have to, there would be a policy of arresting and for a felony, a felony. It was a felony prior to her murder. In addition to that, you would have instead of not merely a requirement to treat it as a felony, you would have very practical things like knowing there was a place to go.

You would find that there was a—because our bill provides three times as many shelters as now exist—you would find that there is the ability to say I will take the estate in Brentwood, thank you very much. You would find that the incentive to change behavior was that there is a billion dollars out there to train policemen, train judges, train individuals that deal with this.

By the way, for those who understandably are so angry having been victimized, it is not all American men. This is not all American men. This is a cadre, relatively small group, making up a large percentage of the crimes against women, but the truth of the matter is we men have not figured it out yet, generally speaking. And every time I get criticized, which I know you all do, for supporting these initiatives, I get loads of mail, as your counsel will

tell you, who was used to working for me before she got a better offer to work for you, a more important person.

Mr. SCHUMER. Less important person, but more important job.

Mr. BIDEN. That is right. But she will tell you we got mail in our committee all the time criticizing me for saying such things in hearings as no man has a right to place a hand on a woman without her permission whether she runs through the room stark naked, whether she is a nun, a prostitute, whoever she is. No man has a right, period. I got all kinds of mail.

I actually had testimony saying you know, Senator, when a woman tempts a man to a certain point, there is a trigger—from a psychologist—there is a trigger that goes off in his head. If that trigger can't be stopped, maybe we should pull the trigger. The trigger goes off and he is no longer responsible for his actions.

Well, the truth of the matter is, folks, that we are in a position now where we can change attitudes by reflecting as a national policy that we have sanctions equal to what we think the offense is and what it wants. We also have the opportunity—when we talk about how we are going to deal with women who are abused—to educate men who say to me, by the way, Joe, why does the woman wait so long? Why doesn't she just leave? How many times have you heard that, guys? Why doesn't she just leave? I wouldn't stick around in that situation getting beat up. I would be out of there. I would report it.

As we all know, unless you can think of a 30-second rejoinder in the political climate we are in, it doesn't work. So let me suggest to you try this on the next man that asks you why you didn't leave, or why did it take so long to report it, or why wasn't the rape reported? I ask all the men in the room and in the panel, how many of you saw the movie, "Deliverance"? You all saw it. What scene immediately comes to mind, gentlemen?

Look, ladies, at the looks on all the men in here. The scene that comes to mind is where the man is tied to a tree, raped by two hillbillies, and told to squeal like a pig. Men are revolted about that.

Then I asked the men and I asked this rhetorical question, I ask any man in here, how many of you would have walked out of those woods, gone directly to the police and reported the crime?

I'll lay you 8 to 5—as the nuns used to say—in your heart if you answer correctly, you will say you wouldn't have reported it.

Then ask yourself, gentlemen, why would you not have reported it?

Because they might think something is wrong with you. They may think you were gay, you were perverted, you liked that kind of thing. Why did they pick you?

The other example I say, let's say you young professional men back here, you get hired by a gigantic law firm, get assigned to a gay partner—and it is the partner's right to be gay, as far as I am concerned—but there are 25 new law graduates working for this law firm, but the gay partner looks at you every night and asks you to stay and work on the brief. As you walk by, he pats you on the rear end, tussles your hair.

How many of you are going to go report that to the senior partner?

You are going to do exactly what all the testimony we have heard as to why women don't do it. You are going to sit there and say, gee, there is something wrong with me. There are 25 new guys here, why did he pick me? The same reason that women, from hundreds of hours of testimony we have had, women blame themselves because we condition them to. Gee, should I have worn a bra? Was my skirt too short? Why did I go there?

I remember the Congressman from New York, I think he came over to the hearing and testified when we had that young model whose face was slashed by her landlord. She sat and testified and when I asked her how did your, "women friends" respond to this, she started to cry. She said, "I was shocked." I said what did they say? She said, "almost all the women I knew asked me why did you go to that bar? You were asking for it. Why did you do this?"

We have conditioned women to blame themselves and if men can't understand that, men ask yourself what you would do in a similar circumstance. The only analogies I can think of are "Deliverance" and if you had a gay law partner who picked you out of 25 people.

This is not meant as a slur or a criticism of gays. But it is the only counterpart I can think of for men to put themselves in. So folks, let's listen to the victims. The victims have been through this and they have said to us that we need to let society know that we as a Federal Government will not tolerate this. They said they need more money for battered women shelters. They said they need a hotline. They said police need better training, judges need better training and prosecutors need better training. They said they need more help in places where they can deal with prevention through lighting and the rest.

That is all my bill is. It is a compilation of, what, 6 years of women telling me what they need. So I thank you for allowing me to be here. I compliment you for having the hearing, but I sincerely hope that the end result of this is—and I suspect knowing the chairman as well as I do, it may be part of his strategy—that it makes it impossible for people to vote against restoring the civil rights action and makes it very difficult for people to not restore the billion dollars that was cut out and makes it very difficult to gut the act as was done, because as the delegate from Maryland said when her bill got reported out, it got gutted just like mine and it took a coalition of people calling the attention of the public, so everyone knew who was voting on what was at stake.

I respect people who disagree with my point of view, but I do not respect anyone who suggests that the problem is not as pervasive as you have heard, that it does not require immediate action. We have to empower women to gain more control over their lives so they can, A, leave and, B, not be at the sufferance of the State to determine whether or not something will be done about their abuser. Thank you.

[The prepared statement of Mr. Biden follows:]

STATEMENT OF SENATOR JOSEPH R. BIDEN JR. (D-DE)
JUNE 30, 1994

MR. CHAIRMAN, THERE IS NOTHING "DOMESTIC" ABOUT DOMESTIC VIOLENCE. MORE THAN THREE MILLION AMERICAN WOMEN ARE VICTIMIZED BY VIOLENCE IN THEIR OWN HOME EACH YEAR. IN THE UNITED STATES TODAY, A WOMEN IS BATTERED EVERY 18 SECONDS. THE SURGEON GENERAL HAS WARNED THAT VIOLENCE IN THE HOME--NOT HEART ATTACKS OR AUTOMOBILE ACCIDENTS--POSES THE SINGLE LARGEST RISK OF INJURY TO WOMEN. AND NO ONE IS IMMUNE FROM THIS VIOLENCE. VICTIMS OF FAMILY VIOLENCE INCLUDE YOUNG AND OLD, RICH AND POOR, HOMELESS AND WORKING WOMEN.

FOR TOO LONG, VIOLENCE IN THE HOME HAS NOT BEEN TREATED AS SERIOUSLY AS VIOLENCE IN THE STREET. IT IS ALL TOO OFTEN DISMISSED AS A PRIVATE "MISCOMMUNICATION" RATHER THAN AS A SERIOUS AND VIOLENT CRIME. MANY IN THE CRIMINAL JUSTICE SYSTEM ARE

-2-

RELUCTANT TO BECOME INVOLVED IN WHAT THEY REGARD AS A "FAMILY MATTER."

WHILE A STRANGER MIGHT SERVE A LENGTHY JAIL TERM FOR AN ASSAULT, A SPOUSE OR BOYFRIEND WILL ALL TOO OFTEN BE NEITHER ARRESTED NOR PROSECUTED FOR THE VERY SAME CONDUCT. A RECENT STUDY IN WASHINGTON, D.C. FOUND THAT IN OVER 85 PERCENT OF FAMILY VIOLENCE CASES WHERE A WOMEN WAS BLEEDING, POLICE FAILED TO ARREST HER ABUSER.

BUT THE FACTS LEAVE LITTLE DOUBT ABOUT THE SERIOUSNESS OF VIOLENCE IN THE HOME. A LARGE AMOUNT OF THE VIOLENCE THAT OCCURS IN THE HOME WOULD QUALIFY AS FELONY ASSAULTS IF IT OCCURRED BETWEEN STRANGERS. WE ARE SPENDING \$5-10 BILLION DOLLARS A YEAR IN HEALTH CARE, CRIMINAL JUSTICE, AND OTHER SOCIAL COSTS ON FAMILY VIOLENCE. THE THREE MILLION CHILDREN A YEAR WHO WITNESS VIOLENCE IN THEIR OWN HOMES ARE MORE LIKELY TO DROP OUT OF SCHOOL, ABUSE ALCOHOL AND DRUGS, ATTEMPT SUICIDE AND, SADLY, GROW UP TO BECOME ABUSERS THEMSELVES.

-3-

ALMOST FIVE YEARS AGO, THE SENATE JUDICIARY COMMITTEE BEGAN A SERIES OF HEARINGS ON THE EPIDEMIC OF VIOLENCE IN THE HOME. WHAT WE LEARNED IS THAT THERE ARE PRACTICAL SOLUTIONS TO THIS PROBLEM. MY "VIOLENCE AGAINST WOMEN ACT," WHICH I FIRST INTRODUCED IN 1990, INCLUDES SEVERAL IMPORTANT PROPOSALS ON FAMILY VIOLENCE THAT WILL HELP TO PROVIDE SAFETY FOR VICTIMS AND PUNISHMENT FOR ABUSERS.

MY LEGISLATION WILL PROVIDE AN UNPRECEDENTED INFUSION OF NEARLY \$2 BILLION IN FEDERAL DOLLARS TO ATTACK FAMILY VIOLENCE ON MANY FRONTS: TRAINING FOR POLICE AND PROSECUTORS AND JUDGES, CREATING SPECIAL LAW ENFORCEMENT TEAMS TO SPECIFICALLY TARGET FAMILY VIOLENCE, EXPANDING VICTIM SERVICES.

TODAY, THE UNITED STATES HAS THREE TIMES AS MANY SHELTERS TO CARE FOR UNWANTED PETS THAN IT HAS SHELTERS TO HARBOR BATTERED WOMEN. THIS IS A NATIONAL DISGRACE. MY LEGISLATION WILL TRIPLE FUNDING FOR BATTERED WOMEN'S SHELTERS AND PROVIDE FEDERAL FUNDING FOR A NATIONAL DOMESTIC VIOLENCE HOTLINE.

- 4 -

MY LEGISLATION WILL ALSO PROTECT WOMEN FROM ABUSIVE HUSBANDS BY CREATING FEDERAL PENALTIES FOR SPOUSE ABUSERS WHO CROSS STATE LINES TO CONTINUE THEIR ABUSE. IT WILL REQUIRE EVERY STATE TO ENFORCE A "STAY AWAY" ORDER ISSUED BY ANOTHER STATE AND REQUIRE CONFIDENTIALITY FOR THE ADDRESSES OF FAMILY VIOLENCE SHELTERS AND ABUSED PERSONS. AND IT WILL ENCOURAGE STATES TO HOLD ABUSERS ACCOUNTABLE FOR THEIR CRIMES THROUGH ADOPTION OF MANDATORY ARREST POLICIES REQUIRING THE POLICE TO ARREST WHENEVER THEY HAVE PROBABLE CAUSE TO BELIEVE ABUSE HAS OCCURRED--AS NOW HAPPENS IN OTHER CRIMES OF VIOLENCE. PERHAPS MOST SIGNIFICANTLY, IT WILL PROVIDE THE FIRST-EVER FEDERAL CIVIL RIGHTS REMEDY FOR VICTIMS OF GENDER-BASED VIOLENCE.

THE VIOLENCE AGAINST WOMEN ACT IS PART OF THE CRIME BILL WHICH IS NOW BEFORE CONGRESS AND I AM HOPEFUL THAT IT WILL BECOME LAW IN THE WEEKS AHEAD. I WANT TO COMMEND YOU FOR HOLDING THIS HEARING TODAY AND I HOPE YOU WILL WORK WITH ME TO PROTECT ALL OF THE

- 5 -

1.8 BILLION DOLLARS--REAL DOLLARS--TO FUND THE VIOLENCE AGAINST WOMEN ACT AND WORK WITH ME TO PROTECT THE CIVIL RIGHTS REMEDY INCLUDED IN THE SENATE PASSED VERSION OF THE BILL WHICH I REGARD AS THE HEART AND SOUL OF MY LEGISLATION.

ALTHOUGH THIS LEGISLATION ALONE WILL NOT END VIOLENCE IN THE HOME, IT IS A CRUCIAL, GROUND-BREAKING STEP IN PERSUADING AMERICANS THAT THERE IS NOTHING "DOMESTIC" ABOUT "DOMESTIC VIOLENCE." ONLY WHEN THIS VIOLENCE IS SEEN AS A PUBLIC INJUSTICE, RATHER THAN A PRIVATE MISFORTUNE, WILL WE TRULY BEGIN TO CONFRONT THIS PROBLEM. THANK YOU.

THE BIDEN VIOLENCE AGAINST WOMEN ACT

Safe Streets for Women

Increases Penalties for Sex Crimes

- * Doubles the federal penalty for repeat sex offenders
- * Requires that federal laws treat acquaintance rape and stranger rape the same
- * Mandates restitution for the victims of sex crimes

Fosters More Effective Law Enforcement of Violence Against Women

- * Authorizes over \$1 billion for a wide array of services and programs, including:
 - * training for police, prosecutors, and judges to better identify, understand and respond to violent crimes against women
 - * money for more officers, prosecutors targeting violence against women
 - * developing model law enforcement programs directed at family violence, stalking
 - * expanding victim services programs, such as rape crisis centers, shelters, victim advocates, rape and family counseling services
 - * data collection systems linking police, prosecutors and courts to track arrests, prosecutions and convictions

Encourages Women to Prosecute Their Attackers

- * Extends "rape shield law" protections to civil cases (e.g., sexual harassment) and to all criminal cases (current law applies only to sexual assault cases) to bar embarrassing and irrelevant inquiries into a victim's sexual history at trial
- * Requires states to pay for rape exams
- * Authorizes \$1.5 million for federal victim/witness counselors to help victims of sex and family violence crimes

Sheds Light on Dangerous Places

- * Earmarks existing funds for increased lighting, camera surveillance and emergency phones at bus stops, bus stations, subways, parking lots and public parks

Educates Kids About Rape and Family Violence

- * Authorizes \$200 million for rape and family violence education, starting in junior high school, and for public awareness programs in under-served racial, ethnic and language minority communities

Safe Homes for Women

Protects Women from Abusive Husbands

- * Creates federal penalties for spouse abusers who cross state lines to continue their abuse
- * Requires every state to enforce a "stay-away" order issued by another state
- * Requires confidentiality for the addresses of family violence shelters and abused persons

Promotes Arrests of Abusive Spouses

- * Authorizes \$25 million yearly for states that mandate arrests of abusing spouses based on probable cause

Provides More Money for Shelters

- * More than triples funding for battered women's shelters

Establishes National Family Violence Hotline

- * Authorizes \$1.5 million for toll-free hotline to provide information, assistance to family violence victims

Civil Rights for Women

Extends "Civil Rights" Protections to All Gender-Motivated Crimes

- * Provides first-ever civil rights remedy for victims of felonies motivated by gender bias

Safe Campuses for Women

Funds Rape Prevention Programs

- * Authorizes \$20 million for the neediest colleges to fund campus rape education and prevention programs

Equal Justice for Women

Makes Courts Fairer by Training Judges

- * Provides \$1 million to train state and federal judges – to increase awareness and sensitivity about crimes against women

TOTAL FUNDING: \$1.8 BILLION

Mr. SCHUMER. Thank you, Senator. We very much appreciate your appropriately importuning this body. As you know, I am a strong supporter of title III. I hope it will stay in the bill.

We have one itty-bitty provision in the House bill we would ask you to keep in the Senate bill, which is about immigrant battered women.

Mr. BIDEN. I agree. I keep insulting you and calling you Senator.

Mr. SCHUMER. If it were a New York State senator, it wouldn't be an insult.

I am going to forgo questions in deference to our next panel, but I know my colleague from New Mexico has an important question.

Mr. SCHIFF. The Senate version of the crime bill has the provisions with the civil rights?

Mr. BIDEN. Yes, the Senate passed my bill exactly as written. All that is in the conference.

Mr. SCHIFF. What is the status of the conference?

Mr. BIDEN. I was afraid you were going to ask me that.

Mr. SCHIFF. The chairman here tried to talk me out of it.

Mr. BIDEN. The status of the conference has nothing to do with this legislation. The status of the conference has to do with, quite frankly, whether the President will step up to the plate and take a position on a very controversial issue, the Racial Justice Act, which I happen to support. And very bluntly, I don't share the view of the President and the House leadership on how we should proceed.

I believe we should go back to conference, handle everything we can handle because there is so much in it, and if we don't have that issue resolved, resolve it at the end. I will fight for the provision. We disagree, I suspect, on its inclusion; I don't know whether we do. I think we should include a racial justice provision.

I think it is essential, but I do not think we should, in effect, be in limbo. Bluntly, the administration—I shouldn't be saying this—has not come to a final decision on it. You could better ask Congressman Conyers, who is not responsible for keeping this from going, but who would know better whether or not there are, I think it is fair to say, negotiation may be the wrong word, discussions going on between the House leadership, leaders like Mr. Conyers and the White House on how to proceed on racial justice.

My view is I don't want to delay anymore. I believe we should go back and solve everything because, in my opinion, people's views change when they see the end product.

In the abstract, would you be for or against the legislation with assault weapons in it or would you be for or against the legislation with violence against women in it? People can say authoritatively I would be against it if it is in or I would be for it if it is in. But when you have a whole bill and then you have to resolve that issue, it seems to me it moves us along and I don't think we can delay this action. And I have announced that if, in fact, we cannot get a crime bill, I have told the leadership on the Senate side I am going to pull out my violence against women legislation, pass it independently and hopefully send it to you.

I hope we don't get to that, and the reason I hope we don't get to that—the real breakthrough that happened acknowledged that the violence against women legislation was an independent piece of

legislation, not part of the crime bill. When I found that I had an opportunity to get a trust fund set up with the help of Senator Byrd on the Senate side and Senator Gramm, an unholy coalition of Democrats and Republicans, I decided I might as well put this within the trust fund. So it would lose that guaranty of funding if it took it out of the crime bill, but if the crime bill looks like it is stalled, speaking only for the Senate side, with the concurrence of the Senate leadership and the support of my ranking member, Senator Hatch from Utah, I would move it independently.

Mr. SCHIFF. Let me conclude with a suggestion. I didn't know I would have the honor and opportunity to address you today when we began this hearing and I mentioned it earlier when we had opening statements. If, in fact, the crime bill is stalled in conference, it seems to me that constantly it has either been the death penalty or gun control or both that raised such emotional opinions on one side or the other that, that is what stops it from coming out of conference.

I would, respectfully, suggest you take the whole crime bill outside of those two issues. I believe there is a good chance of getting a conference report on everything from crime prevention to more police in the streets and separately vote on gun control and death penalty issues.

Mr. BIDEN. Part of that suggestion was made by my friend from Michigan, if we got that far and by some of his colleagues on the House side.

Mr. SCHUMER. Not all.

Mr. BIDEN. I understand that. I am just suggesting you are not the only one who has made that suggestion. I think it would be a shame—I happen to support the death penalty and I happen to support the assault weapons ban, but there is too much in this bill. You have worked too hard. There is too much in terms of balance and prevention, as well as enforcement in this bill to let the bill go down.

Mr. SCHIFF. Thank you, Senator, I yield back, Mr. Chairman.

Mr. SCHUMER. Mr. Conyers.

Mr. CONYERS. I am happy that the Senator came over here for two good reasons. First the subject matter, and, second, the importance of us getting our collective acts together to get a crime bill that we can get through and get it through as quickly as possible.

Mr. BIDEN. I thank you for your cooperation. The one thing I want the record to show is it is not merely because we agree on racial justice. You have been totally, thoroughly, completely in favor of moving this process along and trying to get something done and that is why I want to make it clear I am becoming frustrated with the administration for failing to decide one way or another what their position is and then go fight for it.

I happen to agree with you on the substance, but something has to be done.

Mr. CONYERS. Thank you.

Mr. SCHUMER. Mr. Ramstad.

Mr. RAMSTAD. I, too, want to thank you, Senator Biden, for your leadership on this issue and I am encouraged by your comments. I admire your candor. It is not easy to come and to be critical of the President for not engaging the crime bill.

I hope your testimony today will get the White House off dead center. We need to get a crime bill. I appreciate your help on the three bills that I authored. The chairman and the members of the subcommittee have been helpful, the Jacob Wetterling bill, the Assaults Against Children Act and the Child Sexual Abuse Prevention Act—I don't want to see those bills go down either.

Mr. BIDEN. As you know, they are in the mark we have, all the money the chairman wants in the programs he supports—

Mr. RAMSTAD. One further point.

Mr. SCHUMER. How about a couple of words that we are trying to get.

Mr. RAMSTAD. This is one Member on the other side of the aisle who supports the civil rights cause of action for the very reasons you articulated. When I authored and was able to get passed the campus sexual assault victims bill, again with your help on the Senate side, powerlessness, in interviewing personally over 200 victims of campus sexual assaults, the need to be empowered and the powerlessness that these victims felt vis-a-vis abusers, law enforcement, college administrators, disciplinary boards, friends and families—

Mr. BIDEN. Your act is having effect now. Go back on those campuses. I was just at Syracuse University. It is having effect because it is changing attitudes on the part of administrators. The young woman who is victimized and reports it doesn't have to worry about walking in and sitting in class next to the very person in the chemistry class that she thought something was being done with.

Mr. RAMSTAD. I hope after the recess that for whatever reason, and all the reasons brought home again today, we can roll up our sleeves, take off our Republican hats and Democrat hats and craft a pragmatic reasonable crime bill. I think you have that. I supported it on the House side and hope we can pass it with due haste when we get back from the recess.

Mr. BIDEN. As my grandfather would say, God willing and the creek don't rise, we will do it.

Mr. SCHUMER. Thank you, Senator.

Let's go to panel two because I know one of our witnesses, Professor Sherman, has to move along. Let's call Sergeant Wynn, Professor Sherman, and Ms. Zorza. I want to welcome you and thank you for your patience. As you can see, we had a couple of changes in the program at the last minute.

Our second panel is made up of scholars and law enforcement professionals who will discuss the pros and cons of mandatory arrest policies. If everyone sticks to the 5-minute rule, I think we can get to everyone, allow a few questions, and still allow Professor Sherman to leave at 2:45.

First, we will hear from Sgt. Mark Wynn from the Nashville Police Department. Sergeant Wynn travels around the country training police officers to deal with domestic violence. He does a great job and is a precursor, we hope, to many other police officers in the future. He comes to us directly from Hawaii where he just completed training the Maui Police Department. The fact that he went to Hawaii in the summer as opposed to winter shows it was truly a labor of love.

Second, Prof. Lawrence Sherman, a professor of criminology at the University of Maryland, and chief criminologist at the Indianapolis Police Department will review the results of his research on the effectiveness of mandatory arrest policies here.

Finally, we will hear from Joan Zorza, a senior attorney at the National Battered Women's Law Project at the National Center on Women and Family Law, who has long studied domestic violence and published several very important articles on the topics of battered women and mandatory arrest.

We are going to try, because of the late hour, to ask each of the panelists to stick to the 5-minute rule, which means that your entire statements will be read into the record and you may proceed as you wish.

**STATEMENT OF SGT. MARK WYNN, NASHVILLE
METROPOLITAN POLICE DEPARTMENT**

Mr. WYNN. I thank Congressman Schumer and this committee for inviting me here today to discuss the issue of domestic violence, in particular, mandatory arrest. I am grateful that our national leaders have given this crime, which I like to call domestic terrorism, the attention that it deserves.

I am Sgt. Mark Wynn of the Metropolitan Police Department in Nashville, TN. I have been a police officer for 17 years. In that time I have served as a patrolman, crime scene investigator, homicide detective, patrol supervisor, SWAT officer, and instructor.

For the past 9 years, I have traveled across this country to 39 States as an instructor in the issue of violence in the family. As I have discussed this issue with police chiefs, sheriffs, officers, prosecutors, judges, and social workers, it has become apparent to me that the quality of life for victims of domestic violence is slowly improving due to our strong stand of proarrest.

Let there be no doubt, I am a supporter of mandatory arrest for incidents of domestic violence. I have a dual perspective of this crime. One as a law enforcement officer; the other as a child survivor of 10 years of domestic violence. I might add during that time there were no protective laws, no strong police policies, no family violence shelters, no batterers programs, no understanding judges, determined prosecutors, or concerned law makers.

The criminal justice system has traveled a long and sometimes shameful road when it comes to dealing with domestic violence.

Thirty years ago it was simply not considered a major crime issue. Liability risk in failing to offer equal protection of the law was not a concern with policy managers and State legislators were reluctant to create laws that seem to intrude on the sanctity of the home.

Police customs promoted arrest avoidance with crimes in the family and as we struggled with this issue, many suffered and died. In fact, some of these families were the crime factories which produced today's killers.

Just 15 to 20 years ago, police academies throughout the country routinely taught mediation before arrest. As we know, this empowered the offender, endangered the victims, and put officers at risk. The confused and distrusting victims could not understand why society wanted to minimize and decriminalize this injustice. Often of-

ficer's discretion left prosecution up to the victim which in reality left prosecution up to the controlling nature of the offender. Charges were invariably dropped causing many to blame the victim.

Since the mid-1980's, progressive police agencies have adopted pro- and mandatory-arrest policies. State legislatures have given us a firm base to stand on with warrantless arrest powers. However, there seems to be a lack of uniformity from agency to agency and State to State. This lack of uniformity offers victims of crime their civil rights in some areas and not in other areas.

The U.S. Attorney General concluded in 1984 that "consistent with State law, chief executives of every law enforcement agency should establish arrest as the preferred response to domestic violence."

Studies around the country of proarrest have shown that domestic homicides and recurring violence is preventable. Four strategies stand out in many of the jurisdictions as a real deterrent: Committed and strong leadership within the agency; pro- to mandatory-arrest policies; a committed criminal justice multidisciplinary task force approach to the problem; mandated counseling for the offenders.

Recently, the issue of liability has been a prime motivator to change when it comes to arrest, such as the *Thurman v. Torrington* case. Unlike most lawsuits against police for overreacting, agencies face litigation for underreacting with family violence.

Domestic homicide, recurring violence, recidivism of calls, and officer safety are continual problems for law enforcement but in mandatory arrest there is promise.

My recommendations to this committee would be more than mandatory arrest alone. I would suggest the following: That each State should enact mandatory arrest laws when officers have probable cause to believe that a crime has been committed. It should enact laws that would mandate every law enforcement agency to create a comprehensive departmental policy for family violence. It should enact laws that mandate officers to prepare a report on every incident of family violence. It should enact laws that make training of family violence mandatory for police, prosecutors, and judges, laws making it mandatory for every law enforcement agency to collect detailed statistics of incidents of family violence, and mandatory arrest laws on violations of orders of protection and mandatory 24- to 48-hour holds for those offenders and mandatory counseling for offenders of domestic violence.

The expected rewards of mandatory arrest policies in family violence should result in better control over police behavior and setting a public standard for police response. It offers an immediate protection for the victims of crime by making the law keep its promise and introduces victims to needed resources. It lowers recidivism, lowers the number of domestic murders, lowers the number of domestic hostage taking, and other related crimes.

The positive effects far outweigh any argument for a return to the old methods of avoiding arrest or leaving the burden on the victim. When victims of crime have to work for the criminal justice system then we must change the system.

Too often when the law fails to keep its promise and we do not arrest, victims take the law into their own hands in order to survive. These victims desperately need mandatory arrest for their offender. The YWCA Battered Women's Shelter in Nashville reports that women call the crisis line only after the fourth or fifth assault; not the police. Perhaps we have lost the trust of these crime victims by failing to arrest.

However, we should not make the assumption that mandatory arrest alone will solve our problems. Law enforcement is only one member of a team. The multidisciplinary approach to dealing with this crime reaps the largest harvest. Systems such as in San Diego, CA, and Quincy, MA, should be replicated across the country. When the criminal justice system works together in full force to protect the victims we all win. And, ultimately, we can regain the victim's lost trust in that system. These cities have proven that lives are saved by making the system more user friendly.

The message sent through mandatory arrest is: This is a crime. There is a consequence. The criminal justice system wants to provide meaningful intervention and break the cycle of violence.

Some say this is a feminist issue when in fact this is the largest civil rights issue we have had to deal with since the 1960's. We must face it head on and mandatory arrest will provide us in the police family with a vehicle to meet the challenge.

I ask you, sir, what level of pain, suffering, death, and destruction are we willing to tolerate in our families? I say zero.

Thank you.

Mr. SCHUMER. Thank you, Sergeant Wynn.

Professor Sherman is next.

**STATEMENT OF LAWRENCE W. SHERMAN, PROFESSOR OF
CRIMINOLOGY, UNIVERSITY OF MARYLAND, AND CHIEF
CRIMINOLOGIST, INDIANAPOLIS POLICE DEPARTMENT**

Mr. SHERMAN. Thank you, Mr. Schumer. I come to you as someone who has been in thousands of homes after domestic violence incidents, accompanying the police in over 30 cities in the United States and many other countries. This is a worldwide problem and I strongly support the legislation providing funding for shelters, which is substantially below funding in other nations, which even provide hotel accommodations if the shelters are full, and the importance of separating the victim from the batterer within 24 hours after the police have been there, is extremely high.

The risks of reoffending are four to five times higher if the victim is not separated, if the batterer is not taken away from the victim during that 24-hour period. That is a finding from the Milwaukee domestic violence experiment, one of the six major experiments funded by the Department of Justice on the question of police response, which I think leads many people to conclude that mandatory arrest is essential.

The problem with that is that over the six different experiments that have been done using the methods required by the FDA for testing the safety and effectiveness of a new drug, and if we were to approach the scientific question the same way, we would ask do we have the evidence to get the FDA's approval for mandatory arrest? The answer is a resounding no.

Using the standards outlined by the Supreme Court in *Dalbert v. Merrill Dow* last year, we do not have a consistency of findings that this program deters domestic violence. Rather, we find in three cities over the long term it increases domestic violence and most importantly in poor neighborhoods, mandatory arrest can up to double repeat domestic violence among persons who are arrested compared to those who are not.

Since most of the cases that come to police attention come from poor neighborhoods, I think we run a terrible danger in encouraging States to pass mandatory arrest laws; that the long-term effect of this act, for all of its good in establishing more funding for shelters, may be to increase domestic violence, something that none of us here wants to see.

There is certainly debate over the nature of the studies, as there usually is, but I would point out that in terms of scientific journals, which would be admissible in Federal court and in the civil rights actions that Senator Biden proposes and I would support, the standards of scientific evidence for those findings at this point have not shown any problems with the studies; that is, it is a consistent finding in all the cities that have been examined for the interaction between unemployment and arrest that when you arrest an unemployed suspect, you increase domestic violence. When you arrest an employed suspect you reduce it.

This paradox, I think, militates against a uniform national policy and in favor of community policing which is the direction that we are trying to get policing in this country to go anyway. We need mandatory policies that force police departments to ask this question: What is best for each community in this city? What program will reduce violence, which is a very different question from unfortunately, establishing the climate that shows that we disapprove of violence, which we so strongly do, but there are other ways to do that besides wreaking vengeance that itself will backfire in the long run and eventually cause more violence against poor women as the price of preventing violence against better-off women from neighborhoods of higher unemployment.

I think that is an ethical dilemma that we create when we go with mandatory arrest. It is something that we can avoid if we simply provide the funding for more shelters, so there are more options for how to keep the couple apart during that critical 24-hour period without doing something that is going to sow the seeds for further violence down the road.

I ask your forgiveness for having to leave early, but there is a critically important meeting on getting guns off the street in Indianapolis at the police department that I have to get to. Thank you.

[The prepared statement of Mr. Sherman follows:]

by Lawrence W. Sherman
Professor of Criminology, University of Maryland
and
Chief Criminologist, Indianapolis Police Department

Honorable Chair and members of the Committee, thank you for the opportunity to testify on this vital issue. I have devoted over ten years of my life to the question of whether mandatory arrest would be an effective strategy for controlling domestic violence. My method has been to use the best research designs available to science, the same standards employed by the Food and Drug Administration in testing the effectiveness of medical treatment. That standard is the "randomized controlled trial," a research design that shows cause and effect more clearly than any other approach. Since 1981, the US Department of Justice has invested about \$5 million in randomized controlled trials on arrest for misdemeanor domestic violence. I am delighted that this committee wishes to hear the results of this taxpayer-reported research before major federal policy decisions are made.

In 1980-84, I designed and directed the first randomized controlled trial in arrest, the Minneapolis Domestic Violence Experiment. The Minneapolis experiment showed that arrest was substantially more effective in reducing repeat misdemeanor violence than either police ordering the suspect to leave the premises, or police attempting to restore peace and leave the couple together. These findings were hailed nationwide in over 30 newspapers, followed by the vast majority of police agencies adopting mandatory arrest policies within three years. Even at that time, however, I recommended against the adoption of state laws requiring mandatory arrest, on the grounds that the Minneapolis experiment needed to be repeated.

There were two reasons why more experiments were needed before carving domestic violence policy in stone. One was the possibility that arrest would have different overall effects in different cities. The other reason was the possibility that arrest would have different effects

on different kinds of people, an issue the Minneapolis experiment did not have a large enough sample size to resolve. Both these possibilities turned out to be true.

Thanks to the National Institute of Justice, which had funded the Minneapolis experiment, replications of that experiment were conducted in six more cities: Miami (Metro-Dade police), Atlanta, Colorado Springs, Omaha, Charlotte (NC) and Milwaukee. I only directed the Milwaukee replication, while other scientists directed the other experiments--all of which except Atlanta's have now been published. My book, *POLICING DOMESTIC VIOLENCE*, of which you all should have received copies, analyzes these results and their policy implications in great detail, along with the original Minneapolis experiment.

The six completed controlled trials show quite mixed results. While three of the experiments found that arrest deterred repeat violence, the other three found no deterrent effect and some evidence that arrest **INCREASED** domestic violence overall. In Omaha, Milwaukee and Charlotte, there were clear increases in official measures of violence among the arrested suspects compared to those who were not arrested. In Miami, Colorado Springs and Minneapolis, arrest generally worked better than non-arrest alternatives.

More important, however, is that the experiments consistently show arrest has different effects on different kinds of people. All four of the trials analyzed for the role of employment show that arrest deters **EMPLOYED** suspects, but can increase repeat violence among **UNEMPLOYED** batterers who seem to have nothing to lose. This finding was strongest in Miami and Milwaukee, and also evident in Omaha and Colorado Springs. A recent analysis of the Milwaukee data shows that the effects of arrest also vary by **NEIGHBORHOOD**: in communities with high unemployment rates, arrest increases domestic violence, while arrest

reduces domestic violence in neighborhoods with low unemployment.

These findings suggest that a nationwide, top-down, Washington-directed domestic violence arrest policy would be a grave mistake. In the face of clear evidence that different communities need different policies to reduce violence, nationwide mandatory arrest would attack the fundamental premises of community policing. Marrying federally-funded research to community policing would mean letting each community decide whether mandatory arrest is best for them, in light of the multi-million dollar research findings. A uniform national policy would merely help protect middle-class women at the cost of increasing violence against poor women. While domestic violence does occur in all kinds of neighborhoods, it is usually not reported to police. Most domestic violence calls to police come from neighborhoods with high unemployment--the same places where we have seen arrest backfire.

I strongly support federal funding for battered women's shelters, and for more R&D on such ideas as the radio-controlled panic alarm battered women can wear to notify police if their attacker has returned--a device that might have saved the life of Nicole Simpson, for example. I strongly support community policing arrest policies for domestic violence, and federal efforts to assist those policies by disseminating the results of the domestic violence research, which are not widely known. But I am forced to conclude that federal legislation offering financial incentives for state mandatory arrest laws would only increase domestic violence in neighborhoods of concentrated poverty, where there is already more than enough misery.

Thank you.

Mr. SCHUMER. That is also an issue that is near and dear to my heart. I just have one question before you leave, professor. I am going to ask Ms. Zorza and Sergeant Wynn to talk about your results without your being here, if you don't mind that.

Mr. SHERMAN. I will probably find it a great relief.

Mr. SCHUMER. You didn't give any reasons. In your testimony you stated that arresting people with jobs would work. But you also stated that for people without jobs arrest wouldn't work. Why does someone without a job tend to be more violent?

I understand the first part. That is not counterintuitive. But the second one is sort of counterintuitive.

Mr. SHERMAN. It is not that they tend to be more violent—

Mr. SCHUMER. Tend to be more violent as a result of the arrest.

Mr. SHERMAN. They come from the same neighborhoods where the gun violence is highest, where the hopelessness is highest, where the stake in conventional society is lowest. These are people who have nothing to lose, and the only way, in my view, they can show their dignity and their self-respect is to show that the system can't push them around.

The way they prove that is to get out of the lockup when they have been arrested and come back, if not right away, then over the next 6 months and either beat up the same victim again or more importantly, other victims over the next year and a half, which is what the evidence shows; that over the long term you are buying more domestic violence in those few neighborhoods, which produce the majority of the calls to the police. That is the paradox and that is the problem with this policy as a uniform, made-in-Washington, shove-it-down-the-throat-of-the-whole-country, everybody-has-to-do-the-same policy.

We want to allow policies that empower neighborhoods and empower women and, indeed, one of the criticisms of mandatory arrests is it takes the power out of the hands of the victim to have influence over it. That was the criticism 10 years ago when our first experiment showed arrest was a good idea, and I was recommending at that time pending further experiments.

I would say the main reason is that people who have nothing to lose and who have their anger, try to recover their self-respect by becoming more violent.

Mr. SCHIFF. One question. From your study—you talked about cases from certain neighborhoods.

Mr. SHERMAN. Yes.

Mr. SCHIFF. In the result of your study do you find that domestic violence is spread relatively equally across not only ethnic lines, but economic lines? In other words, are there many professional people who abuse their spouses or companions as other professions, other work levels?

Mr. SHERMAN. This is a very important distinction between the hidden violence that pervades the class structure and the violence that comes to the attention of the police. Mandatory arrest will affect the violence coming to the attention of the police because if the police don't get called by a neighbor who doesn't hear it on the 5-acre estate in Potomac, if the neighbors are calling in the poor neighborhoods, as the data consistently show the majority of them are, then police policy speaks primarily to the poor neighborhoods,

so the question has got to be what is best for those neighborhoods by and large.

Mr. SCHIFF. So victims from wealthier households tend to call the police less?

Mr. SHERMAN. They tend to never call the police, as in the case of the SEC Enforcement Director in the Reagan administration showed. Mrs. Fedders never called the police once. The violence came out in the divorce action and fortunately produced an outcry which has helped to change the climate here. But a mandatory arrest policy would not have helped Mrs. Fedders, and it is not going to help the poor women in these neighborhoods where the police are being called if over the long term it just makes the batterers more violent.

Mr. SCHUMER. One other question.

Mr. SCHIFF. We get there in 15 minutes all the time.

Mr. SHERMAN. You have helicopters, sir.

Mr. SCHUMER. The only other question I had—let the record show there is not a congressional helicopter, to my knowledge.

Mr. SHERMAN. I stand corrected.

Mr. SCHUMER. Just a quick question. Is it that in wealthier areas the battered spouse is less likely to call or is it just that when people live at closer quarters somebody else is likely to hear the noise and the violence and call the police?

Mr. SHERMAN. There are several factors. Household size tends to be smaller in wealthier areas, so there are fewer witnesses within the household. Neighbors are not as close and the walls are not as thin. You combine that with the fact that only about 50 percent of the calls come from the victim in the first place and then greater victim reluctance there appears to be much greater because the victim also has more to lose financially if the husband loses the job because of calling the police.

Mr. SCHUMER. Very interesting. Thank you.

We apologize that you have to cut it so close.

Ms. Zorza.

STATEMENT OF JOAN ZORZA, SENIOR ATTORNEY, NATIONAL BATTERED WOMEN'S LAW PROJECT OF THE NATIONAL CENTER ON WOMEN AND LAW

Ms. ZORZA. I am deeply honored to be here and thank you for inviting me. Besides being the senior attorney of the National Center on Women and Family Law, I am also a member of the National Coalition Against Domestic Violence and the New York State Coalition Against Domestic Violence.

In New York, four battered women are killed by their current or former partners every single week. In Vermont last year every woman who was killed died as a result of domestic violence.

Our office wanted to do something about finding solutions to this devastating problem. We undertook a survey of how mandatory arrest was working in States that had it. We found that mandatory arrest definitely increased the number of arrests and that it worked best when it was part of a coordinated community response.

It conveyed to the abuser, the victim, and the children and the public that domestic violence was a crime that won't be tolerated.

It also put the victims in touch with the helping agencies much sooner. This puts a strain on battered women's programs unless there was adequate funding for them.

One thing that we feared was that mandatory arrest would increase the number of arrests of minorities and also women. We found that what discretion police now have is exercised in favor of not arresting white and privileged batterers. In fact, it is only under mandatory arrest that blacks and other minorities are arrested in proportion to their percentage in the population.

Unfortunately, we could not say the same for women. Mandatory arrest has increased the proportion of women arrested. Unfortunately, most of the women who have been arrested are probably self-defending victims inappropriately arrested. When they are inappropriately arrested, they are very reluctant to use the criminal justice system again. However, clear statutory language and good police training can go a very long way in eliminating that problem.

We also should note that although more than half of all States now have a mandatory arrest law on their books, that some States chose only to enact mandatory arrest for violations of orders of protection. Those cases are much less controversial. The woman has gone to court, she has asked for assistance from the courts. Her abuser is on notice that if he violates the order, it is a violation, and the police already know who the abuser is so are much less likely to arrest the victim. The women expect such orders to be enforced.

We also have looked quite extensively at the police replication studies and we have found that they have very many fundamental design flaws that render many of the conclusions suspect. We also note that Mr. Sherman's conclusions are not even held by all of the researchers.

For example, Richard Burke, another one of the researchers and the one who did the original study in Minneapolis with Mr. Sherman, has concluded that no other response worked any better or was more effective at deterring abusers as mandatory arrest.

First, I should say there is something wrong in only looking at the message conveyed by mandatory arrest from the abuser's perspective. The message that is given to others may be just as important. Deterring the abuser is only part of the story. If more women understand that abuse is wrong, that is a success. If the children realize it is illegal and something that is not to be tolerated, that is a success. And even if the neighbors are the only ones who draw that conclusion, we again have made an enormous impact.

We found that the studies showed that arrest deterred white abusers regardless of employment status, Hispanic abusers regardless of employment status, and all employed abusers regardless of race or ethnic background. The effect on blacks was ambiguous within the studies. They split. It deterred blacks in Miami, but not in Omaha, cities with almost identical populations racially.

We also found that it was true that the unemployed were less likely to be deterred. But, indeed, when one looked at the length of time of the arrest, longer arrests had a much greater deterrent effect than very short arrests. We know that many of these men arrested are back home within 2 or 3 hours.

Mr. SCHUMER. What do you mean by longer arrests? There are constitutional problems—

Ms. ZORZA. I mean 12, 13 hours, being kept overnight as opposed to immediately being bailed out within half an hour.

In most of the studies there was no followup with prosecution, conviction, or sentencing or anyone watching to see what the sentences were. In some cities studied, fewer than 1 percent of the people ever spent any other time in jail except for that arrest period. That is too simplistic just to look at the arrest without seeing what happened to the abuser in the rest of the criminal justice response.

Other problems troubled us, particularly in the three cities where Mr. Sherman concludes that mandatory arrest worked least well. Specifically, instead of excluding victims from the home—I am sorry, excluding the batterer, they had no authority to exclude either party and so the police, when they responded and were supposed to use excluding the batterer as the response, did whatever they could to persuade one party to leave. Between a third and half of the time, depending on which city you look at, it was the victim who was made to leave. Those victims disappeared in droves.

I am convinced these victims were convinced that the police were not there to help them and that it was fruitless for them to stay. Because they disappeared, they were not available for followup interviews, and as a result there was a blanket assumption made for all of these people that they were safe. We do not know whether they were safe, but if they were safe, it may only have been because they were hiding in shelters, with grandmothers, or heaven only knows where.

The other biggest flaw was the very abusers most likely to be recidivists were, in fact, most likely to be arrested, many because they misbehaved while the police were there. Even if they had originally been assigned to another police response, if they ended up being arrested, they were counted within the arrest response.

These men, in fact, did have very high levels of reoffenses, and they were used to help inflate the poor risk aspect of arrest. And as I said, the worst misusages occurred in the cities that Mr. Sherman found had real problems.

I do want to say, we very strongly support mandatory arrest. We feel that enacted properly with the kinds of safeguards that are needed, with good statutory language, and with police training and with support for battered women's programs, it can be very, very effective.

We also support the Violence Against Women Act and urge that you do so, and I thank you.

[The prepared statement of Ms. Zorza follows:]

Testimony of Joan Zorza on Mandatory Arrest

June 30, 1994

Chairman Brooks, Representative Schumer, and Members of the Committee on the Judiciary: I am deeply honored by, and appreciative of your invitation to me to be here today.

I am the Senior Attorney of the National Battered Women's Law Project of the National Center on Women and Family Law. I am also a board member of the National Coalition Against Domestic Violence, the New York State Coalition Against Domestic Violence, and the New York City Coalition of Battered Women's Advocates.

For eighteen days the nation has been shocked by the horrible deaths of Nicole Simpson and Ronald Goldman. Furthermore, the public has been dismayed by the reports that O.J. Simpson, its seemingly kind, gentle hero, brutally beat and terrorized his wife at home for many years. Domestic violence is an all too common occurrence which often results in homicide. In my state of New York, four battered women are killed by their current or former partners each week. In Vermont, every woman killed in 1993 died as a result of domestic violence.

Survey of Arrest Laws

In the hope of finding some solutions to this devastating problem, three years ago the National Center on Women and Family Law undertook a survey of how mandatory arrest was working in the states which had legislatively enacted and implemented it. We talked to battered women's advocates, key policy makers, police chiefs, judges, and legal

services family law practitioners in each of those states. And we examined any arrest data we could obtain from those states.

We found that mandatory arrest does greatly increase the number of arrests. We also found that abuse is more likely to end if the system goes on to prosecute the abuser, punish him, and insure that he carries out the terms of his punishment. That is, arrest works best when it is part of a whole coordinated community response. Mandatory arrest also conveys the message to the abuser, his victim, their children, and to all of society that domestic violence is a crime which society will not tolerate.

When an abuser is arrested, his victim is involved in the criminal justice system. This puts the victim in contact with helping agencies much sooner, a generally desirable result for most victims. Because culturally diverse victims usually have fewer resources than other victims, they generally have fewer options for escaping the violence, especially if they are not able to receive domestic violence services. Mandatory arrest policies place enormous demands on domestic violence programs because of the increased usage of services, particularly if they are not adequately funded.

The police arrest statistics indicate that mandatory arrest laws do not cause disproportionate number of arrests of persons of color (although we did not see any statistics of how minorities fared in the courts compared to white abusers). Rather, we found that police now use what discretion they have to not arrest white and/or privileged abusers, as probably happened many times when they responded to domestic violence calls regarding O.J. Simpson. Thus, persons of color are arrested extremely disproportionately when police have complete discretion about whom they can arrest.

Police arrest moderately disproportionately when they have a pro-arrest policy. They arrest minorities virtually proportionately only when they have a mandatory arrest policy.

However, in some states we found that the less discretion that police have in making arrests, the greater the proportion of women arrested. The greatest increase actually happens when police adopt pro-arrest policies. But the effect continues under mandatory arrest.

Yet, fewer women are inappropriately arrested under mandatory arrest when police are discouraged from making dual arrests or arrests of those defending themselves, either because of more careful statutory language or because of police training. But in some states, clear statutory language and good police training still did not eliminate the inappropriate arrests of women. Accordingly, policy makers might want to consider other mechanisms which would help the criminal justice system to identify ^{and exonerate} these victims. Otherwise these women will be discouraged from calling the police for protection in the future. These women are at enormous risk of being left to fend for themselves with violence which is almost sure to markedly escalate. Furthermore, they risk being disadvantaged in custody cases where domestic violence is considered at least a factor in any custody determination. When battered women are inappropriately arrested, they are very reluctant to use the criminal justice system again. Furthermore, some batterer education programs confirm that virtually all women arrested are actually either self-defending victims (although some of them may have used more force than was justified) or were completely wrongfully arrested.

Currently, over half of the states and the District of Columbia have mandatory

arrest laws in place. Some of the laws require arrest for violations of orders. Others require arrest for all misdemeanor domestic violence offenses. Still other states require arrest for both. In deciding how to implement mandatory arrest laws, many communities have chosen to enact them only for violations of orders of protection. Victims with protective orders have asked the courts for help. These victims usually expect that their orders will be enforced. Furthermore, their abusers are already on notice that violation of the order is an offense. Mandatory arrest policies for other domestic violence misdemeanor offenses have been more controversial among domestic violence advocates because of their fear that mandatory arrest will result in many women being wrongfully arrested.

Analysis of the Validity of the Police Study Results

The National Center on Women and Family Law also examined the studies which the government funded to evaluate the effectiveness of arrest. Some of the researchers conducting some of the studies concluded that arrest either does not deter abusers or that it does not deter unemployed abusers. We found that the studies had fundamental flaws in their designs and assumptions that rendered these conclusions suspect.

In fact, one of the researchers, Richard Berk, concluded that no other police response was any more effective than arrest at deterring abusers. We found that the studies showed that arrest deterred white and Hispanic abuser, regardless of their employment status. Arrest also worked for employed abusers. The effect of arrest on black abusers was ambiguous. Omaha, Nebraska (whose population is 43% black)

reported that arrest produced more recidivism among blacks than other police responses. But Miami, Florida (whose population is 42% black) reported that arrest did not result in more recidivism.

But unemployed abusers (whether black or white) were less deterred than employed abusers. Yet these unemployed abusers almost always had prior arrest histories, so were less likely to be deterred. Indeed some researchers concluded that the brief arrests of these abusers were too short to deter them.

None of the studies actually replicated the Minneapolis experiment, or each other. Each of the studies involved a different definition of which parties would be included in the particular study, what abuse would be covered, when police could arrest upon probable cause, and what the experimenters would measure (e.g., time to first reassault, frequency of reassaults, or prevalence of reassaults).

Another design defect occurred because each experiment excluded those cases most likely to be sympathetic to arrest: every victim who wanted her abuser arrested was excluded from each of the studies. In contrast, not only were the most likely recidivists included in the study, but they were more likely to be counted in the arrest response. That is, no matter what police response was randomly assigned to a particular offender, if an otherwise eligible offender misbehaved so badly that he was arrested for that misbehavior, he was counted as if he had been originally scheduled for arrest. This had the effect of making arrested abusers more likely to reoffend.

Some of the design flaws resulted in discouraging battered women from ever calling the police again. Because the police had no legal authority to force the abuser to

leave the home, when the police response called for separating the parties, the police often made the victim leave. Similarly, when the police response was to advise the parties, the officer read a script which threatened that "someone" would go to jail if the police had to return. Many victims interpret this warning script as a threat that they would be arrested, and like the victims forced out of their homes, were far more likely to disappear. Hence they were not available for their follow-up interviews. Yet the experimenters assumed that when they had no further information about a victim, that she was safe. This inflated the success of the non-arrest responses.

The low numbers of misdemeanor cases found eligible for the studies coupled with the very high numbers of women found to be perpetrators (some of whom were counted in some of the studies, but some were excluded as part of the design for other studies) suggests that the experiments may not have been as carefully done as claimed.

Nowhere did the experimenters consider that any message to anyone other than the abusers might justify using arrest as a preferable police response to domestic violence misdemeanor offenses. Thus, the studies should also have looked to see what the victims and their children concluded before deciding that arrest is not an ideal response.

The studies assumed that any reoffense was in retaliation for what the criminal justice system had done to the offender. Yet, batterers, known for their notoriously poor impulse control, would have been likely to retaliate almost immediately, not after one, two, or even eighteen or more months, as the studies claimed, particularly where few of even the arrested abusers ever spent any time in jail after the initial arrest.

The studies never examined what would have happened when there was a

coordinated criminal justice response, the very conditions which have been shown to be far more effective than arrest without further intervention (e.g., in Milwaukee only 5% of abusers were ever charged with a crime, and only 1% were ever convicted. In Charlotte only 1% were convicted and sentenced.) Despite these flaws, each of the studies showed that fewer arrested abusers reassaulted their victims in the short run than they did when police responded in any other way.

As a result of these and other problems, the Center concluded that arrest is the most effective police response. We also concluded that mandatory arrest policies must be enacted with clear language telling police when not to arrest victims of domestic violence who are defending themselves, with provisions for training throughout the entire criminal justice system, and with extra funding to insure that domestic violence programs can meet the increased need for services that mandatory arrest will create. Finally, the rest of the criminal justice system must follow up on each case after the arrest.

National Center on Women and Family Law

799 BROADWAY, SUITE 402 • NEW YORK, NEW YORK 10003
(212) 674-8200 • FAX (212) 533-5104

DIRECTOR
Laurie Woods

Mandatory Arrest Study Completed

Mandatory arrest is often advocated as an essential or, at least, desirable tool in eliminating or decreasing violence against women.¹ The National Battered Women's Law Project studied mandatory arrest in order to analyze whether mandatory arrest is an effective tool in the war against domestic violence and, if so, under what circumstances. We looked at those states which enacted mandatory arrest laws as of 1991 to see how they are working, and drew upon the studies, reports and experiences of domestic violence advocates and other persons who have contact with battered women in the states which have histories of mandatory arrest.

Our study is summarized and reported in a paper: *Mandatory Arrest: Problems and Possibilities*. Our study found that mandatory arrest laws and policies do result in an increase in arrests. Mandatory arrest also enables many more victims to be put in contact with helping agencies sooner. And mandatory arrest communicates to the entire community that domestic violence is a crime. However, disproportionate arrests of women and dual arrests are common. And many minority victims are thrust into the justice system without support from culturally and racially supportive domestic violence programs. Further, mandatory arrest requires a large and long-term commitment of resources.

According to police statistics, mandatory arrest laws do not appear to be causing disproportionate numbers of arrests of persons of color. In states where police have discretion about whether to arrest, they are using their discretion to let off white batterers rather than to punish minority batterers. This results in a disproportionate percentage of arrests of batterers of color in states where police have discretion as to whether or not they will arrest. However, mandatory arrest does thrust many minority victims into the justice system without support from culturally and racially supportive domestic violence programs. This is even more problematic because victims of color often have less resources for escaping the violence and establishing a safe home.

¹ Domestic violence mandatory arrest laws or policies require the police to arrest without a warrant each person whom the officer has probable cause to believe has committed any domestic violence offense specified by the law or policy. Some laws and policies cover most domestic violence offenses, including the violation of orders of protection. Others specify only certain offenses.

In contrast, police are markedly increasing arrests against women under mandatory arrest laws and policies. This increase appears under pro-arrest laws as well, although not as markedly. Fewer women are arrested wrongfully when there is better statutory language and police training which discourages dual arrests and arrest of any victim acting in self-defense or who is not the primary aggressor. But better language and police training do not always eliminate the arrests of women. Accordingly, it might be desirable to put in place additional mechanisms within the criminal justice system to correctly identify, exonerate and protect the many true victims of domestic violence wrongfully accused of being perpetrators or who were justified in using force to defend themselves.

Extra financial resources and advance lead time are essential to train all law enforcement officers, prosecutors, probation officers, corrections officers, judges, court clerks and magistrates. Statistics must be kept to document and monitor the numbers (and percentages) of minorities and women arrested (including the dual arrests).

Most importantly, mandatory arrest increases the demand for services from domestic violence programs as well as from the courts. Extra financial resources must be made available in anticipation of increases in the need for services for battered women under any mandatory arrest law, particularly for battered women of color.

At the same time, better laws are needed to protect battered women and their children in custody and relocation disputes if they are to be exposed to the potential of retaliation by their abusers that may occur as a result of mandatory arrest. Finally, the civil and criminal justice systems must coordinate with the police and domestic violence programs. And they must treat domestic violence with appropriate seriousness: following through by prosecuting and imposing sanctions. Failure to do so will undercut the message sent by mandatory arrest.

Communities and states may want to balance their resources and their concerns about potential backlash against women and minorities. Some communities will opt, as did Delaware, Kentucky, Massachusetts, Minnesota, Missouri, Nebraska, New Hampshire, New Mexico, North Carolina, Tennessee, and Texas, to enact mandatory arrest only for violations of protection orders.

Mandatory arrest is not an automatic quick-fix or cure-all solution to the complex problems of domestic violence. A mandatory arrest law should be adopted only as part of a coordinated response to domestic violence in communities that handle domestic violence cases. As part of a well thought-out community response with sufficient resources and planning and monitoring, mandatory arrest can improve protection for battered women and their children.

A copy of *Mandatory Arrest: Problems and Possibilities*, written by Joan Zorza and Laurie Woods (100 pp.), is available from the Center for \$20.00.

National Center on Women and Family Law

799 BROADWAY, SUITE 402 • NEW YORK, NEW YORK 10003
(212) 674-6200 • FAX (212) 533-5104

DIRECTOR
Laurie Woods

Analysis and Policy Implications of the New Domestic Violence Police Studies

From 1985 to 1990 experiments were conducted to determine the relative deterrent value of three different police responses to domestic violence: (1) arrest of the abuser, (2) mediation between the parties, and (3) physical separation of the parties. Following a 1983 report of the National Institute for Justice finding that arrest was more effective in deterring future abuse than the other two responses, the Institute funded six "police replication experiments"; five reports have been published, concerning those experiments in Omaha, Milwaukee, Colorado Springs, Metro-Dade, and Charlotte.

The experiments have been popularly cited for the propositions either that (1) arrest does not deter abusers or that (2) arrest does not deter unemployed abusers. The National Battered Women's Law Project of the National Center on Women and Family Law has completed a review of the experiments: *Analysis and Policy Implications of the New Domestic Violence Police Studies*. Our review and analysis conclude that these commonly held views of the experiments are erroneous: in fact, as demonstrated in the paper, the published studies show that arrest generally is the superior method of deterring future violence.

Findings

The Omaha experiment found that victims assaulted less often and injured less often within six months after the incident when the abuser had been arrested than when he had not been. The Milwaukee experiment found that repeat violence was lower in the first six months when the offender was arrested. The Colorado Springs experiment found that the police data showed a slight deterrence effect for employed abusers, while victim interviews found arrest was a deterrent for unemployed as well as employed. The Metro-Dade experiment found that 1 and 6 months later the number of repeat offenses was higher when the suspect was not arrested. The Charlotte experiment found that, according to police records, arrest had the greater deterrence in the first 3 weeks after the incident. By six months those abusers who received citations were somewhat less likely to commit new offenses than those arrested. Abusers where the parties were merely advised had the worst recidivism rates. However, according to victims arrest had the greatest deterrence. The Omaha experiment also found that when offenders who were absent when the police arrived received a warrant, they were half as likely to commit another offense as those who did not receive a warrant.

However, some of the experiments found arrest was less of a deterrent for unemployed abusers. The Metro-Dade experiment found that, according to victim reports, but not police reports, after six months there was a slight increase in violence by unemployed abusers. The Milwaukee experimenters concluded that arrest did not deter the unemployed. The Omaha experiment reported that arrested unemployed suspects were more likely to reoffend than employed suspects. Although Colorado Springs, which also studied the issues, found only a slight difference when analyzing victims' interviews. And Charlotte found that the abuser's economic status was unrelated to the likelihood of reoffending, while the abuser's prior criminal history was related.

Fundamental Flaws

The experiments themselves were fraught with fundamental design flaws that tended to understate the deterrent value of arrest. First, the studies ignored the fact that domestic violence, unchecked, usually escalates in frequency and severity. Thus, repeat offenses are to be expected, and the recidivism rate in an experimental setting should be measured not against zero but against the normal recidivism rate. Thus, an intervention strategy could be considered to yield a net improvement based on either an absolute decrease in abuse or a reduced degree of escalation of abuse.

Second, the experiments did not take into account the impact of decisions by prosecutors and courts subsequent to arrest. More specifically, the few studies which provided data on these responses showed very low rates of prosecution and conviction. It is likely that this failure to follow through undercut the ability of the arrest response to achieve its maximum potential for deterrence. In Milwaukee, for example, only 5% of the offenders were charged with a crime and only 1% were convicted. In Charlotte, fewer than 1% of offenders were convicted and incarcerated. Thus, these experiments really studied arrest in the absence of criminal justice follow-up. The experiments did not examine the effectiveness of arrest when there is in fact a coordinated criminal justice involving arrest, prosecution, conviction and punishment.

Major Flaws

In addition, the experiments had numerous additional design flaws which would tend to undercut the accuracy of the results. For example, at least one experiment directed the police to make oral statements to the victim and the abuser that contained messages that discourage victims from seeking police protection in the future. As another example, the high level of female abusers that were identified suggests that the experiments included cases of self-defense which should have been excluded. While studies have shown women nationally represent only 6% of domestic violence perpetrators, in Colorado Springs, for example, 11% of the perpetrators were women. It is believed that 96% of women arrested for domestic violence are self-defending victims. The large number of women perpetrators raises questions about whether the experiments included a significant number of self-defense cases each of which would have been excluded because the deterrent value of arrest would logically seem to be less with respect to efforts to protect oneself from assault.

Yet another example of the flaws found in our review was the assigning of bad risks to the arrest category. All of the experiments assigned offenders who misbehaved to be arrested regardless of the police response they were originally assigned and then counted them in the arrest category.

The Limited Policy Value of the Studies

Beyond the design flaws, it is important to understand when evaluating the significance of the experiments several facts: the police experiments were also limited to misdemeanors; they did not study/include felonies or violations of orders of protection. Moreover, the experiments were not designed to, and did not, address the effect of non-arrest on the victim, the children, or the rest of society.

More fundamentally, we point out that arrest has many important purposes, of which deterrence is only one. Thus, the police replication experiments simply do not recognize two important values of arrest in domestic violence situations: it offers the victim a window of opportunity to secure safety and it can place her in touch with services that can be of help. Also of great importance is the fact that the mere act of arrest communicates a message that domestic violence is a crime. Given the long history of nonintervention in such cases, indeed of condonation of domestic violence by society, a failure to arrest tells the parties and others that domestic violence is a private matter and is acceptable.

Thus, even if arrest was no more effective as a deterrent than other forms of police intervention arrest would remain an essential criminal justice system response for the protection of victims.

A copy of *Analysis and Policy Implications of the New Domestic Violence Police Studies*, written by Joan Zorza and Laurie Woods (100 pp.), is available from the Center for \$20.00.

Mr. SCHUMER. Thank you. I want to thank both of our panelists.

Mr. Schiff commented to me that this was really an excellent panel. You know an excellent panel when you hardly have to ask questions. You have answered them ahead of them.

Were the policies in the three cities that showed increases, did they less meet the specifications that you laid out to avoiding the kinds of problems Professor Sherman talked about than the three cities that actual arrests proved salutary in reducing domestic violence? Were the policies somewhat different?

Ms. ZORZA. None of the experiments replicated each other or the experiment. They were working with different laws, so there were different definitions of who was covered, what abuse was going to be covered.

The one thing that all of the studies did was they excluded every victim who wanted her abuser arrested.

Again, these were the very people you would expect to be success cases for arrest. The only cases that were included in the study were women who did not want their abuser arrested or were ambivalent or ambiguous about—

Mr. SCHUMER. Why? That doesn't make sense.

Ms. ZORZA. I think sadly because mandatory arrest laws and policies were in effect in those cities and States and they did not want to be sued.

Mr. SCHUMER. Sergeant Wynn, obviously you are not a professor. What is your impressionistic view? Do any of Professor Sherman's views hold up particularly that among poorer people, people less employed, that mandatory arrest policies are likely to be counter-productive?

Mr. WYNN. With all due respect to Professor Sherman, I think the element he is not considering here is the 14th amendment, that is that as a police officer my job is to hold the trust of the citizens and I have to guarantee all those rights. I can't simply walk into somebody's house and say, excuse me, sir, are you unemployed? I am not going to arrest you. That is idiocy.

Can you imagine the outcry from the employed batterers that I arrest?

Mr. SCHUMER. I think he is simply saying two things. No. 1, mandatory arrest policies have a lesser effect on unemployed, poorer people and these people are most likely to be reported. Therefore, maybe we ought to think of not utilizing mandatory arrest policies. Do you agree with either of those observations?

Mr. WYNN. I cannot apply a double standard to the law; I can't apply a double standard to probable cause.

Mr. SCHUMER. Do you find poorer people tend to report domestic violence more than wealthy people?

Mr. WYNN. I police in the housing projects in the city and one of the reasons I think that people in the housing projects call us is we are the only resource they have.

Mr. SCHUMER. Whereas someone in Potomac would first go to a counselor.

Mr. WYNN. No question. They have private counselors, doctors, friends to go with, whereas the people in the projects have nowhere else to go unless they call us.

Ms. ZORZA. I would like to say that Darien, CT, and Harlem in New York City, have identical populations and they get identical numbers of calls to the police every year.

Mr. SCHUMER. Is that pattern generally?

Ms. ZORZA. Hotline calls to domestic violence programs, again, seem to be equal across the board regardless of where people are from. I think it is true that there are often fewer calls to the police, but my suspicion is both Harlem and Darien seriously underreport domestic violence to police.

Mr. SCHUMER. For different reasons.

Ms. ZORZA. That is correct, but nonetheless it is very much there.

Mr. SCHUMER. Mr. Schiff.

Mr. SCHIFF. I will be brief. I want to say that I followed the information that has been in the media about mandatory arrest and I did say to the chairman and I want to say publicly that I thought this was an outstanding panel. We got different views. We know the reason for it is to try to help in combating domestic violence.

I have heard, however, three objections to mandatory arrests and they have been kind of discussed around here. I don't necessarily subscribe to them. One we have discussed several times, does it calm a person down so that they get the reality of the situation or does it make them more angry? We have discussed that now.

A second which has been discussed by Ms. Zorza particularly, but I would like your view, Sergeant, is that mandatory is never mandatory really. You can put mandatory on the law books all you want, but some human being in the system has discretion. The suggestion has been made that in reality police officers are more reluctant to impose a mandatory system, which means it doesn't happen, on those that might be more wealthy and better connected. Do you believe that happens to a significant degree?

Mr. WYNN. I believe it does. One of the issues that we are facing, batterers in our own groups, police officers that batter their wives, and it is a big issue that we are going to have to deal with. They call it police's dirty secret and what do we do with our own people when they assault their wives.

My answer to that is a police family has the same rights as any other family. You might see a difference in judgment of probable cause from officer to officer. If we leave an officer with too much discretion, then we have 8,000 different interpretations of the law and we are back to the same problem of violating people's civil rights.

Police officers basically need a clear, concise guideline as to what they should do so there shouldn't be misunderstanding about what I do when I see probable cause. I need to make an arrest.

Mr. SCHIFF. That leads me to the last point and once, again, I am repeating, being a devil's advocate, if you will, because you have made several observations about civil rights. The emphasis has been that mandatory arrest policy is supposed to bring home to the abuser that this is a serious matter and will be treated like a crime. But is there any other example where arrest is used as a kind of pretrial, punitive weapon where someone is arrested because this is the beginning of your punishment before you happen to be convicted of a criminal offense?

Is there anything in the policeman manuals? Do you have another example? In other words, do you have a mandatory arrest of everyone accused of burglary so they get the point that they are not supposed to be burglars?

Mr. WYNN. I think in felony cases there is no discretion. We have to act.

Mr. SCHIFF. So there is precedent in other areas for mandatory arrest.

Mr. WYNN. Yes, sir.

Mr. SCHIFF. Thank you.

Mr. SCHUMER. Thank you.

Now, we will call our final panel which has been patiently waiting. I hope they found the previous panels elucidating.

Our third and final panel consists of individuals who have recognized the problem of domestic violence and decided to get involved. These commendable people realized that they had talents and skills which enabled them to assist domestic violence victims and they have all contributed greatly to the fight against domestic violence.

The testimony of these individuals is meant to highlight the fact that we can all do something to combat domestic violence. First, we will hear from Debbie Lee from the Family Violence Prevention Fund in San Francisco, CA. Then, we will hear from Ms. Peggy Diggs, an artist from Williamstown, MA, who has been involved in many public art projects.

Next, we have Rona Roberts. She is a volunteer with the Women Emergency Services in northwestern Connecticut, who has worked to improve community awareness of domestic violence. And finally, we will hear from Dick Perrone, the real estate manager at McCoy Lumber Co. in San Marcos, TX.

The McCoy Lumber Co. was hired to renovate a battered women's shelter, but upon discovering that the shelter was beyond repair, built a new one without charging for it, which is very commendable.

We will begin with Ms. Lee.

STATEMENT OF DEBBIE LEE, ASSOCIATE DIRECTOR, FAMILY VIOLENCE PREVENTION FUND, SAN FRANCISCO, CA

Ms. LEE. Thank you, Congressman Schumer, and the Subcommittee on Crime and Criminal Justice. I am Debbie Lee, associate director of the Family Violence Prevention Fund. Every 9 seconds, an American woman is battered and somebody looks the other way. Somebody sees the cuts and breaks and bruises and doesn't know how it happened. Somebody hears the fear and terror in the victim's voice and doesn't get involved.

Often whether it is through a window or a wall or ceiling, somebody witnesses the assault and doesn't call for help. We don't intervene because we think it is a private matter, a family matter, none of our business. We are wrong.

Domestic violence is our business and if we remain silent, our silence will breed even more fear and continue creating a sanction for abuse. That is how domestic violence has become an epidemic in America, an epidemic that is taking a terrible toll. The violence in our homes is contributing to the violence in our streets, filling

our emergency rooms and morgues. It is destroying our families and tearing apart our communities.

The statistics are staggering. Four million women are abused each year. Domestic violence is now the leading cause of serious injury to American women, more than car crashes and muggings combined. As the Nation awakens to these grim statistics, we are here to offer hope.

These are preventable injuries. Each of us has the power to help address this crisis.

Battering is a learned behavior that has been sanctioned for many years. Many men who batter somehow have come to believe that battering is acceptable, excusable, forgivable behavior. We are convinced that if battering is a behavior that has been learned, then it can be also unlearned, but only if every segment of our society sends the same message; abuse is unacceptable and we will not tolerate it any longer. We won't look the other way in our neighborhoods, churches, book clubs, gyms, workplaces, or anywhere else.

Earlier today, with the help of HHS Secretary Donna Shalala and the community organizers that you will hear from shortly, the Family Violence Prevention Fund launched, "There Is No Excuse For Domestic Violence" campaign to urge Americans to take personal responsibility for helping end this epidemic. We launched this unprecedented campaign, the first ever, to promote prevention and intervention with the release of a series of powerful public service announcements sponsored by the Ad Council.

Unfortunately, we don't have the equipment to show you those today, which we would have loved to have done, but we have brought them here with us and we hope that you will have a chance to look at them. You may be seeing them on TV. I understand it will be shown on "ABC World News" tonight.

The target audience of these spectacular new ads, in my opinion, is not the victim and perpetrator, but for the first time, the American public. There are television, radio, and print ads.

I want to read you the byline and I will leave these with you as well. One of the print ads—if the noise coming from next door were loud music, you would do something about it.

As you know, the Nicole Brown Simpson case has put this issue on a national agenda for the past 2 weeks. Because there is a national conversation going on, we believe that these ads will receive far in excess of the \$5 million pro bono placement that the ad council campaigns generate on the average.

We are also working with the domestic violence movements, the coalition throughout the country to get these ads on the air and in print in local communities. Everyone's help in seeing that this happens is appreciated.

But this campaign is much more than just an ad campaign. We also released today a community action kit that features people who have organized their neighborhoods, their main streets, their schools to address this epidemic, many of whom are here today. People like Dick Perrone from Texas, who turned a request to donate lumber into a project to build a new shelter for battered women; project artist, Peggy Diggs, who helped raise awareness by convincing dairy companies to put ads on their milk cartons that reach out to battered women and provide information and encour-

agement on seeking help, and Rona Roberts, who transformed the business districts in several Connecticut towns into safe havens for abused women and children and placed the issue of domestic violence front and center on the corporate community's agenda.

These people took personal responsibility for preventing domestic violence and found ways to help their communities take a stand. They are models for us all. We must all get involved and we all must recognize our obligation to help stop battering. That doesn't only mean calling the police. It means helping create the climate that helps women escape dangerous and potentially deadly situations.

Today, nearly every American knows Nicole Brown Simpson's name. But we don't know the names of the women in New York, Chicago, San Francisco, and everywhere else in between whose lives are shattered by domestic violence every year. And too few of us are taking responsibility to help end this costly and devastating epidemic.

This is a wake-up call for America, an urgent call for action. There is no excuse for domestic violence and no excuse for any of us to look the other way any longer.

Thank you.

Mr. SCHUMER. Thank you.

[The prepared statement of Ms. Soler follows:]

STATEMENT OF ESTA SOLER
Executive Director, Family Violence Prevention Fund
June 30, 1994

Good morning. I am Esta Soler, Executive Director of the Family Violence Prevention Fund.

Every nine seconds, an American woman is battered -- and somebody looks the other way. Somebody sees the cuts and breaks and bruises, and doesn't ask how it happened. Somebody hears the fear and terror in the victim's voice, and doesn't get involved. And often -- whether it's through a window or a wall or a ceiling -- somebody witnesses the assault, and doesn't call for help.

We don't intervene because we think it's a private matter. A family matter. None of our business.

We are wrong. Domestic violence is our business. And if we remain silent, our silence will breed even more fear and continue creating a sanction for abuse. That is how domestic violence has become an epidemic in America -- an epidemic that is taking a terrible toll. The violence in our homes is contributing to the violence on our streets. It's filling emergency rooms and morgues. It's destroying our families and tearing apart our communities.

The statistics are staggering. Four million women are abused each year. Domestic violence is now the leading cause of serious injury to American women, more common than car crashes and muggings combined.

As the nation awakens to these grim statistics, we are here to offer hope. These are preventable injuries. Each of us has the power to help address this crisis.

Page Two, Soler

Battering is a learned behavior that has been sanctioned for many years. Many men who batter somehow have come to believe that battering is acceptable, excusable, forgivable behavior.

We are convinced that if battering is a behavior that has been learned, then it can also be unlearned -- but only if every segment of our society sends the same message: Abuse is unacceptable and we will not tolerate it any longer. We won't look the other way in our neighborhoods, churches, book clubs, gyms, workplaces, or anywhere else.

The Family Violence Prevention Fund launches THERE'S NO EXCUSE FOR DOMESTIC VIOLENCE to urge Americans to take personal responsibility for helping end this epidemic. We launch this unprecedented campaign, the first-ever to promote prevention and intervention, with the release of a series of powerful public service announcements that I would like to play for you now . . .

Let me thank the advertising agency, Altschiller Reitzfeld, for its extraordinary pro bono work in developing these spots, and the Advertising Council for its invaluable help in getting these brilliant ads on the air and in print.

But this campaign is much more than just an ad campaign. We also release today a Community Action Kit that features accounts of innovative actions people have taken in their own communities to address this epidemic.

People like Dick Perrone from Texas who turned a request to donate lumber into a project to build a new shelter for battered women. And police officer Connie Garcia, who helped a Neighborhood Watch group in Modesto shift its focus from protecting property to protecting people -- and simultaneously

Page Three, Soler

sent the message that a safe neighborhood begins with safe homes. And Rona Roberts, who transformed the business districts in several Connecticut towns into safe havens for abused women -- and placed the issue of domestic violence front and center on the corporate community's agenda.

These people took personal responsibility for preventing domestic violence, and found ways to help their communities take a stand. They are models for us all. We all must get involved and we all must recognize our obligation to help stop battering. That doesn't only mean calling the police if you know an assault is in progress. It means helping create a climate that helps women escape dangerous and potentially deadly situations.

Today, nearly every American knows Nicole Brown Simpson's name. But we don't know the names of the women in New York, Chicago, San Francisco, and every place in between whose lives are ended by domestic violence every year. And too few of us are taking responsibility to help end this costly and devastating epidemic.

This is a wake-up call for America, an urgent call to action. There's no excuse for domestic violence and no excuse for any of us to look the other way any longer.

Thank you.

THERE'S NO ESCAPE

A Lonely Escape, A Triumphant March

Domestic
violence
is the
leading
cause of
injury
to
American
women

*She was lonely
in a crowded
crowd. She was
lonely in a
crowded crowd.
She was lonely
in a crowded
crowd.*



BEST AVAILABLE COPY

are not going to
get the job done

Neighbors Who Can

These days we are
saturated with
Robert Kennedy
talk about justice for
all. But what is
justice? It is not
a magic formula
that can be applied
to every situation.

We must remember
that justice is not
a thing that can be
done to people. It
is a state of mind
that we must have
in our hearts. It is
the ability to see
the world as it is,
not as we wish it
to be.

Justice is not a
thing that can be
done to people. It
is a state of mind
that we must have
in our hearts. It is
the ability to see
the world as it is,
not as we wish it
to be.

We must remember
that justice is not
a thing that can be
done to people. It
is a state of mind
that we must have
in our hearts. It is
the ability to see
the world as it is,
not as we wish it
to be.

Woman is
by
in
country



Shatter Secrets

Just by being in the same room together, they can feel better.

Domestic violence will be cloaked in secrecy no longer, thanks to the courage of women not afraid to speak out.

When she was 31, she met a man who was handsome, charming, and successful. Within a few months, they were married. But as the years passed, his charm faded, and his anger grew. He would yell, throw things, and sometimes hit her. She felt isolated and afraid. She didn't know where to turn for help.



on Earth Project

It's not just about the environment. It's about the people who live on it. The Earth Project is a community-driven effort to address the needs of those who are most vulnerable.

Through a combination of education, advocacy, and direct services, the project aims to empower individuals and families. From job training to mental health support, the team works to break the cycle of poverty and despair.



R

BEST AVAILABLE COPY

In Short...

**Corporate
Commitment**

**Raising Native
Awareness**

**Airing the
Laundry**

Four million
American
men

of
friends
in the last
year alone

**Recycling for a
New Start**

**Wide AWAKE
in Texas**

IF SOMEONE YOU KNOW IS BEING ABUSED...

Ask direct questions, gently. Give her ample opportunity to talk. Don't rush into promising solutions.

Listen — without judging. Abused women often believe their abusers' negative messages. They feel responsible, ashamed, inadequate, and are afraid they will be judged.

Let her know that you support and care about her, that she's not responsible for the violence, that only the abuser can stop the violence.

Explain that physical violence in a relationship is never acceptable, at any time. There's no excuse for it — not alcohol or drugs, not financial pressures, not depression, not jealousy.

Make sure she knows that she's not alone — that millions of American women from every ethnic, racial, and socioeconomic group suffer from abuse, and that many women find it difficult to leave.

Also explain that domestic violence is a crime — as much of a crime as robbery or rape — and that she can seek protection from the justice system.

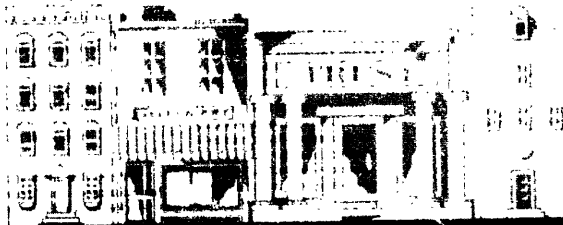
If she has children, reinforce her concern for them, letting her know that domestic violence is damaging to children. In fact, you may want to reach out to support her children, and let them know you're there for them, too.

BEST AVAILABLE COPY

Main Street Becomes a Safe Haven

More than 100,000 women are in danger of serious and prolonged physical, emotional and psychological abuse. Women's Emergency Services and Centers provide:

THIS IS A SAFE HAVEN
Helping to create communities free of violence and abuse.



More
women
are
being
harmed
than by
strangers

Let her know that it is likely that, in spite of his promises, the violence will continue and, probably, escalate.

Emphasize that when she is ready, she can make a choice to leave the relationship, and that there is help available.

Provide her with information about local resources — the phone number of the local domestic violence hotline, support groups, counseling, shelter programs, and legal advocacy services.

She may need financial assistance, or help finding a place to live, or a place to store her belongings. She may need assistance to escape. Decide if you feel comfortable helping out in these ways.

Contact your local domestic violence program yourself for advice or guidance.

If she is planning to leave, remind her to take important papers with her, such as birth certificates, passports, health insurance documents, etc.

If she remains in the relationship, continue to be her friend while at the same time firmly communicating to her that she and her children do not deserve to be in this violent situation.

If you see or hear an assault in progress, call the police. But because these assaults are often dangerous, do not physically intervene.

BEST AVAILABLE COPY

Children Learn That "Hands Are Not for Hitting"

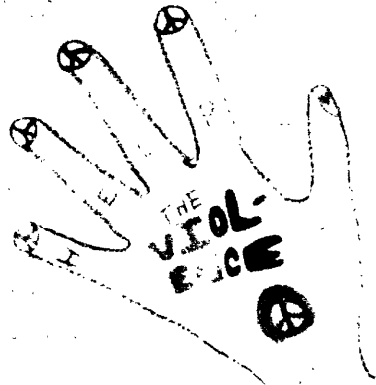
"Many children learn that their hands are not for hitting through a series of lessons that are often taught in a classroom setting. These lessons are designed to help children understand the consequences of hitting and to provide them with alternative ways to express their emotions.

Teachers often use role-playing and stories to help children understand the importance of using their hands for good. For example, a teacher might read a story about a child who hits another child and then discuss the consequences of that action. The teacher might also use puppets to act out different scenarios and help children identify the right and wrong ways to handle conflicts.

Another common method is to use visual aids, such as a hand with the fingers labeled with different actions. The thumb is labeled "HITTING," the index finger "KICKING," the middle finger "TELLING THE TRUTH," the ring finger "HELPING," and the pinky finger "SHARING." This visual aid helps children understand that their hands can be used for both good and bad, and that they should choose to use them for good.

Teachers also use a variety of activities to help children learn these lessons. For example, they might use puppets to act out different scenarios and help children identify the right and wrong ways to handle conflicts. They might also use role-playing to help children understand the consequences of hitting and to provide them with alternative ways to express their emotions.

Finally, teachers often use stories and role-playing to help children understand the importance of using their hands for good. For example, a teacher might read a story about a child who hits another child and then discuss the consequences of that action. The teacher might also use puppets to act out different scenarios and help children identify the right and wrong ways to handle conflicts.



Jane Doe March for Women's Lives

The Jane Doe March for Women's Lives is a significant event that brings together women from various backgrounds to advocate for women's rights and safety. The march is held annually and is a powerful expression of solidarity and support for women who have experienced violence.

The march is held in a public square and is attended by thousands of women. The participants carry signs and banners that demand an end to violence against women and call for stronger laws to protect women's lives. The march is a powerful expression of solidarity and support for women who have experienced violence.

The march is held in a public square and is attended by thousands of women. The participants carry signs and banners that demand an end to violence against women and call for stronger laws to protect women's lives. The march is a powerful expression of solidarity and support for women who have experienced violence.

The march is held in a public square and is attended by thousands of women. The participants carry signs and banners that demand an end to violence against women and call for stronger laws to protect women's lives. The march is a powerful expression of solidarity and support for women who have experienced violence.

The march is held in a public square and is attended by thousands of women. The participants carry signs and banners that demand an end to violence against women and call for stronger laws to protect women's lives. The march is a powerful expression of solidarity and support for women who have experienced violence.

The march is held in a public square and is attended by thousands of women. The participants carry signs and banners that demand an end to violence against women and call for stronger laws to protect women's lives. The march is a powerful expression of solidarity and support for women who have experienced violence.

The march is held in a public square and is attended by thousands of women. The participants carry signs and banners that demand an end to violence against women and call for stronger laws to protect women's lives. The march is a powerful expression of solidarity and support for women who have experienced violence.

The march is held in a public square and is attended by thousands of women. The participants carry signs and banners that demand an end to violence against women and call for stronger laws to protect women's lives. The march is a powerful expression of solidarity and support for women who have experienced violence.

The march is held in a public square and is attended by thousands of women. The participants carry signs and banners that demand an end to violence against women and call for stronger laws to protect women's lives. The march is a powerful expression of solidarity and support for women who have experienced violence.



BEST AVAILABLE COPY

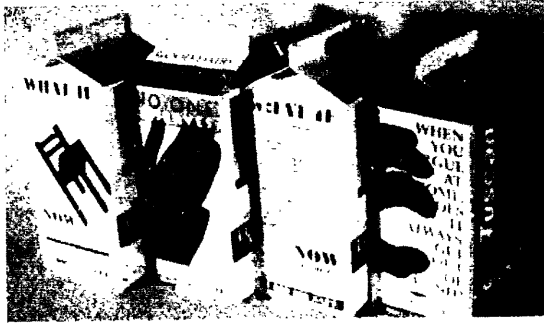
ART THAT SAVES LIVES

It's a simple idea: to use art to help people who are in need. The idea is to create art that is both beautiful and useful. The idea is to create art that can help people who are in need. The idea is to create art that can help people who are in need.

"I was able to do art that could save people's lives. Which is the greatest reward any artist could hope for."

Violent youth are four times more likely to come from...

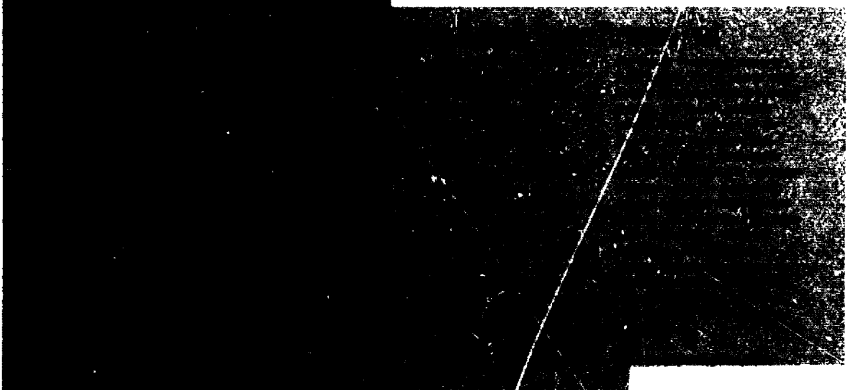
where fathers beat their mothers than are nonviolent youth



BEST AVAILABLE COPY

DOMESTIC VIOLENCE

Building Shelter



If you are interested in learning more about ongoing projects
address domestic violence in your area, contact your state
domestic violence coalition:

ALABAMA

334-755-1777

205-381-3888

205-381-3888

205-381-3888

205-381-3888

205-381-3888

205-381-3888

205-381-3888

ARIZONA

602-258-8888

602-258-8888

ARIZONA

602-258-8888

602-258-8888

ARIZONA

602-258-8888

602-258-8888

ARIZONA

602-258-8888

602-258-8888

ARIZONA

602-258-8888

602-258-8888

ARIZONA

602-258-8888

602-258-8888

ARIZONA

602-258-8888

602-258-8888

ARIZONA

602-258-8888

602-258-8888

ARIZONA

602-258-8888

602-258-8888

ARIZONA

602-258-8888

602-258-8888

ARIZONA

602-258-8888

602-258-8888

NEBRASKA

Nebraska State Capitol
Lincoln, Nebraska
1000 F Street
Lincoln, Nebraska
68500

NEVADA

Nevada State Capitol
Carson City, Nevada
1000 Nevada State Capitol
Carson City, Nevada
89601

NEW HAMPSHIRE

New Hampshire State Capitol
Concord, New Hampshire
1000 State Capitol
Concord, New Hampshire
03305

NEW JERSEY

New Jersey State Capitol
Trenton, New Jersey
1000 State Capitol
Trenton, New Jersey
08648

NEW MEXICO

New Mexico State Capitol
Santa Fe, New Mexico
1000 State Capitol
Santa Fe, New Mexico
87501

NEW YORK

New York State Capitol
Albany, New York
1000 State Capitol
Albany, New York
12247

NORTH CAROLINA

North Carolina State Capitol
Raleigh, North Carolina
1000 State Capitol
Raleigh, North Carolina
27603

NORTH DAKOTA

North Dakota State Capitol
Bismarck, North Dakota
1000 State Capitol
Bismarck, North Dakota
58505

OHIO

Ohio Statehouse
Columbus, Ohio
1000 Statehouse
Columbus, Ohio
43260

OKLAHOMA

Oklahoma State Capitol
Oklahoma City, Oklahoma
1000 State Capitol
Oklahoma City, Oklahoma
73104

OREGON

Oregon State Capitol
Salem, Oregon
1000 State Capitol
Salem, Oregon
97331

PENNSYLVANIA

Pennsylvania State Capitol
Harrisburg, Pennsylvania
1000 State Capitol
Harrisburg, Pennsylvania
17133

RHODE ISLAND

Rhode Island State Capitol
Providence, Rhode Island
1000 State Capitol
Providence, Rhode Island
02903

SOUTH CAROLINA

South Carolina State Capitol
Columbia, South Carolina
1000 State Capitol
Columbia, South Carolina
29201

SOUTH DAKOTA

South Dakota State Capitol
Pierre, South Dakota
1000 State Capitol
Pierre, South Dakota
57501

TENNESSEE

Tennessee State Capitol
Nashville, Tennessee
1000 State Capitol
Nashville, Tennessee
37243

Texas

Texas State Capitol
Austin, Texas
1000 State Capitol
Austin, Texas
78701

Utah

Utah State Capitol
Salt Lake City, Utah
1000 State Capitol
Salt Lake City, Utah
84143

VERMONT

Vermont State Capitol
Montpelier, Vermont
1000 State Capitol
Montpelier, Vermont
05602

VIRGINIA

Virginia State Capitol
Richmond, Virginia
1000 State Capitol
Richmond, Virginia
23219

WASHINGTON

Washington State Capitol
Olympia, Washington
1000 State Capitol
Olympia, Washington
98512

WASHINGTON D.C.

U.S. Capitol
Washington, D.C.
1000 U.S. Capitol
Washington, D.C.
20540

WEST VIRGINIA

West Virginia State Capitol
Charleston, West Virginia
1000 State Capitol
Charleston, West Virginia
25301

WISCONSIN

Wisconsin State Capitol
Madison, Wisconsin
1000 State Capitol
Madison, Wisconsin
53707

WYOMING

Wyoming State Capitol
Cheyenne, Wyoming
1000 State Capitol
Cheyenne, Wyoming
82002

BEST AVAILABLE COPY



BEST AVAILABLE COPY



**FORTY-TWO PERCENT OF ALL MURDERED WOMEN
ARE KILLED BY THE SAME MAN.**

Each day, women are being killed. Not by some bad, scary people. Not by some
each day, neighbors just like us. We live next door to the kind of men who kill. And
you can help stop it. Most women are killed by the same man.



for Domestic Violence.

Ad
©

For more information,
visit www.noplace.org

**FORTY-TWO PERCENT OF ALL MURDERS
ARE KILLED**

Each day women are beaten or raped by their husbands or boyfriends. Just
each day neighbors just like you make choices that get them involved. For info
you can help stop domestic violence. 1-800-327-2635

THANKS NO MORE
for Domestic Violence.

Ad



FORTY-TWO PERCENT OF ALL MURDERED WOMEN
ARE KILLED BY THE SAME MAN.

For every woman who is killed by her partner or former partner, there are 42 more women who are killed by the same man. This is why it's so important to get help if you're in a violent relationship. Call the National Domestic Violence Hotline at 1-800-799-7233 for help.

THERE'S **NO** ESCAPE

for Domestic Violence.



Domestic Violence
1-800-799-7233



FORTY-TWO PERCENT OF ALL MURDERED WOMEN
ARE KILLED BY THE SAME MAN.

42% of all murdered women are killed by the same man. This is a stark reality that highlights the need for domestic violence prevention and support services. For more information, visit www.ad.gov.

THE REAL **NO** ESCAPE

for Domestic Violence.



© 2008 AD



EL 42 POR CIENTO DE TODAS LAS MUJERES ASESINADAS ES VÍCTIMA DEL MISMO HOMBRE.

Cada día muchas mujeres mueren a manos de sus parejas o ex parejas. El 42 por ciento de ellas son víctimas de los asesinatos de una misma persona. Si usted o alguien que usted conoce sufre violencia doméstica, llame al número 1-800-799-7233 para obtener ayuda.



THANKS NO EXCUSE

for Domestic Violence.

1-800-799-7233

Mr. SCHUMER. I believe Ms. Diggs is next. We have copies of some of your work up here.

STATEMENT OF PEGGY DIGGS, WILLIAMSTOWN, MA

Ms. DIGGS. OK. Good. It is important to have visuals.

I am Peggy Diggs. I am an artist. I teach art at Williams College. I make public art, mostly art that happens out of the gallery context and within communities about issues that come out of those communities.

My projects so far—about domestic violence, teenage frustrations, and older women's fears—have taken place on billboards, milk cartons, direct mail postcards, dress shirts, subway posters, and newspaper inserts.

These projects slip into the public domain on the backs of formats that already exist, formats that are user-friendly so that the viewer might become engaged rather than alienated by something new and not identifiable. The messages and images they carry are not the expected ones for those formats.

The point of all this work is inquiry and investigation into issues that are hard for us to deal with, issues that nobody else wants to be associated with, issues with no easy answers. Let me give you an example.

In the early 1980's I was teaching art in a community college and heard my students whispering in hallways about nighttime beatings by lovers or watching their mothers being hurt by husbands or boyfriends. They would not talk about this, wouldn't let me find resources and help, claimed it was all family business.

Then in 1989, I read Angela Browne's book, "When Battered Women Kill," and was mesmerized by stories of families functioning like independent nations led by despotic monarchs with their own laws and no responsibilities to the laws of the State.

I decided this was my entry into exploring artmaking as a kind of advocacy, as problem solving. There was nothing to be gained by not identifying the problem. And I needed to make art that dealt with real issues, not just esthetic ones.

In order to have the work be relevant, more than the voice of one lone individual, I began researching the field of domestic violence. I read everything I could from popular press to sociological studies. I then interviewed directors of rape crisis centers, cops who specialize in talking with child sexual abuse victims, advocates for battered women, directors of shelters.

I ended up at the maximum security prison for women in Rhode Island and spoke with two women there, one serving time for killing her abuser and one serving time for a murder she claimed her abuser committed but talked her into taking the rap. She has since been released from prison.

These latter two people in particular were very compelling. If I wanted to take this subject seriously and wanted my art to be more than contemplative and theoretical, I needed to get out of the gallery and somehow into the streets, into the places where battered women go.

Ann, the innocent prisoner, said she was a virtual hostage in her home, deprived of information and access to people. The only place she could go without her husband was the grocery store. She said

the grocery was a highly overlooked site for important information for the severely abused and isolated woman. If she had seen information there she would have learned there was a shelter two blocks from her house and that other women suffered the way she did, too, and there was a way out.

She said to me, pounding the table between us, you need to do work on bread wrappers, cigarette packs, or milk cartons, the things we buy all the time.

I liked the idea of infiltrating the abusive house rather secretly. With the clout of many NEA-funded previous exhibitions as my foundation, I approached Creative Time, an arts organization in Manhattan that facilitates public projects in the community, and they helped me get started. I approached eight New York dairies before calling Tuscan Dairy in Union, NJ, who eventually agreed to do a run of 1.5 million milk cartons in New York and New Jersey over a 2-week period in 1991. I have some.

Mr. SCHUMER. We can't put those in the record. If possible—and I would ask the recorder, I have never had this, we have pictures of those milk cartons. I don't know if they can be printed in the record, but if they can, I ask unanimous consent to do it, if it is not outlandishly expensive.

[The information follows:]



WHEN YOU ARGUE AT HOME, DOES IT ALWAYS GET OUT OF HAND?

IF YOU OR SOMEONE YOU KNOW IS A VICTIM OF DOMESTIC VIOLENCE, CALL: National Domestic Violence Hotline 1-800-333-SAFE

WHAT IF

someone close to you hit you, made fun of you in public, kept you from having a job, didn't let you see family and friends, made all the decisions in your household and managed all of your money against your will?

NOW, WHAT COULD YOU DO?

IF YOU OR SOMEONE YOU KNOW IS A VICTIM OF DOMESTIC VIOLENCE, CALL: National Domestic Violence Hotline 1-800-333-SAFE

WHAT IF

SOMEONE CAME INTO YOUR HOME, CALLED YOU NAMES, THREW A CHAIR, TORE YOUR CLOTHES, AND KNOCKED YOU DOWN?



NOW, WHAT IF THAT SOMEONE WAS YOUR SPOUSE OR MATE?

IF YOU OR SOMEONE YOU KNOW IS A VICTIM OF DOMESTIC VIOLENCE, CALL: National Domestic Violence Hotline 1-800-333-SAFE

NO ONE DESERVES



IF YOU OR SOMEONE YOU KNOW IS A VICTIM OF DOMESTIC VIOLENCE, CALL: National Domestic Violence Hotline 1-800-333-SAFE

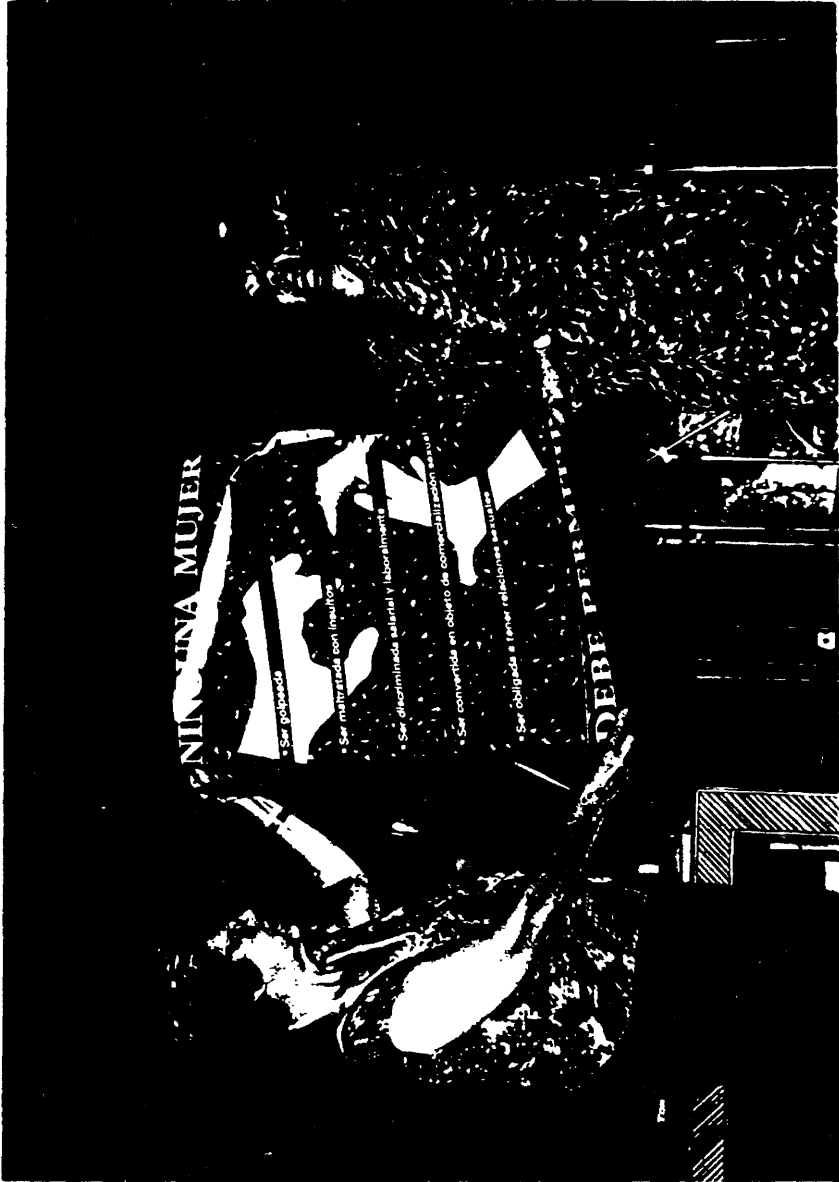




Domestic Violence Billboard
Dover, Mass. 01920
2 1/2 hrs. in western Mass.
Pecor Group, October 1991

PROGR. C. 004
ART. Desck. WILLIAMS COLLEGE
WILLIAMSBURG, MA 01247
413-458-8277

BEST AVAILABLE COPY



BEST AVAILABLE COPY

Ms. DIGGS. Three of these are facsimiles. This is the one that was produced by Tuscan Dairy, 1.5 million cartons.

I submitted these four designs to them, three of which worked to define abuse, as opposed to asking the reader or viewer if they were abused. Very few victims self-identify as victims, so the definition should be clarified and help made available.

At that time, the National Domestic Violence Hotline was still in existence and was listed on the cartons. They were continuing to get calls as the hotline closed because it lost its corporate funding 5 months after the cartons appeared on the shelves.

It was important for me to learn and perhaps for you, too, that when victims do get their hands on a hotline they will often hold on to it for months and months until the crisis becomes clear or they get the courage to call for help.

Many people ask how many calls the hotline got as a way of measuring success or failure of this project. This may be a way of success of advertising or PSA's, but that is not the way I want this project or other domestic violence projects to be critiqued.

It was more than numbers—although I was impressed that there was an increase of 27 percent of calls in New York and 80 percent in Los Angeles the week after the Simpson murders.

Principally, this project lets victims know and perpetrators, if they are listening, that this is something that can be talked about. Fear keeps victims quiet, and the silence keeps it going. If nothing else, she can feel out her friends and family by pointing to such a milk carton or billboard and start a fairly abstract conversation as a kind of test of the other's sympathy with the subject.

Will my friend, will my mother, understand if I tell her I am abused? Can I trust her? Will she believe me? Can I get help? This sort of public art gives permission to discuss the things that keep us caught in the secrecy and the privacy of the abusive family. Letting the victim know she is not alone is an important first step.

Tuscan Dairy just yesterday has agreed to do another milk carton project soon, one I am hoping will be addressed to the perpetrator.

This is, of course, not enough. Art can't change the world. But it can and often does bring up the issues that are often tough, ones we are not proud of, but ones that are true, in a way that provides a mirror to the culture. The media and the scholars can't be the only owners of this topic. There is no talking back then, no exchange. We need to be more than receivers for what is fed to us by finding ways to foster exchanges of information, airing of concerns, and the working through of social impasses.

It is about communication, two-way communication. It is strengthening to be part of a dialog. And this sort of public art that concerns itself with issues like domestic violence as informed by those involved can help foster communication within the public sphere that is now sorely lacking.

Thank you.

Mr. SCHUMER. Thank you, Ms. Diggs.

[The prepared statement of Ms. Diggs follows:]

House Judiciary Committee Hearing, June 30, 1994 5 MINUTE ORAL STATEMENT: *Peggy Diggs*

I make public art, mostly art that happens out of the gallery context and within communities about issues that come out of those communities. My projects so far—about wife abuse, teenage frustrations, and older women's fears—have taken place on billboards, milk cartons, bar coasters, direct mail postcards, dress shirts, subway posters, and newspaper inserts. These projects slip into the public domain on the backs of these formats that already exist, formats that are user-friendly so that the viewer might become engaged rather than alienated by something new and not identifiable; the messages and images they carry, however, are not expected ones for the format. The point in all this work is inquiry and investigation into issues that are hard for us to deal with, issues that nobody else wants to be associated with, issues with no easy answers. Let me give you an example.

In the early 80s, I was teaching art in a community college and heard my students whispering in hallways about nighttime beatings by lovers or watching their mothers being hurt by husbands or boyfriends. They would not talk about this, wouldn't let me find resources and help, claimed it was all family business. Then in 1989 I read Angela Browne's book *WHEN BATTERED WOMEN KILL* and was mesmerized by stories of families functioning like independent nations lead by despotic monarchs with their own laws, and with no responsibilities to the laws of the state. I decided this was my entry into exploring artmaking as a kind of advocacy, as problem-solving. There was nothing to be gained by not identifying the problem. And I needed to make art that dealt with real issues, not aesthetic ones.

In order to have the work be relevant, more than the voice of one lone individual, I began researching the field of domestic violence. I read everything I could from popular press to sociological studies; I then interviewed directors of rape crisis centers, cops who specialize in talking with child sexual abuse victims, advocates for battered women, directors of shelters; I ended up at the maximum security prison for women in Rhode Island and spoke with two women there, one serving time for killing her abuser, and one serving time for a murder she claimed her abuser committed (she has been released from prison). These latter two people in particular were very convincing: if I wanted to take this subject seriously and wanted the art to be more than contemplative and theoretical, I needed to get out of the gallery and somehow into the streets, into the places where battered women go. Ann, the innocent prisoner, said she was a virtual hostage in her home, deprived of information and access to people; the only place she could go without her husband was the grocery store. She said the grocery was a highly overlooked site for important information for the severely abused and isolated woman; if she had seen information there, she would have learned there was a shelter two blocks from her house and that other women suffered the way she did too and that there was a way out. She said to me, "You need to do work on breadwrappers, cigarette packs or milkcartons, the things we all buy all the time."

I liked the idea of infiltrating the abusive house with information, so I approached Creative Time, an arts organization in Manhattan that facilitates public projects in the community, and they helped get me started: I approached 8 NY dairies before calling Tuscan Dairy in Union NJ who eventually agreed to do a run of 1.5 million milkcartons over a 2 week period in 1991; I submitted 4 different designs to them, 3 of which worked to define abuse as opposed to asking if the reader/viewer was abused. Very few victims self-identify as victims, so the definition should be clarified, and help made available. At that time the National Domestic Violence Hotline was still in existence and was listed on the cartons; they were continuing to get calls as the hotline closed because it lost its corporate funding 5 months after the cartons appeared on the shelves.

Some people ask how many calls the hotline got as a way of measuring the success or failure of this project. That may be a way of measuring success in advertising or with psi's, but I feel that's not the way I want this project or my other domestic violence projects to be critiqued. There is more than numbers--although I am impressed that there was an increase of 27% in phone calls in New York and 80% in L.A. to hot lines the week after the Simpson/Goldman murders. I think the milk carton project does a couple of things, coming when it did, three years ago before a great deal of public dialogue on the subject: it lets victims know, and perpetrators if they're listening, that this is something that can be talked about. Fear keeps victims quiet and the silence keeps it going. If nothing else, she can feel out her friends and family by pointing to such a milk carton or billboard and start a fairly abstract conversation as a sort of test: Will my friend or my mother understand if I tell her I'm abused? Can I trust her, will she believe me, can I get help? This sort of public art gives permission to discuss the things that can keep us caught in the secrecy and privacy of the abusive family; letting the victim know she is not alone is an important first step. I want next to do work that addresses the perpetrator, not an easy task [I've done a bus poster design in the city of Winnipeg that asks: ARE YOU A STRONG MAN? NOT IF YOU USE FORCE ON THOSE YOU LOVE. THIS IS ABUSE. Included are some sources of help for both men and women.]

This is, of course, not enough, art can't change the world. But it can and often does bring up the issues that are tough, ones we're not proud of, but ones that are true, in that way providing a mirror to the culture. Think of it this way: the media and the scholars can't be the only owners of the topic; there's no talking back then, no exchange. We need to be more than receivers for what's fed to us by finding ways to foster exchanges of information, airing of concerns, and the working through of social impasses. It's about communication--two-way communication. It's strengthening to be a part of a dialogue, and this sort of public art that concerns itself with issues like wife abuse as *transformed* by those involved can help foster a communication within the public sphere that is now sorely lacking.

Mr. SCHUMER. Ms. Roberts. And I know you have a statement of one of your compatriots, Ms. Epstein. Without objection, that will be read into the record.

[The prepared statement of Ms. Epstein follows:]

FOR THE CONGRESSIONAL RECORD

Domestic violence is a crime and its perpetrators are criminals.

For way too long the act has been treated with denial, indifference and even in some circles, acceptance. Finally, society is beginning to come to the realization of the heinous nature of such behavior and steps, although slow in coming, are being taken.

Rather than burying heads and saying the problem of abuse in families is private, organizations have formed to help combat the problem. Law enforcement agencies cannot turn away from calls for help. There is increased media coverage of the subject.

Just as drunk driving was once an issue not to be confronted, domestic violence must also be openly addressed. No longer is it okay to knowingly allow someone in an inebriated state to get behind the wheel. Today, because of the loud cries from such groups as MADD and SADD, action is being taken. Community consciousness has been raised.

The same strong commitment to helping reduce domestic violence must also be made. Campaigns must mirror those against drunk driving. Prevention comes with education. Children must learn the proper methods for dealing with anger. It must be ingrained that abuse in the home is not permissible, nor is it the norm. They must know there are always safe places for them to go.

Adults, too, have to realize they will be held accountable for their actions. And the punishment must be reflective of the crime.

Our nation must also look at how the victims of domestic violence are perceived and treated. The myth that anyone "deserves" to be abused must forever be dispelled.

While we know that domestic violence will never be totally eradicated, but must not let that stand in the way of continuing the strong and valiant measures to reduce a festering blemish on human conduct.

Ruth S. Epstein

**STATEMENT OF RONA ROBERTS, VOLUNTEER, WOMEN'S
EMERGENCY SERVICES, SALISBURY, CT**

Ms. ROBERTS. Thank you. Good afternoon. My name is Rona Roberts. I am a volunteer with Women's Emergency Services, an organization serving victims of domestic violence.

WES serves six towns with a population of 15,000 in rural northwestern Connecticut. My job as a volunteer includes telephone hotline work, legal advocacy, and community awareness.

I wanted to work for Women's Emergency Services because I knew how prevalent, yet underaddressed, problems of domestic violence are. I knew women in violent or threatening situation who were unable to untangle themselves. I wanted to help change this.

Part of being a volunteer is being a voice in the community. Social occasions, workouts in the local fitness center, grocery shopping trips, all become events to spread the word.

Since the six towns WES serves are considered prosperous, consisting of many wealthy retired people and second homeowners from New York and Boston, too many people assume domestic violence doesn't happen there. Ironically, the very same people who say it doesn't happen in our town will often follow up with the story of a friend, relative, or neighbor who is in just such a situation.

Women's Emergency Services has three programs that directly address the issue of community awareness. The first is speaking engagements. Our director, Patty Dowling, has addressed church groups, rotary clubs, high school groups, and just about anyone else who will listen.

Second, we have a very successful education program developed for grades 4 through 12.

The third program is our safe haven sticker program. This gives us a daily presence in the community. It is simply putting our safe haven stickers on every merchant's door, every doctor's office, and every post office in our six towns. These stickers let people know this establishment will let someone come in and use their phone to call for help in a domestic violence situation.

Imagine, for a second, you are a woman who has managed to get out of her home before you were beaten again. You are in a panic. Going to the neighbors is too embarrassing, too shaming. You feel isolated, scared, and alone. You go to town because you feel there is safety in numbers. You see a safe haven sticker. There you find access to a phone and a 24-hour hotline number to call that will lead you to a safe place to stay. But, most importantly, there you will also find people who understand what you are going through and who care.

Can these stickers make a difference? You bet. We have gotten calls because women and children have used this service.

But the stickers provide another function, equally important. The stickers show that the voice of the community protests domestic violence. It will not be tolerated in Salisbury, Canaan, Cornwall, Kent, Sharon, or Falls Village.

Every business that displays our sticker—and almost all do—is saying we know that domestic violence isn't just a private family matter, and we are willing to help end that myth.

It also means that every one of the owners of these businesses heard Women's Emergency Services' volunteers talk about domestic violence in our towns and how it affects the community. It means that every one of these people is willing to help a neighbor in peril. It means that women and children in a scary place are not alone.

You have heard from the victims of domestic violence and experts on domestic violence. The thought I would like to leave you with is to remember that this is a community effort. Money is needed to help the victims and to ensure that the experts do their jobs. Laws must be written or, where they currently exist, vigorously enforced to better protect the abused from their abusers. We know this. But all of us must change our perception of domestic violence. It is not just a private family matter. It is woven into the very fabric of our society.

Thank you.

Mr. SCHUMER. Thank you, Ms. Roberts.

[The prepared statement of Ms. Roberts follows:]

Good afternoon, Members of the Committee. My name is Rona Roberts. I am a volunteer with Women's Emergency Services an organization serving victims of domestic violence. My job as a volunteer includes telephone hotline work, legal advocacy and community awareness. I wanted to work for Women's Emergency Services because I knew how prevalent, yet under-addressed the problems of domestic violence were. WES serves 6 towns with a population of 15,000 in rural Northwestern Connecticut, and I know women who were in violent or threatening situations who were unable to untangle themselves. I wanted to help change this.

Part of being a volunteer is being a voice in the community. Social occasions, workouts in the local fitness center, grocery shopping trips, all become events to spread the word. Since the 6 towns WES serves are considered prosperous, consisting of many wealthy retired people, and second home owners from New York and Boston, too many people assume domestic violence doesn't happen there. Ironically,

the very people who say it doesn't happen in our town, will often follow with the story of a friend, relative or neighbor who is in just such a situation.

Women's Emergency Services has 3 programs that directly address the issue of community awareness. The first is speaking engagements. Our director, Patty Dowling has addressed church groups, rotary clubs, high school groups and just about anyone else who will listen. Second, we have a very successful education program developed for grades 4 through 12.

The third program is our safe haven sticker program that gives us a daily presence in the community. It is simply putting our safe haven stickers on every merchant's door, every doctor's office and every post office in our 6 communities. These stickers let people know this establishment will let someone come in and use their phone to call for help in a domestic violence situation. Imagine for a second, you are a woman who has managed to get out of

your home before you are hit again, you are in a panic. Going to the neighbors is too embarrassing-too shaming. You feel isolated, scared and alone. You go to town because you feel there is safety in numbers. You see a safe haven sticker. There you find access to a phone and a 24 hour hotline number to call that will lead you to a safe place to stay. Can these stickers make a difference? You bet! We have gotten calls because women and children have used this service, but the stickers provide another function, equally important. The stickers show that the voice of the community protests domestic violence. It will not be tolerated in Salisbury, Canaan, Cornwall, Kent, Sharon, or Falls Village. Every business that displays our sticker (and almost all do) is saying we know that domestic violence isn't just a private family matter and we are willing to help end that myth. It also means that every one of the owners of these businesses heard Women's Emergency Services' volunteers talk about domestic violence in our towns and how it affects the community. It means that everyone of these

people is willing to help a neighbor in peril. It means that women and children in a scary place are not alone.

You have heard from victims of domestic violence and experts on domestic violence. The thought I would like to leave you with is to remember this is a community effort. Money is needed to help the victims, and to insure that the experts do their jobs. Laws must be written, or where they currently exist, vigorously enforced to better protect the abused from their abusers. We know this. But all of us must change our perception of domestic violence. It is not just a private family matter; it is woven into the fabric of our entire society.

Thank you.

Back Talk

Why Doesn't She Leave Him?

It's time to put that question to rest.

It's reached the point where I have to tell people I write about battering. And in any social gathering, the reaction is almost always the same. Usually a woman proclaims to everyone within earshot, "I'd never put up with that!" And invariably someone takes me aside and says, "I'm very sympathetic to these poor women, of course, but what bothers me is, why don't they just leave?" One of these days, when I'm asked that question again, I may haul off and batter the questioner myself.

It's not that I can't answer it. Various experts have been answering that question for generations. In the 1920s, social workers explained that battered women were mentally retarded. In the 1940s, psychologists found a new answer: Battered women don't leave because they're masochists. They like it. Outraged by that theory, feminists in the 1970s came up with new-unique. Battered women don't leave because they can't support themselves and their kids, they're isolated from friends and family, and they've been terrorized into a state of "learned helplessness" by repeated beatings.

Now these "modern" answers emphasizing individual psychology have been superseded by a more practical one. It's illustrated by the case of Lisa Blanco in Indiana. Her ex-husband was in prison for assaulting her and kidnapping the children. But he got a day pass for good behavior, drove to Lisa's home, and clubbed her to death. Lisa's grieving mother told TV reporters: "People ask, 'Why don't battered women leave?' They get killed. That's why."

True enough. Since a batterer is dependent on the woman he batters for his sense of power and control, losing "his" woman is like losing himself. That's why he's much more like-

Ann Jones is author of the international best-seller Women Who Kill. Her latest book, Next Time, She'll Be Dead, was published recently by Beacon Press.

ly to kill her (and perhaps himself) if she leaves him and "takes it."

According to the FBI, more than 1,400 women are murdered every year by current or former husbands and boyfriends. Every day there's a new headline: *Man slays estranged wife. Murdered woman had protective order.* Often, he kills the kids, other relatives, her friends or innocent bystanders too. Yet people still have the nerve to ask, "Why doesn't she leave?"

What bothers me most about that question is that it's not a real question. We'll never find an answer that's good enough to lay it to rest because it's really an accusation. It passes judgment. It implies that violence is the problem of the woman who suffers from it, and hers to solve. It ignores the fact that battering is a crime and insists that the crime victim walk away and forget about it. It transforms an immense social wrong into a personal transaction. At the same time, it pins responsibility for the violence squarely on the woman who is the target.

The question also gets us—and our social institutions—off the hook. If battered women could solve the problem simply by walking away, then why should we do anything? And how can we expect the police or courts or doctors or social workers to take action? (They'd like to help, but hey—what can they do? Why doesn't she just leave?) Even some feminists, weary of what they call "victim feminism," insist that the battered woman take responsibility for herself. She made her bed, they say; now why doesn't she pick up and leave? (After all, they wouldn't put up with it.)

Worse, by blaming the woman who suffers from violence, the question diverts our attention from the man who inflicts it. Through the decades, the "experts"—mostly male—have discussed her low intelligence but not



his. They've used research grants, provided by our tax dollars, to study her masochism but not his sadism, her "low self-esteem" but not his pathological aggression, her "learned helplessness" but not his studied assaultiveness.

Experts have answered "Why doesn't she leave?" so often that "battered-woman's syndrome" has become an everyday phrase. But why is there no "battering-man's syndrome"? And why—when every day the news brings another story of a man who tracked down and killed the woman who left him—does no one ever ask the real question: "What's wrong with him?" "Why didn't he stop beating her?" "Why don't we make him stop?"

But no. The first question, and often the only question, is: Why doesn't she leave? And while we busy ourselves asking or answering that victim-blaming question, men continue their violence undeterred.

Lost in this shell game is one simple principle: that every American has a constitutional right (not to mention a human right) to live free from bodily harm. Assault violates that fundamental right. No matter whether the assaulted woman is mentally retarded or masochistic or financially dependent or isolated or "helpless." No matter whether she stays or goes, assault is still a crime.

Thirteen years ago, a battered woman called a radio talk show to set me straight on this point. I'd been advising women in the audience to pack up and leave abusive partners. "Why should I leave?" the caller asked. "It's my house. I worked for it. I painted it. I clean it. I'm not committing any crimes here. Why don't you tell him to leave?"

Now that's a good question. **WJ**

EDITOR'S NOTE: The views expressed here are the author's, not necessarily those of Women's Day. You may not agree with them, but controversy is what "Back Talk" is all about.

BEST AVAILABLE COPY

Mr. SCHUMER. Mr. Perrone.

STATEMENT OF RICHARD PERRONE, McCOY LUMBER CO., SAN MARCOS, TX

Mr. PERRONE. My name is Richard Perrone. I work for the McCoy Lumber Co. in San Marcos, TX.

It is our hope that my appearance here today will challenge corporate America to reexamine their understanding of the issue of domestic violence. We have all witnessed the many incidents of violence in the workplace that is often a direct result of a hostile home environment. Companies have spent millions of dollars to increase security at the workplace, yet very few dollars have been spent on causes of such violence.

McCoy's involvement in helping the Hays-Caldwell Women's Center can demonstrate that a positive commitment to the community will have a very viable impact both inside and outside the company.

It has been the normal company policy to require that we, as a donor, are kept anonymous, but the issue was too important, and we allowed our name to be used. Employees within the company as well as the general public have demonstrated their appreciation.

In 1984, the Hays-Caldwell Women's Center approached McCoy for help in upgrading their existing lease facility. The remodeling required was very extensive and still the facility would not be efficient for the purpose intended. Thus, the McCoy family felt a new shelter would best serve the community.

The Women's Center obtained the property from the city of San Marcos and within 5 to 6 months a new 4,000-square-foot shelter was in operation. Included were seven bedrooms, four baths, offices, and various support rooms.

Once the shelter opened, a ripple effect could be felt throughout the community. More individuals volunteered their time. Public moneys increased for operation expense. Also, additional programs were now able to be added, including rape intervention, child and parenting programs. But the most important result was that more families could now come and stay at the shelter as a safe home and out of harm's way.

Since April 1991, family violence has increased 49 percent or 66 cases in the two counties that have a combined population of 92,000 people. The shelter has been filled to capacity for the last 18 months.

The real community support surfaced earlier this year when the county received for the first time community development block grants, and funds were limited. And so when the Women's Center applied for moneys to increase the size of the shelter, other agencies withdrew or reduced their request so that the shelter could be expanded.

Because of this unanimous support, work was started on a 2,000-square-foot addition on July 10 of this year. Also, McCoy has agreed to build an additional 3,000-square-foot counseling and resource center scheduled to start probably by the first of 1995.

Not only is the company expending dollars on resources of this kind, McCoy is spending moneys on prevention. Since 1992, all 1,600 employees of our company had a fully paid weekend for mar-

riage renewal retreat for the employees and their spouses. Also, conferences are provided on an annual basis to all employees concerning their roles as parents.

Attendance at these is optional but encouraged. The reception has been great. We hope that this contribution will provide an example for all companies in reducing the incidence of domestic violence within our families and that we will all benefit.

Thank you.

Mr. SCHUMER. Thank you, Mr. Perrone.

[The prepared statement of Mr. Perrone follows:]

Congress Of The United States
House Of Representatives
Committee On The Judiciary
Subcommittee Hearing-Domestic Violence

June 27, 1994

HAYS - CALDWELL WOMEN'S CENTER
San Marcos, Texas

The Hays - Caldwell Women's Center was started in 1979 by a few concerned women. Their initial goals concentrated on common interests, skills and problems shared by women. Within a short time period, they discovered the need for a family violence program and shelter. The first shelter was an old facility, once used by another non-profit organization. The building was large, but was in need of serious repairs.

It was in 1984, that my company became involved and it was definitely my awakening to the problem of family violence. I was fortunate that my childhood was void of such violence. I was not even aware that shelters existed for this purpose. The center contacted various businesses for help in remodeling their existing shelter. The initial request was for either donated or very reduced prices on building materials that would be required to up-grade the existing facility. McCoy Corporation is a family owned business, with it's General Office in San Marcos, Texas. The family believes very strongly in supporting the community's needs. After visiting the existing shelter, the McCoy's felt that the best plan of action was to build from scratch.

The Women's Center obtained donated land from the City, and thus a 4000 sq. ft. shelter became a reality. My role was that of project supervisor.

Naturally, once the shelter opened, a ripple effect was felt throughout the community. There was an increase in volunteers, a greater number of clients helped and as a result, monies became easier to obtain. Once greater amounts of funds became available, then a number of programs could be added including a rape intervention program, children's program and a parenting program. Still, the most important aspect of the shelter is that the home represents a safe place for the women who are in a hostile environment. Violence is a community problem and not a women's problem.

Over the ensuing decade, the agency has grown as awareness of the services grew, the population increased and the incidence of violent crime exploded. In the last year, there were very few nights when a bedroom was not occupied at the shelter. Elaborate plans were constantly made to

shelter families victimized by family violence and for whom there was no room at the shelter. We will never leave a family in crisis and therefore arrangements had to be made to shelter these families temporarily in other cities, other shelters, or, dangerously, with family or friends for a short time. Other factors compounded the problem of lack of shelter space, such as shrinking supplies of affordable housing, the lack of public transportation, and the shortage of affordable child care.

A total of 389 adults and children were provided services in the family violence program. Ninety-two families were provided shelter with a average stay of about 19 days per person. Significantly, an additional 92 families were located elsewhere because the shelter was full.

The services provided to non-residents has grown dramatically with 122 women and children served last year. All of these victims of family violence (residents and non-residents) were provided peer counseling (both individual and group), legal, medical care, and other assistance as needed. The Center has developed excellent working relationships with law enforcement agencies and the local criminal justice system. The agency regularly receives referrals from these agencies and staff, and volunteers assist with processing protective orders and serve as expert witnesses in court.

Today, HCWC provides 24-hour staff coverage of the shelter. This has increased the opportunity for peer-counseling and has made the group living environment safer and more pleasant.

Trained staff and volunteers answer a 24-hour HELpline (936-HELP or 1-800-700-HCWC). Most of our initial contacts with local battered women come through the HELpline.

Services for survivors of sexual assault and abuse are also provided 24 hours a day by trained staff and volunteers. The nine-member Rape Crisis Team is a group of very dedicated, specially trained volunteers who carry a beeper for a week at a time and respond whenever a sexual assault occurs in our two-county area. This team provides critical support and assistance to survivors during all medical and legal proceedings.

In addition to services to survivors of sexual assaults as they occur, the Sexual Assault Program staff provide peer counseling to Adults Molested as Children (AMAC's), and child sexual abuse victims. The demand for these services has grown dramatically in the last ten years. Last year, 173 people were served in this program. This included 37 children and 26 AMAC's.

In 1992, we became one of eight shelters in Texas to be awarded a grant from the Children's Trust Fund of Texas to offer a Nurturing Program. This is a fifteen-week abuse prevention program. The entire family participates, with the goal being to develop a positive, nurturing family environment.

During the first year and a half of this program, four sessions have been offered in the community, a semester has been offered at the San Marcos Baptist Academy and on-going sessions have been offered at the shelter. During the first year, 119 persons were served.

Greatly increased state and federal funding has allowed HCWC to increase direct-services staff dramatically. The Center now employs 15 staff and utilizes the services of over 120 volunteers. Each semester, we provide internships for 5-12 Southwest Texas State University interns. These interns may be from the Child Development, Psychology, Social Work, Education, Sociology, or Journalism programs at the University. We also provide volunteer training sessions twice a year. Training and educational programs are also held for local law enforcement, medical personnel, educators, public schools and college classes, as well as the community at large.

With increased state and federal funding comes greater restrictions and greatly increased reporting requirements. Computerization of accounting records and statistics has become essential. Increased staff has necessitated increased office space. Southside Community Center has generously donated temporary space, but even that space has been outgrown as new programs are added and existing programs are expanded.

State and federal funds (which are restricted) have increased 528% since 1984, however, local (unrestricted) funds have only increased 162%. The entire operating budget has increased a total of 289%. It should be noted that in order to obtain additional state, federal or grant funds it is usually necessary for us to increase the local contributions which must be used for match requirements of the funders.

The work of the Hays-Caldwell Women's Center continues in 1994. Once CDBG (Community Development Block Grant) monies became available in San Marcos, the Center requested and obtained a \$100,000.00 grant to add 2000 sq. ft., plus partial remodeling of the existing shelter. The request was granted because other agencies reduced their requests for CDBG funding and actively supported the funding requests by the Center. Plans are complete and the bidding process is currently underway.

The need for the addition is so great, because family violence had increased 49% from 1991 - 1993. Some 648 cases of family violence and 66 cases of rape have been reported in Hays and Caldwell Counties in 1993. A total of 92 families were denied shelter because of lack of space. Since April 1993, no bedroom has been vacant a single night. All of this violence is in two counties with a combined population of 92,000.

A McCoy family member has been on the Women's Center Board since 1984, and the Corporation has committed to build a new 3000 sq. ft. Counseling and Resource Center in late 1994.

The good work and the very needed assistance provided by the Women's Center has been felt by the community. In Hays and Caldwell counties we are definitely aware that domestic violence is an epidemic in America today.

Mr. SCHUMER. First, I want to thank all the panelists. Each of them shows that we can do things, even without government involvement. Although I must say the Violence Against Women Act would certainly help what Ms. Roberts, Ms. Lee, and Ms. Diggs are doing and supplement what Mr. Perrone is doing. So passage of the act would be a big help.

The other thing that I think is important here, and the point I would like to make—somebody made the analogy in their written statement, but I don't know if it was actually stated. I think the analogy to MADD, Mothers Against Drunk Driving, is a very good one. Was it you who made it, Ms. Roberts?

It has been close to a miracle that a simple advertising campaign has saved tens of thousands of lives because people realized the danger. It used to be a drunken driving, kids-will-be-kids, kind of thing. And now we realize it is a horrible thing.

The same thing with domestic violence which is, in some sense, more serious. But the idea of education having a real effect and turning things around, whether it be the type of educating Ms. Diggs does or Ms. Roberts does or Mr. Perrone provides for, and certainly what you do, too, Ms. Soler. You get real bang for the buck, as businesses say, for this one. And I think it is really worthwhile.

I think these stories speak for themselves and show that educating people about domestic violence can be done. I want to thank you, and, hopefully, it will go into the record, and people will hear about what you are doing and replicate it, place after place after place.

Mr. Schiff.

Mr. SCHIFF. I join your remarks, Mr. Chairman. I thank the panel.

Mr. SCHUMER. I want to thank all four of you. Keep up your good work. And maybe we will get to the day where your work is less needed.

Without objection, the hearing record will remain open for 2 weeks for the submission of a statement from Donna Lawson of Covington, PA, whose daughter was murdered by her boyfriend last year.

[The prepared statement of Ms. Lawson follows:]

Domestic Violence: Not Just a Family Matter

Hearing of the House Judiciary Committee

Subcommittee on Crime and Criminal Justice

June 30, 1994

Testimony by:

Donna Lawson

Mother of Homicide Victim

Covington, Pennsylvania

Domestic Violence: Not Just a Family Matter

Members of the Committee:

Thank you for the opportunity to share with you my family's experience with the anguish and horror of domestic violence.

My name is Donna Lawson. I live in Covington, Tioga County, PA. My murdered daughter's name is Shelly Johnson. She was just 33 years old, the mother of two young sons, and a special education teacher who had recently been awarded her master's degree.

Our nightmare began when Shelly moved in with her boyfriend, John Flood and they made plans to marry. Things appeared fine at first; however, within 6 months, Flood began to change. He became mean, controlling and demanding. In the following three-year period, she became increasingly afraid of him as his verbal and physical abuse intensified. Upon asking him to leave several times, his reply was always the same - "I'll kill you." She was terrified and so, out of fear, she stayed, that is until the day when the physical abuse became so brutal and the emotional abuse so traumatizing that she didn't know which way to turn. Battered and bruised, she turned to me and welcomed my strength. I took her home that day. Unfortunately, as is often the case in domestic violence and stalking situations, this didn't put an end to John Flood's menacing presence in my daughter's life.

Flood would stalk my home as well as my brother's home. (PA's stalking bill had not yet passed the legislature; it was still not a law.) He would come in my yard, stand there and stare, and refuse to leave. As darkness fell, he would attempt to force his way into my house. I would have a large chair against each door. He

would shout obscenities, pound on the house walls, demand Shelly come outside, slit my tires with a knife, stare through the windows, threaten to kill us, and, even a couple of times, make sure I saw his gun in the moon light. This usually started around 11 at night, last till about 3 AM, and was almost a nightly occurrence. Shelly would be upstairs sleeping from exhaustion. Her boys were also good sleepers - at least most of the time. Of course I would keep the lights off so he couldn't see me.

After many nights of no police response, my brother brought a gun down, in case I had to use it. I would sit there awake all night and sleep during the day. The State Police had advised me that we had to have a Protection From Abuse Order (PFA) and they could do nothing unless we did. They still hold to this story, despite the fact that after Shelly's death I learned that what was happening at my home and to Shelly (forcing her off the road, death threats to both of us) was insufficient grounds to even obtain a PFA. I took the police department's word that they couldn't do anything to help my daughter even though they knew the frightening details of John Flood's terrorism.

We live in a rural, low population area, in a county with about 40,000 residents. It was a one hour drive for Shelly to her teaching job at Riverside School, Elmira, NY. Her journey to school each day was through a scattering of houses and farms: there truly was nowhere she could go for help if needed. Almost daily Flood would force her car off the road coming from school and then threaten what he would do to her if she didn't return to his home. He also said he would cut me up in pieces and send me to her or else burn me up in my house. This all happened over a 10-week period.

I repeatedly called the State Police as did my brother, who also attempted to get the police to intervene. (I logged all of these calls.) We received no help, only reminders that we needed a PFA in order for police to respond. But Shelly was fearful of seeking a PFA because Flood had warned her that if she got a PFA, he would kill her and she knew he meant it. Several police officers at different times asked about the identity of Shelly's abuser and when they found out it was John Flood, they confirmed 'he was trouble'. In one of Flood's many trips to my house late at night, the neighbor's dog wouldn't stop barking. John kicked the flesh off the whole side of the dog; it almost died. I want you to know that my neighbor's knew of my family's plight.

June 11, 1993 - a Friday morning, the day after Shelly's oldest son (12 years) graduated from sixth grade with honors - Shelly was taking her usual route to school. That was her last day on this earth. Flood was waiting for her along the road with two guns, a 22 and a 44 magnum. He chased her, unloading the 22 on her and her car first. She was hit with the 22 twice. He then picked up the 44 magnum. All this time he was trying to force her off the road. He also emptied this gun and finally forced her off the road, with her car coming to a rest on its side. Several people witnessed what happened next: He reloaded the 44, went over to her car, put the gun tight to her left temple and pulled the trigger - twice. He then went into the woods, heading for home. As the result of numerous calls to police of a car being chased and shot at, they had a helicopter in the air. Aware that it was searching for him, Flood went to the riverbed, wrote messages on rocks with a bullet and proceeded to shoot himself as police approached.

I had read many horror stories in the newspaper such as this one, but it never really affected me, other than I felt sorry for those people. I didn't know them - it

didn't sink in. I would like each and everyone of you to put yourself in my place for this next part of my testimony and to think of how you would react if it were your child; you can't really understand the impact otherwise.

I went out to the scene of the crime; I saw my daughter's body in what was left of her car. She had no eyes, no bridge of her nose, a big hole in her forehead, a few pieces of flesh missing throughout her face, mouth drawn off to the side and, besides the bullet holes, the left side of her head was what I can only describe as mush. No one on God's earth should ever have to go through this horror which will haunt me the rest of my life.

I implore each and every one of you to please do something to stop the violence and killing of innocent and helpless victims. I urge you to consider the following recommendations as a step towards preventing more loss of lives:

1. We need uniformity in police response to domestic violence calls. All calls to police should be logged and responded to. We must have mandatory law enforcement response.
2. We seem to have a wide-spread problem at all levels within law enforcement of police officers having protection orders issued against themselves. While police should be enforcing the law, not breaking the law, we know that far too many police officers abuse their wives or girlfriends. How can we expect these officers to arrest other batterers? There is a glaringly apparent conflict of interest and those officers having protection orders issued against them should be dismissed, suspended or, at the very least, prohibited from responding to domestic violence calls for the duration of the order.

3. Training for police on domestic violence is extremely inadequate. This leads to very large gaps in protection. Mandatory training and funding are essential.
4. Law enforcement needs to have legal and binding responsibility to respond and protect victims of domestic violence. I fully believe my daughter's murder might have been prevented if only our pleas for help had been heeded. Police should be held liable when they fail to protect.
5. Police need to place domestic violence calls, not pursuit of speeders and traffic violators, as a top priority. Isn't it time?
6. Take a closer look at the plea bargaining that is taking place between prosecutors and perpetrators in this country. How can anyone have any respect for the law when the law has been so weakened and trivialized by the plea bargaining system? When abusers kill, they should remain behind bars for the rest of their lives. Their victims can't come back - neither should they. If penalties were stiffer and plea bargaining didn't exist, then just maybe crime would decrease.

In closing, I would like to thank you for shedding light on the dark and devastating violence that is occurring behind the closed doors of neighborhoods and communities across the country. Please, don't let my daughter's tragic death be just one more statistic added to the endless grim tally. For the future of our families, for the well-being of our children, let's work together to make our homes the safe havens they were meant to be - free from fear, free from violence.

Thank you for your consideration and action.

Donna Lawson
R. R. # 1 Box 211
Covington, PA 16917

LIFE AFTER SHELLY

'She wouldn't want this to happen to anyone else'



A WOODEN CROSS with Shelly Johnson's name inscribed on it marks the site of her death along Route 638 in Millerton, Pa. The Leader/Left Blackwell

Remembering 'Mrs. Johnson'

ELMIRA — Those who knew murdered Riverside Elementary School teacher Shelly Johnson will remember her forever.

A book of remembrances written by students and teachers at Riverside tell the story of a woman dedicated to her work and children. Johnson is described as loving sports and able wear bright clothing and dazzling earrings that other women admitted would be too much for them.

"I remember Shelly for the color orange in all shades," one teacher wrote. Said another, "I remember Shelley for her big, big eyes that always spoke volumes, her quiet steady leadership."

Another teacher remembered Johnson for her "positive attitude and the way she brightened up my days."

"I remember Mrs. Johnson for liking the Atlanta Braves too," wrote a student. "help planning field trips being there when you need her, her smile."

Said other students, I remember Mrs. Johnson for ... "helping me with my math. I miss her," and "being the best teacher I ever had."

Another said, "she gave me a hug." Many also remembered an injured stray cat that Johnson took in after it was found near the school. Johnson and her sons named the cat "Lucky."

IF YOU ARE A VICTIM OF STALKING OR DOMESTIC VIOLENCE,

- here are some places that can help:
- Neighborhood Justice of the Southern Tier: in Corning, 936-8807; in Watkins Glen, 535-4757; and in Elmira, 734-3338
 - Helpline in Steuben County: 936-4114 or 1-800-346-2211
 - Infoline in Chemung and Schuyler counties: 737-2077
 - In Tioga County, Pa.: Woman's Coalition, 724-3554



Stalking, murder of Pa. woman still taking its toll

By **SUSAN M. GALE**
Staff writer

MANSFIELD, Pa. — As Donna

Lawson seeks sleep each night, she can not get the picture of her murdered daughter out of her head.

The images float in front of her face, leaving her dazed and confused about time and place.

"The flashbacks are so real I can't tell if I'm climbing into my bed or into the casket," Lawson said.

Law June 11, Shelly Johnson, a special education teacher, was stalked and killed by John Flood, a boyfriend she had attempted to leave several weeks earlier.

Johnson was on her way to work at Riverside Elementary School in Elmira when Flood forced her car off the road in Millerton, Pa., and shot her at point blank range. Flood, whose pockets were filled with ammunition, later shot and killed himself.

After years of abuse, Johnson was on her way to starting over, to getting her life in order.

Just a few weeks before the early

Friday morning murder, Johnson had bought a house where she planned to live with her two pre-teen sons and a

brother. She hoped to adopt a little girl and add rooms to her new peach-colored house in Blossburg, Pa.

Johnson was just weeks away from a master's degree in special education at Mansfield University, where she had achieved the Dean's list several times. She dreamed of becoming a school principal, but last year after her death her children quietly accepted the diploma she had worked so hard to attain.

For Lawson, each memory of her daughter is fresh and the stones flow as though the were talking about someone who lives only a short distance away and could arrive at any moment. But when she gets to her daughter's death, it's as though the murder happened just last week.

Tears at the beginning of each conversation about her daughter give away the grief that still remains close to the surface.

• See **SHELLY**, Page 5A

Case shed light on domestic violence

By **SUSAN M. GALE**
Staff writer

CORNING — One year ago, Shelly Johnson was living in fear, petrified of the future that finally overcame her.

Johnson, 33, was stalked and killed by a man she tried to leave after three years of living together. Her story, which attracted widespread media attention, shed all the elements of the television movie: it may one day become violence, guns, obsession.

But behind the Johnson murder is more than just another sensational story. The life of this special education teacher is part of a major epidemic in the U.S. — the crime of domestic violence. It is an epidemic that often stays hidden behind closed doors, kept secret out of fear, ignorance or embarrassment.

• See **STALKING**, Page 5A

BEST AVAILABLE COPY

— Attack —

• *Continued from Page 1A*

Shooting at her in a high-speed car chase, he eventually ran her off the road and into a ditch on the winding road in Jackson Township, according to police.

Flood got out of his car, police said, and shot Johnson while she was still sitting in her car. He fled the scene on foot.

Law enforcement agencies including Mansfield State Police, New York State Police, and the Toga and Chemung county sheriff's departments searched the area on foot and by helicopter for nearly five hours before receiving a report that Flood had been seen in the woods near Millerton.

"I heard the dog barking and I found John in my garage at about 12:30 p.m.," said the Rev. Lynn Ensign, of Millerton. "I knew who he was, but I didn't know him very well and I could see the gun in his pants."

"He told me to give him 10 minutes before calling police," Ensign said. "He told me to tell police that he was going to walk down the creek about a quarter mile and shoot himself. He showed me the gun and said there was no other way."

Ensign said he tried to talk Flood out of shooting himself, but he said he would not listen.

"John said, 'I don't want to go through a trial and I don't want to put my parents through the embarrassment — that is, 'he was it's got to be,'" Ensign said. "He told me to tell police that there would be a message scratched on a rock and when he walked away."

Police said they found Flood's body near the creek bank about a quarter mile east of Ensign's home on Route 328. He apparently put the gun in his mouth and shot himself in the head, according to police.

Found near the body was a .22-caliber semi-automatic handgun and a .44-caliber Magnum with a blood-stained trigger. In his pants they found a pocket full of bullets. Patterson said there was a message scratched on a rock near Flood's body, but he would not say what the message said.

Police would not discuss the motive of the incident, but Ensign said his last words were about Johnson.

"John said, 'She up and left me and I don't know why,'" Ensign said.

"I asked John to give me five minutes to talk to him, but he said no. I heard a single gunshot at about 1 p.m. and I knew what it was."

THE LEADER

Neil C. Hopp, Publisher

DIRECTORY OF SERVICES

If you are a home-delivered subscriber and you do not receive your paper by 7 a.m. (8 a.m. on Sundays), call the circulation department before 10 a.m. (noon on Sunday). In the Corning area, call 936-4680. In Bethany, call 776-7242.

CIRCULATION (936-4680; Bath: 776-7242)
Circulation Director: Steven Parsons

NEWS (936-4651, ext. 17)
Managing Editor: Paul Guggina
Community News Editor: Jonathan Lightfoot
Copy Desk Chief: John Johnson

BATH BUREAU (776-3393)
Bureau Chief: Matt Olynn

CHEMUNG BUREAU (737-0968)
Bureau Chief: Jeff Blackwell

SPORTS (936-4651, ext. 36)
Sports Editor: Michael J. Bieger

ADVERTISING
(Retail: 936-4651, ext. 4; Classified: 936-4651, ext. 2)
Director of Advertising: Michael P. Barrow
Advertising Manager: Richard J. Emanuel
Creative Services Supervisor: Stacy A. Troger

THE LEADER'S PREFERRED CUSTOMER CLUB
Available to subscribers who pay in advance.
Good for discounts at participating area merchants. (936-4680; 776-7242 in Bath)

SUBSCRIPTION RATES
Single copy: 35 cents daily; \$1 Sunday;
Suggested carrier delivery: \$2.55 per week
Suggested motor route delivery: \$2.75 per week

MAIL RATES
Steuben County: \$13.50 for 4 weeks; \$40.25 for 13 weeks; \$76.50 for 26 weeks; \$145.50 for one year
Elsewhere in the U.S.A.: \$14.50 for 4 weeks; \$45.00 for 13 weeks; \$85.50 for 26 weeks; \$162.50 for one year
The Leader (ISSN 1050-1983) is published daily by Corning Publishers Inc., 34 West Pulteney Street, Corning, New York 14830. Second class postage paid at Corning, New York 14830-0817. Postmaster: send address changes to The Leader at the above address.

BEST AVAILABLE COPY

THE LEADER

Corning, N.Y.

Saturday, June 12, 1993 3d cent

Millerton man kills ex-girlfriend, self

Elmira teacher, mother of two dies in attack

By JEFFREY BLACKWELL
Corning Post Staff Writer

MILLERTON Pa. — An Elmira school teacher was found dead in her car Friday in an apparent double-suicide involving her ex-boyfriend, who was shot and killed a few hours after he had the woman off the road in the township north.

Millerton police found the body of 37-year-old Deborah Johnson, 33, in her car on Friday. She was found in the driver's seat of her 1987 Buick Wildcat. Johnson was wearing a white t-shirt and blue jeans. She was found with a gunshot wound to the chest.



JOHNSON

Police officers found the body of John Reed, 43, in his car on Friday. He was found in the driver's seat of his 1987 Buick Wildcat. Reed was wearing a white t-shirt and blue jeans. He was found with a gunshot wound to the chest.

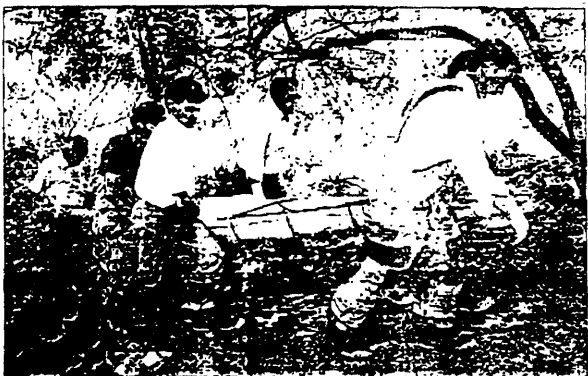
Police officers found the body of John Reed, 43, in his car on Friday. He was found in the driver's seat of his 1987 Buick Wildcat. Reed was wearing a white t-shirt and blue jeans. He was found with a gunshot wound to the chest.

Police officers found the body of John Reed, 43, in his car on Friday. He was found in the driver's seat of his 1987 Buick Wildcat. Reed was wearing a white t-shirt and blue jeans. He was found with a gunshot wound to the chest.

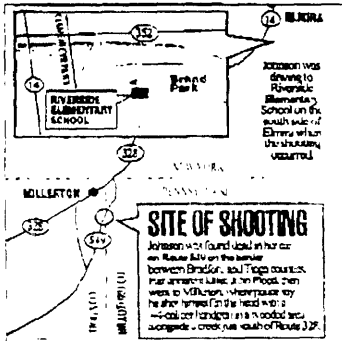
Police officers found the body of John Reed, 43, in his car on Friday. He was found in the driver's seat of his 1987 Buick Wildcat. Reed was wearing a white t-shirt and blue jeans. He was found with a gunshot wound to the chest.

Police officers found the body of John Reed, 43, in his car on Friday. He was found in the driver's seat of his 1987 Buick Wildcat. Reed was wearing a white t-shirt and blue jeans. He was found with a gunshot wound to the chest.

Police officers found the body of John Reed, 43, in his car on Friday. He was found in the driver's seat of his 1987 Buick Wildcat. Reed was wearing a white t-shirt and blue jeans. He was found with a gunshot wound to the chest.



AUTHORITIES REMOVE the body of John Reed from a wooded area near Millerton. The Lacey, Jeffrey Blackwell



Gunman made previous threats

By MICHAEL CAPUTO
Staff Writer

CORNING Pa. — Family members of Shelly Johnson say the Elmira school teacher lived in constant fear of John Reed, the former lover's husband who police say stalked her down and killed her on a Penn. state highway Friday morning.

The 37-year-old Johnson left a note in her car and told police she had been stalked by Reed for several months. Reed was found in his car on Friday morning near the site of Johnson's murder.

Johnson was driving to Riverbend Elementary School on the south side of Elmira when the shooting occurred.

Police officers found the body of John Reed, 43, in his car on Friday. He was found in the driver's seat of his 1987 Buick Wildcat. Reed was wearing a white t-shirt and blue jeans. He was found with a gunshot wound to the chest.

Dow Corning wins lawsuit on implants

DENVER AP — A former steel maker who blames her cancer on the implants she used to fix her broken hip, is losing a \$1.5 million lawsuit against manufacturer Dow Corning Corp. in a federal court.



Breyer, Clinton meet for first time

By RICH FOUNDER
Associated Press Writer
WASHINGTON

Supreme Court Justice Stephen Breyer and Vice President Al Gore met with President Bill Clinton on Friday, helping to break the first face-to-face meeting between the two since Breyer's appointment to the Supreme Court.

BEST AVAILABLE COPY

Mr. SCHUMER. And, without objection, written statements by the National Association of Attorneys General and the NOW Legal Defense and Education Fund will be submitted for the record.

[The prepared statements follow:]

**REMARKS OF MINNESOTA ATTORNEY GENERAL
HUBERT H. HUMPHREY III
NATIONAL ASSOCIATION OF ATTORNEYS GENERAL**

Submitted to:

**CONGRESSIONAL SUBCOMMITTEE ON
CRIME & CRIMINAL JUSTICE
JUNE 30, 1994**

I am deeply honored and want to thank Chairman Schumer and the rest of the subcommittee members for this unique opportunity for the state Attorneys General to help focus our national spotlight on the prevention of sexual violence.

As you page through the attached survey, you will find numerous attorney general initiatives that focus on making our violent society a safer place for women and children. The goal of the survey was to share these new ideas on a nation-wide basis and inspire action -- to recommit ourselves to use the power and authority of our offices to stop the violence, help victims, and offer hope that there will be a time when we are successful at preventing crime as we are at prosecuting criminals.

As Attorneys General, we are constantly locked in a face-to-face confrontation with the tragic results of rape, sexual violence and sexual harassment. These crimes occur all too often in our schools, on the job, and as the events of the past two weeks have reminded us, in our homes.

We face tremendous challenges in attacking the roots causes of this violence and abuse. Challenges like the fact that there are four times as many animal shelters as there are shelters for battered women and children. Challenges like that fact that the majority of women living and working in our nations cities are afraid to walk to their cars without some sort of protection. Challenges like the fact that a majority of high school students believe that a women who walks alone at night is "asking to be raped."

In Minnesota we have passed tough laws and stiff penalties for violence predators and rapists. But we also recognize we need to go much further. We know we haven't solved the problem by slamming the prison door after the next rape, the next murder, the next victim.

We must stop the violence before it starts. We need to attack crime closer to the play pen rather than the state pen, closer to the school yard than the prison yard, closer to the kid rather than the con.

We can do this through education and training, but teaching children in the classrooms why is it not OK to sexually harass each other, and by telling parents and educators why it is no longer an acceptable excuse to simply say "boys will be boys." We must change the attitudes in society that foster sexual violence and harassment.

Remarks by Hubert H. Humphrey III -- page 2

In Minnesota we strongly feel that educational institutions have a unique opportunity to strike at the core of sexual violence. The prevention of sexual harassment and sexual violence needs to become an integral part of all schools and post-secondary institutions in your states.

We have passed legislation requiring all schools to compile and post understandable, effective policies to prevent sexual harassment. We require all colleges to present their sexual harassment policies to students at registration. And we even require our Minnesota State High School League to adopt a policy to address sexual harassment and sexual violence toward and by participants.

You will noted from the attached survey that a vast majority of our States Attorneys General speak and/or spend time on sexual violence issues. We're reaching out through public service campaigns, task forces, and partnerships with other law enforcement agencies. We have some interesting and innovative approaches, but there's room for so much more.

This committee has an opportunity to glean the wheat from the chaff. We have the opportunity to learn from our success and our failure and take our individual attacks on the root cause of sexual violence to a new unified, nationwide, all-out war on sexual violence and sexual harassment.

As one principal told my office during one of our many trips to our local schools to discuss these issues, "We have an interesting challenge, to try to teach children to do something very different than what they see in the media every day in terms of sexuality and violence. It really is an issue for our entire society."

Our survey of the states show that a lot of good work is already underway. You have the ability and the position of influence to bring us all together, working to STOP the violence before it STARTS.

Thank you for your time and your urgent attention to this crisis gripping our nation.

- end -

**NATIONAL ASSOCIATION
OF ATTORNEYS GENERAL**

**SURVEY ON SEXUAL
VIOLENCE PREVENTION**



A SURVEY CONDUCTED
BY THE

OFFICE OF MINNESOTA ATTORNEY GENERAL
HUBERT H. HUMPHREY III

JUNE 1994



STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

HUBERT H. HUMPHREY III
ATTORNEY GENERAL

102 STATE CAPITOL
ST. PAUL, MN 55155-1002
TELEPHONE (612) 296-6196

Dear Colleagues:

I am pleased to share the results of the National Association of Attorneys General Sexual Violence Prevention Survey conducted by my office this spring. I would like to thank all of the Attorneys General who participated for their time and efforts in completing this survey.

Following is a summary of the findings. The results indicate that all of the Attorneys General are aware of the problems sexual violence creates in our society. Domestic violence is of particular concern in many of the states responding to the survey. Throughout the country, Attorneys General have developed innovative projects to prevent domestic violence.

All of our states, however, still face a tremendous challenge in the battle to prevent sexual harassment and stranger and acquaintance rape. The survey results indicate that approximately half of the Offices of the Attorneys General have established prevention efforts in these areas. Attorneys General have produced a number of excellent resources to prevent sexual violence in their states. I encourage you to review these results to identify ideas for use in your state. You will find a list of contacts in each state to obtain additional information on sexual violence prevention projects.

Once again, thank you for joining in this national effort to prevent sexual violence. Acting together, Attorneys General have a unique opportunity to make a real difference in reducing violence in society.

Best regards,


HUBERT H. HUMPHREY III
Minnesota Attorney General

Facsimile: (612) 297-4193 • TDD: (612) 297-7206 • Toll Free Line: (800) 657-3787 (TDD or voice)

An Equal Opportunity Employer Who Values Diversity

 Printed on 50% recycled paper (15% post consumer content)

TABLE OF CONTENTS

INTRODUCTION.....	1
METHOD.....	3
RESULTS AND DISCUSSION.....	4
CONCLUSION.....	8
 APPENDICES	
APPENDIX 1: <i>DIVISIONS RESPONSIBLE FOR SEXUAL VIOLENCE PREVENTION.....</i>	<i>9</i>
APPENDIX 2: <i>TOPICS OF ATTORNEYS GENERAL WHO SPEAK AND /OR SPEND TIME ON SEXUAL VIOLENCE PREVENTION.....</i>	<i>11</i>
APPENDIX 3: <i>TYPES OF VIOLENCE ADDRESSED BY OFFICES OF ATTORNEYS GENERAL.....</i>	<i>16</i>
APPENDIX 4: <i>RESOURCES DEALING WITH SEXUAL VIOLENCE PREVENTION PROVIDED BY ATTORNEYS GENERAL.....</i>	<i>17</i>
APPENDIX 5: <i>PUBLIC/PRIVATE PARTNERSHIPS DEVELOPED BY OFFICES OF ATTORNEYS GENERAL.....</i>	<i>23</i>
APPENDIX 6: <i>PARTNERSHIPS FORMED BY ATTORNEYS GENERAL AND OTHER STATE AGENCIES.....</i>	<i>26</i>
APPENDIX 7: <i>PERCENTAGE OF STATES WHICH OFFER/REQUIRE SEXUAL HARASSMENT TRAINING WITHIN THE OFFICE OF ATTORNEY GENERAL.....</i>	<i>29</i>
APPENDIX 8: <i>TARGET AUDIENCES FOR SEXUAL VIOLENCE PREVENTION PROJECTS.....</i>	<i>30</i>

**APPENDIX 9: MECHANISMS FOR COLLECTING DATA
ABOUT SEXUAL ASSAULTS AND
DOMESTIC VIOLENCE.....31**

**APPENDIX 10: LEGISLATIVE INITIATIVES THAT FOCUS ON
SEXUAL VIOLENCE PREVENTION.....35**

**APPENDIX 11: ADDITIONAL PREVENTION PROJECTS
OFFERED BY ATTORNEYS GENERAL.....38**

APPENDIX 12: CONTACTS FOR EACH STATE.....41

INTRODUCTION

Preventing sexual violence has been a top priority in Minnesota Attorney General Hubert Humphrey's administration since 1988, when he formed the blue ribbon Task Force on the Prevention of Sexual Violence Against Women. Created in response to a series of brutal sexual assaults/murders in the Twin Cities, the mission of this Task Force was to find a solution to the threat of sexual violence -- violence that increasingly forced women to avoid parking lots, restrict their activities and arm themselves against thugs and rapists.

The Task Force concluded that prevention of sexual violence does not start when a judge pronounces sentence upon a rapist. To prevent rape, society must break the cycles which perpetuate sexual violence. This requires more than the effort of the criminal justice system. Just as the consequences of sexual violence are felt in families, schools and places of work, play and worship, so must any strategy to prevent sexual violence reach throughout the entire community.

The resources of a community's schools, businesses, religious institutions, civic groups and government must be redirected to change attitudes which foster sexual violence. As the Task Force heard in much poignant testimony, it is better to build healthy children than to punish dangerous adults. An investment in the future of their children may be the best investment a community can make to foster long-term public safety and security.

The Task Force accomplished its mission. The recommendations resulted not only in much tougher penalties for persons convicted of sexual violence, but in legislation requiring a sexual harassment policy in schools throughout the state. Since the Task Force, Attorney General Humphrey has introduced and implemented a number of initiatives to continue his effort to prevent sexual violence.

When he was elected President of the National Association of Attorneys General in 1993, Humphrey, in his acceptance speech, delivered a challenge to every state:

"I ask you, my colleagues, to set this issue of preventing violence against women and children at the top of our agenda. I ask you to tap into the enormous talent of the people who work for each of us. Find new ideas. Seek out new ways to reach the goal of prevention. I ask you to use the power and authority of our office to stop the violence...help the victim ...and restore hope in government and our future. Join me in looking forward with a vision toward a time when we are as successful at preventing crimes as we are at prosecuting criminals."

Attorney General Humphrey initiated this survey to help advance the goal of prevention. The results highlight innovative approaches for preventing sexual violence from across the country, and provide Attorneys General with a resource to continue and expand their efforts in this important area.

METHOD

The National Association of Attorneys General Survey on Sexual Violence Prevention was conducted from January-June 1994. It was sent to all 50 states, the District of Columbia, and United States Protectorates: American Samoa, Guam, The North Mariana Islands, Puerto Rico, and The Virgin Islands.

Eighty percent (45 out of 56) of the surveys were returned. Forty-two states, the District of Columbia, and two Protectorates responded.

States and Protectorates that did not respond do not appear on the charts, nor are they included in the statistics.

RESULTS AND DISCUSSION

All of the offices responding to the survey are doing something to address sexual violence prevention, but only forty-four percent of the offices have a specific division which handles the prevention of sexual violence. The purpose of the divisions varies with each state. Most have an administrative division which spends time on sexual harassment education within the office and have prosecution or victim/witness programs. Other offices have created divisions that deal specifically with prevention projects. (See Appendix 1 for divisions.)

To illustrate, Attorney General Roland Burris of Illinois recently created the Women's Advocacy Division to address issues of violence against women. It works with other organizations to develop legislation, public education campaigns and new program concepts. Other states have developed crime prevention or victims rights divisions which stress education and innovative prevention programs. For many of these divisions it was not possible to determine the amount of time spent specifically on prevention efforts, but the average amount of time that was reported spent is 4.6 people working 13 hours per week, based upon a forty hour work week. Answers ranged from one office that has one person who spends 5% of his/her time on prevention efforts, to another that has a twenty person staff, with employees spending one fourth of their time on a domestic violence conference.

Most (86%) of the Attorneys General speak and/or spend time on sexual violence issues. While most Attorneys General speak about these topics at press conferences and as it relates to the criminal justice system, 15 Attorneys General reported that they have made sexual violence prevention one of their top priorities by conducting conferences, forming task forces, creating new divisions and/or holding forums or chairing committees on these issues. (See Appendix 2 for projects/topics.)

Eighty percent of the offices address the prevention of domestic violence. There are some highly innovative programs offered by the Attorneys General in this area. Ohio Attorney General Lee Fisher and his staff developed Project Wish List in cooperation with local shelters to bring public attention to Domestic Violence Awareness Month. One fund-raiser allowed employees to buy the right to wear casual clothing to the office for one week. All funds and donations were presented to local shelters during a press conference the first day of the month, with encouragement to local groups to start their own projects to break the

chain of inter-generational violence.

In Iowa, Attorney General Bonnie Campbell and her staff organized a statewide domestic violence prevention campaign. Iowa television and radio stations donated air time; newspaper and billboard companies donated advertising space; and local residents developed Public Service Announcements free-of-charge.

While there are many innovative projects addressing domestic violence prevention, 64% of Attorneys General Offices address sexual harassment and 50% have acquaintance and stranger rape prevention programs. Staff of the Attorneys General have a new challenge facing them: how to develop creative initiatives to educate the public about the different forms of sexual violence. (See Appendix 3 for graph and Appendix 11 for projects.)

Eighty-four percent of the offices provide some resources to the general public on sexual violence prevention. Due to the nature of the office, most provide legal assistance, funding, referrals and training programs. Various states have task force recommendations and brochures available. The Hawaii Crime Prevention Unit, for instance, has produced videos dealing with sexual violence prevention that were aired as Public Service Announcements, and are available to the general public. (See Appendix 4 for other resources offered.)

Sixty-one percent of the offices have formed public and/or private partnerships within their states. A few states distribute funding to local sexual violence prevention groups as a part of a multi-state antitrust settlement. Others have formed task forces in which local groups and community representatives participate. Utah Attorney General Jan Graham has Assistant Attorneys General working with community teams to help combat domestic violence and child abuse in the AGREE Program. (See Appendix 5 for partnerships.)

Half of the offices have developed partnerships with other state agencies. Most Attorneys General offer assistance to other state agencies in a legal and advisory capacity. Others serve on task forces and forums with other state agencies. Attorney General Robert Butterworth's Office and Florida's Department of Human Resources have a video exchange program available to the public. (See Appendix 6)

Offices of Attorneys General offer sexual violence prevention projects that are geared toward a variety of audiences. Over half (58%) of the Attorneys General responding offer projects which serve the general public. Twenty-seven percent focus on people in the workplace, 18% work with colleges and 16% in high schools. Four states listed additional

projects that address local law enforcement and medical professionals. (See Appendix 8.) Various task forces have concluded that the support of the entire community is critical to changing the attitudes of men and women about social violence. Educating our country's youth is the essential starting point for making sexual violence prevention efforts succeed.

Almost three fourths (73%) of the offices responding offer sexual harassment training for their staff. Forty-five percent of the offices require their staff to attend and two offices have mandatory training sessions for managers only. (See Appendix 7.) The Minnesota Attorney General's Office requires every staff member to attend sexual harassment training and it has been very successful. Business and community organizations often look to the State Attorney General's Office when developing their sexual harassment policies and training programs. Attorneys General have an opportunity to exert leadership by establishing mandatory sexual harassment programs within their offices.

Eight states have legislation requiring agencies to implement policies on sexual violence or harassment. Some offices mentioned statewide sexual harassment policies that are voluntary rather than required by law. The most commonly found legislation requires law enforcement officers or state agency staff to attend the sessions. The California Legislature mandated that the Office of Criminal Justice have a Family Violence Protection Program which provides domestic violence prevention education to students. In Iowa, all colleges and universities must provide sexual abuse prevention awareness programs during their orientation programs. And in Minnesota, there is a statute requiring all post-secondary institutions to develop and implement campus security plans, including mandatory training to prevent sexual violence and harassment.

All but six states reported that they have sexual assault and domestic violence statistics available. Most have a state agency (e.g. a law enforcement agency) in charge of collecting all crime statistics. Various public and private groups and eight Attorneys General's Offices keep their own sexual violence statistics. (See Appendix 9 for data collection agencies.)

Criminal sanctions for sexual assault and domestic violence run the gamut from straight probation and/or fines for misdemeanors to the death penalty for a rape/murder conviction. Many states indicated they have recently enacted stalking and mandatory counseling legislation, and have increased the penalties for violation of a protection order. Statutes for each state are archived at the National Association of Attorneys General in Washington D.C.

Eighteen states either are developing or have enacted legislative initiatives relating to sexual violence prevention. Most of the new legislation deals with stalking laws and sex offender registries. Attorney General James Doyle's Office sponsored legislation recently enacted that created a biennial budget surcharge to provide state funding for sexual assault programs in Wisconsin. Beginning in January 1995, funds will be granted to programs which have a public education and prevention component. (See Appendix 10 for additional legislative initiatives.)

CONCLUSION

Attorneys General in many states are responding to the challenge of preventing sexual violence. However, from the office that is in the early stages of developing programs to those with well developed programs and strategies, challenges lie ahead.

It is encouraging to note that almost all Attorneys General regularly address this issue in their administrations. As a result, there are many sources for prevention projects within the National Association itself, as well as those offered by community organizations. Sexual violence and sexual harassment are major and pervasive societal problems. It is hoped that the types of initiatives described in this report will serve as a strong foundation for lasting reforms that will reduce the violence and improve the quality of life for all citizens.

APPENDIX 1: DIVISIONS RESPONSIBLE FOR SEXUAL VIOLENCE PREVENTION

California

Crime Prevention Center.

District of Columbia

Domestic Violence Section.

Florida

Victims Services and Criminal Justice Programs.

Guam

Prosecution Division.

Hawaii

Employee Relations Division.

Illinois

Women's Advocacy Division.

Iowa

Crime Victim Assistance and Administrative Divisions.

Kansas

Victims' Rights Program.

Kentucky

Victims Advocacy Division.

Massachusetts

Family and Community Crimes Bureau.

Minnesota

Special Projects Division.

Nevada

Criminal Division: Domestic Violence Project.

New Hampshire

Office of Victim/Witness Assistance.

New Jersey

Division on Civil Rights, Criminal Justice Division, Office of
Victim-Witness Advocacy, Law Enforcement Standards Section.

New York

Administrative and Civil Rights Bureau.

North Carolina

Citizens' Rights Division.

Ohio

The office focuses more on direct services to crime victims than prevention efforts.

Puerto Rico

Sexual Crimes Division.

Rhode Island

Domestic Violence Coordinator.

Criminal Division prosecutes all sexual assaults.

South Carolina

Criminal Prosecution and Victim Assistance.

Utah

The Child Abuse Unit handles some public education as to child victims.

Vermont

Child Protection Unit-Criminal Justice Division.

Washington

There are attorneys doing civil commitments of sexually violent predators under the state's Community Protection Act. Also, Assistant Attorneys General do juvenile work (termination of parental rights).

Wisconsin

- 1) Office of Crime Victim Services.
- 2) Division of Law Enforcement Services-Crime Prevention Services.

APPENDIX 2: TOPICS OF ATTORNEYS GENERAL WHO SPEAK AND/OR SPEND TIME ON SEXUAL VIOLENCE PREVENTION ISSUES

Arizona

Attorney General Woods speaks on sexual violence prevention topics as appropriate (sexual harassment is under the jurisdiction of the Civil Rights Division).

California

Attorney General Lungren's office has been active in the legislative arena on domestic violence bills; also, Attorney General Lungren has spoken on domestic violence.

Colorado

Attorney General Norton addresses these issues as a part of victims rights efforts, especially legislative proposals concerning sexual violence.

Delaware

Attorney General Oberly has a special nine-person unit to prosecute sex crimes.

District of Columbia

Attorney General Ruiz speaks at town meetings with the D. C. Mayor addressing various criminal issues, including sexual violence.

Florida

There have been special legislative issues addressed by Attorney General Butterworth.

Hawaii

Attorney General Marks is the head of the State Law Enforcement Coalition which proposed legislation, including bills on sexual and domestic violence. The Criminal Justice Division and Employee Relations Division work with the Attorney General on these issues.

Idaho

Attorney General EchoHawk addresses these issues as a part of legislation or cases handled on appeal.

Illinois

Attorney General Burris convened and conducted an Emergency Summit as well as statewide hearings to review Domestic Violence statutes. The office also rewrote Criminal Sexual Abuse laws to eliminate spousal exemptions.

Iowa

Attorney General Campbell's office has conducted "acquaintance rape" forums on 30 Iowa college campuses. She also lobbies for legislation advocating the prevention of violence against women, and was the NAAG representative before Congress. Prevention of violence against women is a priority in her administration.

Kansas

Attorney General Stephan's office established a Victims' Rights Task Force in 1988, subcommittees include prevention of sexual violence and domestic violence.

Kentucky

Attorney General Gorman has Task Forces on Child Sexual Abuse and Domestic Violence Crimes.

Maryland

Attorney General Curran chaired an advisory counsel on family legal needs that addressed domestic violence and proposed legislation to improve domestic violence protection. He has also supported and spoken in favor of stalking laws.

Massachusetts

Attorney General Harshbarger spends time on police training, public speaking, legislative proposals, and support for prevention programs (e.g., teen dating, violence prevention).

Minnesota

Attorney General Humphrey held forums on over 100 college campuses to discuss sexual harassment, date rape and campus violence prevention. He co-hosted and organized a conference for Women In State Employment on prevention of sexual harassment. He also has conducted numerous surveys of students from the elementary to post-secondary level. His office developed the "Talking Together" training forum for students on college campuses. Attorney General Humphrey co-hosted with the Minnesota Higher Education Board a conference for post-secondary students.

Mississippi

Attorney General Moore speaks on sexual violence issues as they relate to the criminal justice system.

Montana

Attorney General Mazurek has addressed the topic in speeches, including domestic violence awareness rallies, etc.

Nevada

Domestic violence, including sexual violence, is a primary focus of attention for Attorney General Frankie Sue Del Papa. She chaired the Nevada Commission on Women in 1992, and is leading a statewide effort to create a standard medical protocol for providers who encounter domestic violence victims in their emergency rooms, clinics or offices. She uses every opportunity to educate and expand support for addressing and reducing the incidents of domestic and sexual violence.

New Hampshire

Attorney General Howard is a member of the Domestic Violence Protocol Advisory Committee. Attorney General Howard chairs the Law Enforcement Response Subcommittee. He is on the Governor's Commission on Domestic Violence. The issue of domestic violence is a priority in his office.

New Jersey

Attorney General Poritz's office meets with coalitions on domestic violence and sexual assault. She also speaks on these and related topics at conferences throughout the year and at "Crime Victim Rights Conferences."

New York

Attorney General Koppell has testified on proposed state legislation dealing with domestic violence and other types of violence.

North Carolina

Attorney General Easley created a new division (Citizens' Rights) to address a number of issues of concern--victims' rights is one of those areas, specifically in the area of sexual abuse (including child and elder sex abuse).

North Dakota

Attorney General Heitkamp has addressed the issue at press conferences and public gatherings.

Ohio

Attorney General Fisher speaks out against sexual violence and advocates change on behalf of victims.

Oklahoma

Attorney General Loving speaks on sexual harassment and other matters relating to the Criminal Justice System.

Pennsylvania

Attorney General Preate's office initiated a major legislative reform of the sexual assault laws.

Puerto Rico

Secretary of Justice Pierluisi frequently addresses these issues in press conferences and interviews.

Rhode Island

Attorney General Pine makes numerous public appearances; participates on two Task Forces; and communicates extensively with law enforcement agencies and advocacy groups on these issues.

South Carolina

Domestic Abuse and Sexual Violence are two issues that are addressed as part of the overall legislative package submitted by Attorney General Medlock to the General Assembly.

South Dakota

Attorney General Barnett speaks on these topics at public gatherings and training seminars. He is also active in sponsoring and supporting legislation in this area.

Tennessee

Attorney General Burson presented a statewide conference on Domestic Violence in May of 1994.

Texas

Attorney General Morales and his office work with victim and family violence organizations. They attend, address and host conferences dealing with sexual violence. The agency also actively supports legislation in this area.

Utah

Attorney General Graham often speaks on domestic violence and child protection issues.

Vermont

Violence against children is probably Attorney General Amestoy's number one focus in public remarks.

Virginia

Attorney General Gilmore's agenda for the office has emphasized law enforcement. The prevention of sexual violence in particular has been a high priority.

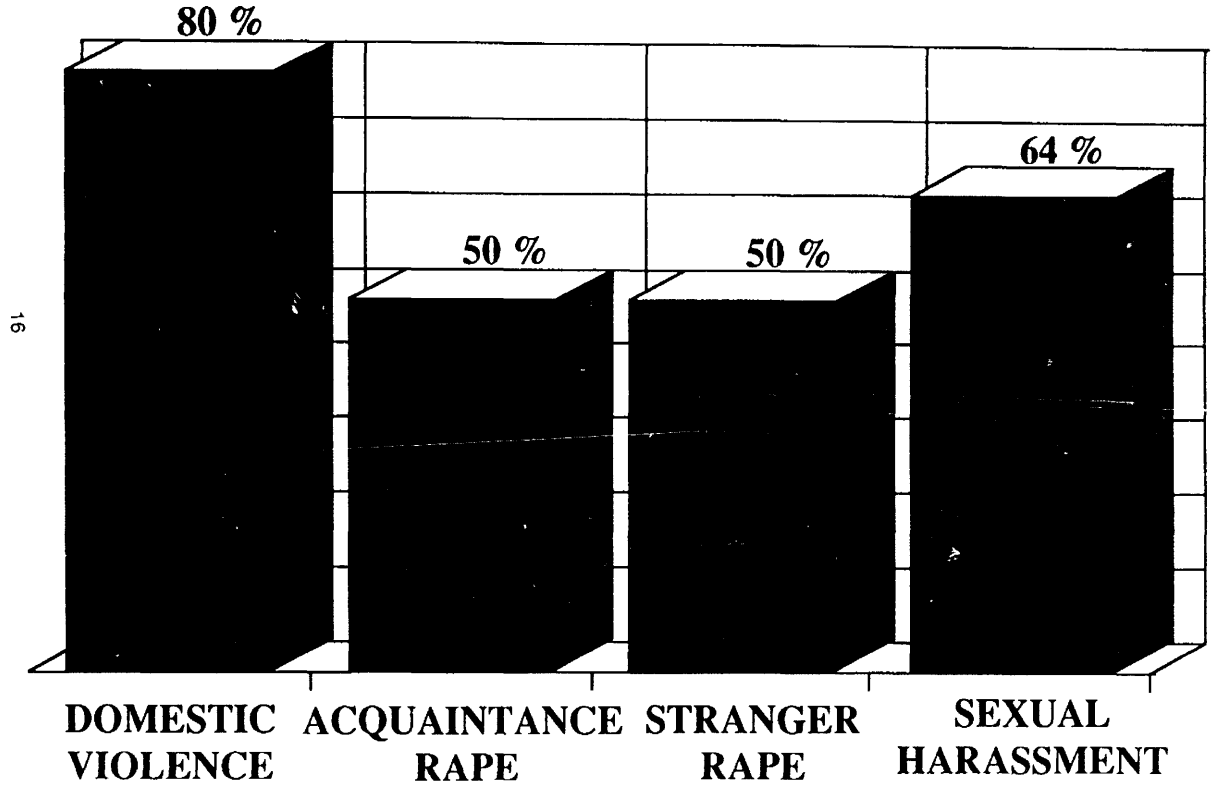
Washington

Attorney General Gregoire has made prevention of child abuse and neglect a priority policy for her administration.

Wisconsin

Attorney General Doyle has spoken at numerous conferences and training sessions. The 1993 Attorney General's Law Enforcement Conference focused on sensitive crimes including sexual violence against adults and children.

APPENDIX 3: TYPES OF VIOLENCE ADDRESSED BY OFFICES OF ATTORNEYS GENERAL



APPENDIX 4: RESOURCES DEALING WITH SEXUAL VIOLENCE PREVENTION PROVIDED BY ATTORNEYS GENERAL

Arizona

Memos are distributed to employees on how the office defines and treats sexual harassment.

California

Domestic Violence Prevention Handbook. Sexual Violence Prevention Handbook.

Colorado

The office provided input and legal review for the Domestic Violence Criminal Justice Manual; it also requested federal funding and grants for training projects for prosecutors of domestic violence cases.

Connecticut

The Criminal Justice Division prosecutes all types of violence.

Delaware

The office advises victims and witnesses on legal procedures regarding prosecution by phone, letter, or in person.

District of Columbia

Information sheets, including referrals for counseling & other social services.

Florida

Victims Service provides training, law enforcement and school resource officer training.

Georgia

The office assists in defending convictions if appealed or challenged by writ of *habeas corpus*.

Guam

The office offers training and a domestic violence protocol.

Hawaii

The Crime Prevention Unit produced a number of videos on domestic violence, stranger rape and acquaintance rape, which have been aired on local television stations and which are available to the public. The Employee Relations Division provides client training and education on prevention, and defends the state employer in sexual harassment claims.

Idaho

The office handles trials and appeals.

Illinois

Domestic Violence Prosecutorial Protocol. The Women's Advocacy Division hosted seminars on how to implement the new stalking law and initiated an Emergency Summit on Domestic Violence and produced an Emergency Summit Report. They organize domestic violence training for law enforcement and prosecutors. The office also offers referrals, and a Handbook on Women's Rights for women in need of assistance.

Iowa

Attorney General Campbell conducts community forums on domestic violence. The office has produced a brochure on stalking. They consult with victims for referral. The office has established a 24-hour domestic abuse hotline.

Kansas

The office has a resource directory. The office offers training if requested and funding through the Crime Victims' Assistance Fund, and produces resource materials.

Kentucky

Attorney General Gorman's Task Force Recommendations.

Brochures on the following topics:

Sexual Assault/Abuse: A Hospital/Community Protocol for Forensic and Medical Examination.

Adult Abuse, Neglect and Exploitation: A Medical Protocol for Health Care Providers and Community Agencies.

Model Police Policy.

Model Community Response.

Prosecutor's Manual on Domestic Violence.

Family Violence Prevention Curriculum and Brochure.

School Health Matrix: Domestic Violence on Children.

Kentucky Bar Association-Domestic Relations.

Attorney General Gorman's article in Kentucky's Hospital Association Magazine.

Maryland

The office has a *pro bono* program that handles domestic violence cases, has advised state agencies and trained assistants and staff on sexual harassment.

Massachusetts

Attorney General Harshbarger's staff offers training to police, medical and dental professionals, and court personnel. The office also offers legal support for legislation to the Massachusetts Office

Victim Assistance and legislators. They also provide *amicus* support to District Attorneys.

Their publications include:

Report on Domestic Violence-A Commitment to Action.

Domestic Violence: The Challenge For Law Enforcement.

Family Violence: The Health Provider's Role In Assessment and Intervention.

Current Issues in Campus Law Enforcement.

Michigan

The most important resources Attorney General Kelley's Office provides are legal counsel and advice, and in certain cases, prosecution. A hotline that may be used to report patient abuse in nursing homes is a major source of information regarding patient rapes in nursing homes. The office has also directly participated in service training for the various state agencies regarding sexual harassment laws.

Minnesota

A resource list was developed for colleges on sexual harassment and assault prevention information. Sexual violence legislative updates have been prepared for concerned citizens during the legislative sessions. The office distributed information packets to all institutions of higher education in Minnesota. The office purchased 175 "Campus Rape" videos and sets of awareness ads for post-secondary institutions in Minnesota. The office has conducted yearly surveys of post-secondary institutions since 1990. It recently developed one for elementary, junior and senior high schools as well. The office also developed "Talking Together," a training forum for post-secondary students that deals with the issue of sexual violence and alcohol abuse.

Mississippi

The office provides training for victim assistance coordinators and law enforcement officers.

Nevada

The Office has a Domestic Violence Handbook for victims and professionals.

New Hampshire

The Director of the Victim/Witness Assistance Program has created a mandatory victimization/sexual assault training course for police recruits and probation/police officers. The Director also chaired the New Hampshire Sexual Assault Protocol Project. The office is currently involved in numerous legislative committees working on issues such as sexual assault and harassment in post-secondary institutions, and development of training for police, prosecutors and judges on domestic violence and sexual assault. Attorney General Howard also has established a standing committee, The Task Force on Child Abuse and Neglect.

New Jersey

Several brochures have been produced (the last two in English and Spanish):

The New Jersey Child Assault Prevention Project.

Help For Crime Victims!

Information For Victims and Witnesses of Crime.

Understanding Sexual Assault and Child Sexual Abuse.

What Health Care Providers Should Know About Sexual Assault and Child Sexual Abuse.

- What You Should Know About Sexual Assault and HIV/AIDS.

What Women Should Know about Sexual Assault and Sexually Transmitted Diseases.

New York

Materials are provided during staff sexual harassment training.

North Carolina

The Citizens' Rights Division participates in prosecuting child sexual abuse cases, including preparing appellate briefs, and is currently shaping a number of policies involving sexual violence.

North Dakota

The office is currently hiring a domestic violence program coordinator to develop a 5-year strategy to address domestic violence.

Ohio

The office is an administrator of state and federal assistance grants. They work actively with local service providers and state coalitions, and support legislative efforts to benefit crime victims.

Pennsylvania

Attorney General Preate has issued office sexual harassment policies.

Puerto Rico

The office has issued an Administrative Order on Sexual Harassment. All domestic violence cases are handled by prosecutors in the 12 District Attorneys Offices, supervised by the Attorney General. Ninety percent of the rape cases are handled by those offices.

Rhode Island

The Criminal Division acts as a resource for police department investigations and prosecutes felony stalking cases. The Criminal Division also provides services to victims of all crimes, including sexual assault. A specific protocol was designed for domestic violence. The Victim Services Unit provides service to victims of all crimes; because of the nature of sexual violence, a large percentage of the victim services are rendered to victims of sexual assault.

South Carolina

Domestic abuse and sexual violence are two issues that are addressed as part of the overall legislative package submitted to the General Assembly.

South Dakota

The office issues a number of official and unofficial oral and written opinions in this area. They assist other state agencies in producing written materials. The office also prosecutes violations of the law in these areas.

Texas

Attorney General Morales' office provides materials and training to employees on sexual harassment. The office is also in the process of developing brochures on protective orders and stalking.

Utah

The Prosecution Council provides training. The Attorney General Regional Exchange Program focuses on public education on domestic violence issues.

Vermont

A prosecution manual was produced for child sexual abuse cases. Legal assistance is given to police and local prosecutors. Information booklets on child sexual abuse.

Virginia

The office has developed guidelines concerning sexual harassment. The office defends cases involving sexual harassment claims against state employees as well as claims against state agency personnel who discipline employees for engaging in sexual harassment. The office also defends criminal convictions on appeal which involve domestic violence and rape.

Washington

The office provides representation and advice to state agencies on sexual harassment matters. They also have an aggressive internal program on sexual harassment.

Wisconsin

Developed legislation for sexual assault programs. In the 1993-1995 biennial budget a surcharge was created to provide state funding for sexual assault programs. Beginning January 1995, funds will be granted to programs which have a public education and prevention component. Provided training to law enforcement, victim/witness professionals; sponsored conferences; provided funding for victim/witness services; and directed compensation to sexual assault and domestic violence victims.

APPENDIX 5:PUBLIC/PRIVATE PARTNERSHIPS FORMED BY ATTORNEYS GENERAL

California

The Attorney General's Office is on the Advisory Committee to the Judicial Council, which is implementing a statewide domestic violence prevention project.

Colorado

The office works on victims rights issues with victims groups/state social services.

District of Columbia

The office works with the D.C. Coalition Against Domestic Violence. They also assist private attorneys who do *pro bono* domestic violence work.

Guam

The office is in the process of creating private partnerships.

Hawaii

The videos previously referred to were aired on local television stations as public service announcements.

Illinois

The office facilitates funding through the Crime Victims Assistance Program.

Iowa

Attorney General Campbell has conducted forums on public and private college campuses across Iowa.

Kansas

The office is working with sexual assault centers, drafting and supporting legislation.

Kentucky

The office has worked with the Kentucky Medical Association, the Child Victim's Trust Fund and Programs, the Kentucky State Police and the Cabinet for Human Resources.

Maryland

The Attorney General chaired an advisory council on the family legal needs that addressed domestic violence.

Massachusetts

The office has partnerships with medical and dental organizations for training professionals, as well as with private industry regarding awareness campaigns.

Minnesota

Violence Against Women Coalition: Attorney General Humphrey co-chairs the organization to increase public awareness and break this cycle of violence through education. Attorney General Humphrey formed a Sexual Violence Task Force and Attorney General Office staff serve on the Turn Off The Violence Coalition.

Montana

Montana Board of Crime Control: Attorney General Mazurek is a member of the board which provides grants to programs which address sexual violence issues.

Nevada

Domestic Violence Advocates: the office has formed partnerships with local groups to address domestic and sexual violence. Medical providers and the Nevada U.S. Attorney's Office: partnership to address domestic and sexual violence.

New Hampshire

Police recruits and probation/police officers: the Director of the Victim/Witness Assistance Program has created a mandatory victimization/sexual assault training course for police recruits and probation/police officers. New Hampshire Sexual Assault Protocol Project, the director is the chair of the project. The office is currently involved in numerous legislative committees.

New Jersey

Advisory Board to the Office of Prevention of Violence Against Women: the office is on the board. Governor's Advisory Committee. Supreme Court Group on Domestic Violence.

North Carolina

Child Victim Assistance Project program to address the needs of child sexual assault victims.

North Dakota

Alliance for the Prevention and Treatment of Sexual Abuse: the office has members who serve on the board of directors.

Puerto Rico

Community groups and government agencies: participate in conferences/seminars on domestic violence organized by Attorney General's office.

Rhode Island

Domestic Violence Working Group. Attorney General Pine's Task Force on Sexual and Violent Physical Abuse of Children. Both task forces draw members from local law enforcement and community agencies and deal with all aspects of sexual violence including prevention and awareness.

South Carolina

Attorney General Medlock's Task Force on Crime and Violence includes community, civic, law enforcement, education and political representation. Attorney General's Task Force on Crime and Violence in the Schools.

South Dakota

Department of Corrections: Attorney General Barnett's office assists them in the development of training programs and materials. Law Enforcement: the office assisted in training. Department of Social Services. Division of Human Rights.

Tennessee

Attorney General Burson has designated two organizations which address domestic and sexual violence as charities to receive monies from an anti-trust settlement.

Texas

Court Appointed Special Advocates (CASA): Attorney General Morales' office administers the program. Crime Victims Compensation Fund for Texas: deals with individuals after victimization. The need for successful prevention and education efforts has been a component of agency criminal justice conferences in the past. Victim's rights organization: the office routinely meets with local groups to discuss needed policy and legislative changes.

Utah

AGREE Program involves Assistant Attorneys General working with community teams to make a difference on domestic violence and child abuse.

Washington

The office is working on a workgroup for children's issues. They are also considering action/involvement in domestic violence arena.

Wisconsin

On-going relationship with Wisconsin Coalition Against Sexual Assault and Wisconsin Coalition Against Domestic Violence.

APPENDIX 6: PARTNERSHIPS FORMED BY ATTORNEYS GENERAL AND OTHER STATE AGENCIES

Delaware

The office has agreements with child protection services, schools and police regarding procedures.

District of Columbia

The D.C. Attorney General's Office works closely with the U.S. Attorney's Office.

Florida

Human Resource Service Rape Awareness Program exchange of videos.

Guam

Attorney General Barrett-Anderson's office is the lead agency in putting together The Governor's Family Violence Task Force.

Illinois

State agencies participated in the Domestic Violence Task Force and the Women's Advisory Commission.

Kentucky

The following agencies: Department of Education, Kentucky State Police, Kentucky Supreme Court, Kentucky Bar Association and Administrative Office of the Courts.

Maryland

Assistants from their office have provided sexual harassment training for Department of Education administrators.

Massachusetts

Department of Education, Massachusetts Criminal Justice Training Council and the Massachusetts State Police training and protocols.

Minnesota

Co-hosted and organized a conference with Women In State Employment (WISE) on sexual harassment. Higher Education Coordinating Board: Co-hosted and organized a conference on sexual harassment policies, also worked with them in the report per the Legislature. The Minnesota Department of Education provides input into the development of the survey instruments.

Nevada

The office is currently soliciting other state agency participation in domestic violence awareness and education.

New Hampshire

Attorney General Howard is a member of the Domestic Violence Protocol Advisory Committee. He chairs the Law Enforcement Response Subcommittee. Attorney General Howard is also on the Governor's Commission on Domestic Violence. Attorney General Howard has a Task Force on Child Abuse and Neglect, in which the Department of Education participates.

New Jersey

Department of Community Affairs and Department of Health and Human Services.

North Carolina

The new division is currently forming partnerships with various state agencies: Department of Human Resources, Department of Public Institutions, etc.

Ohio

Ohio Department of Health: the office is developing a training program with them for hospital staff and developing and implementing a protocol for adult sexual assault survivors.

Oklahoma

The office serves on a board which addresses substance abuse, and the domestic violence related to it.

Puerto Rico

Judiciary officials and police participate in conferences/seminars on domestic violence organized by the Attorney General's Office.

South Carolina

Attorney General Medlock's Task Force on Crime and Violence includes members of the South Carolina Department of Education, and the Attorney General's office provides representatives to the Department of Education's Action Group on School Safety.

South Dakota

Department of Corrections: Attorney General Barnett's office assists them in the development of training programs and materials. Law Enforcement: the office assisted in training Department of Social Services and the Division of Human Rights.

Vermont

Social Rehabilitation Services Department of Sexual Abuse, Public Safety and Victims Advocate.

Washington

Working with State Social Service Agency.

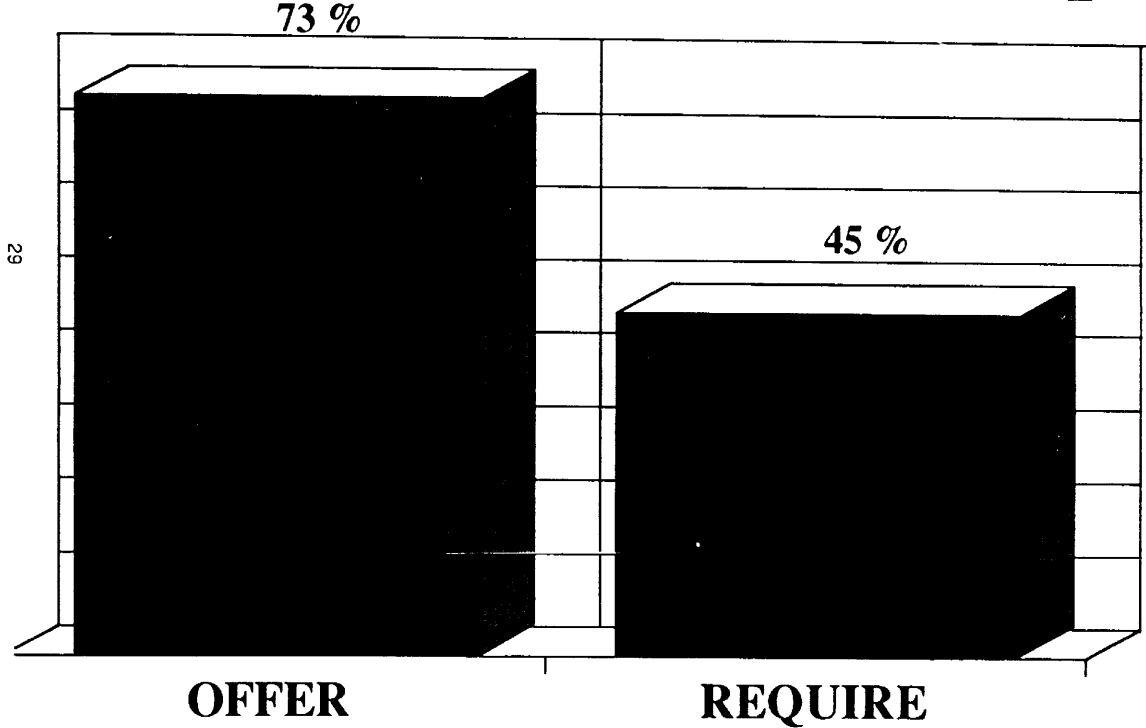
Wisconsin

On-going relationships with Department of Public Instruction, Department of Health and Social Services and the Children's Trust Fund (Child Abuse Neglect and Prevention Board.)

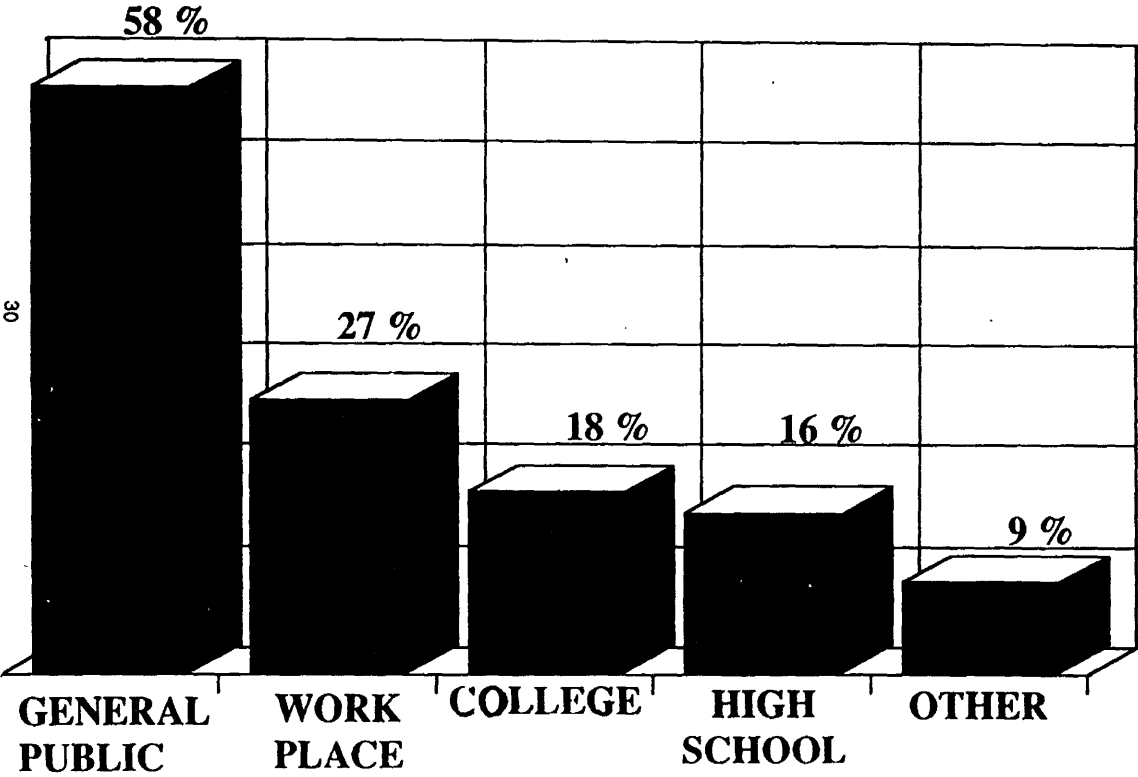
Wyoming

The Crime Victims Compensation program is a part of the Wyoming Attorney General's office and the office works closely with them. They do education on all victim-related issues as part of the requirements implementing of the Victims Of Crime Act.

**APPENDIX 7: PERCENTAGE OF STATES THAT OFFER
OR REQUIRE SEXUAL HARASSMENT TRAINING
WITHIN THE OFFICE OF ATTORNEY GENERAL**



APPENDIX 8: TARGET AUDIENCES FOR SEXUAL VIOLENCE PREVENTION PROJECTS



APPENDIX 9:MECHANISMS FOR COLLECTING DATA ABOUT SEXUAL ASSUALTS AND DOMESTIC VIOLENCE

Arizona

The Arizona Department of Public Safety (state police) collects all state crime statistics. The Governor's Office for Women is also a statistic-gathering office.

California

Law enforcement agencies are statutorily required to report monthly to the Attorney General on domestic-violence-related calls for assistance and to indicate which cases involved the use of a weapon.

Colorado

The Colorado Bureau of Investigation and Criminal Justice Commission collect data to be published.

Connecticut

There is a statutory requirement for the state police to collect data.

Delaware

Some statistics are collected in Dover. The Rape Unit also keeps some statistics.

District of Columbia

The courts have statistics on civil protection orders; police and the U.S. Attorney's office have statistics on arrests and convictions. Corporate counsel also has statistics on the number of arrests.

Florida

Statistics are collected through the Florida Department of Law Enforcement, Uniform Crime Report.

Georgia

The Georgia Crime Information Center collects all statistics.

Guam

The Guam Police Department's statistician collects all data.

Hawaii

The AGO Crime Prevention Division works with the Uniform Crime Reporting Program to compile and analyze statistics. Sexual discrimination and harassment complaints are filed with the Hawaii Civil Rights Commission, the Office of Affirmative Action and the Civil Service Commission.

Idaho

The Idaho Department of Law Enforcement keeps all records for the state.

Iowa

The Department of Public Safety collects law enforcement statistics. The Crime Victim Assistance Division collects data from victim service agencies.

Kansas

All reports of sexual assaults and domestic violence in Kansas are forwarded to the Kansas Bureau of Investigation, which is under the direction of the Attorney General's Office.

Kentucky

Attorney General's Office-Domestic Violence Homicides/Suicides Research Initiatives. Kentucky State Police, Kentucky Spouse Abuse Centers, Cabinet for Human Resources-Adult Domestic Violence and Child Sexual Assault (mandatory reporting.)

Maryland

The Uniform Crime Reporting Office of the Maryland State Police keeps data on battered spouses and rape.

Massachusetts

State Police are required to indicate domestic violence incidents. The Domestic Violence Registry records all restraining orders sought.

Minnesota

The Bureau of Criminal Apprehension collects statistics in Minnesota.

Montana

The Montana Board of Crime Control uses a voluntary reporting system. Local law enforcement agencies report and the Board keeps the statistics. Most agencies participate.

Nevada

The Department of Motor Vehicles compiles statistics prepared by local peace officers. They are required by law to prepare written reports on domestic violence calls to which they respond.

New Hampshire

The Uniform Crime Report keeps state statistics. The Coalition Against Domestic and Sexual Violence (working with the Attorney General) keeps statistics on the number of victims seeking assistance. The Attorney General's Office has also conducted two surveys on domestic violence, resulting in significant legislation and policy changes.

New Jersey

The New Jersey State Police collect all crime statistics.

New York

The New York State Office for the Prevention of Domestic Violence collects information about the number of incidents of domestic violence that are reported.

North Carolina

The North Carolina Council on Status of Women. The Citizens' Rights Division collects data based on complaints and inquiries from the public.

North Dakota

The State Bureau of Criminal Investigation, which is under the supervision of the Attorney General's Office, collects such data.

Ohio

The Bureau of Criminal Identification and Investigation receives reports from local law enforcement agencies each month on domestic violence. There are no mechanisms for collecting data on sexual assault.

Oregon

Law Enforcement Data System and the Sex Offender Registry keep crime statistics in Oregon.

Pennsylvania

The Pennsylvania State Police, Department of Corrections and the Commission on Crime and Delinquency all compile statistics on sexual violence.

Puerto Rico

Statistical information is gathered by the local Department of Justice and the Criminal Justice Information System.

Rhode Island

Law enforcement agencies and the court system compile data for all crimes, including sexual violence crimes.

South Carolina

The sex offender registry and the South Carolina Law Enforcement Division collect data in regard to sexual assault and domestic violence.

South Dakota

Statistics for South Dakota are collected by the South Dakota Criminal Statistics Analysis Center which is a division of the Attorney General's Office.

Tennessee

The Tennessee Sentencing Commission collects data concerning all convictions for criminal offenses in the state. The Executive Secretary of the Administrative Office of the Courts is also required by law to compile data concerning all domestic violence investigations.

Texas

All data relating to crime in Texas is collected and maintained by the Texas Department of Public Safety.

Utah

Law Enforcement Agencies are required by law to keep records and identify domestic violence cases with a specific code.

Vermont

Judiciary, State's Attorneys, and state law enforcement independently collect statistics.

Virginia

The Department of Criminal Justice Services maintains statistics, the Department of Health collects data on sexual assaults, the Department of Social Services for Domestic Violence, and coalitions against domestic violence and sexual assault also compile statistics.

Washington

There is a commission which maintains statistics on various crimes regarding sentencing guidelines, as may some private groups in the state.

Wisconsin

The Department of Justice receives incident-based reports of domestic violence and produces a biennial report. The Office of Justice Assistance collects data from law enforcement personnel and produces an annual report.

Wyoming

The Department of Criminal Investigation collects and compiles data on all crimes in the state including sexual assault and domestic violence.

APPENDIX 10: LEGISLATIVE INITIATIVES THAT FOCUS ON SEXUAL VIOLENCE PREVENTION

California

The office has sponsored legislation for the child sexual abuse pilot project, as well as evidentiary reforms for child sexual abuse prosecutions.

Delaware

There is legislation pending regarding a registry for sex offenders.

Guam

Attorney General Barrett-Anderson's office is currently working on these issues with the Legislature.

Illinois

The Women's Advocacy Division initiated the stalking law, rape shield, and legislation regarding domestic violence, sexual assault, stalking and sexual harassment. They also rewrote the Criminal Sexual Abuse Statutes to eliminate spousal exemptions, and led the fight in the Victims Rights Amendment and Enabling Legislation.

Iowa

Attorney General Campbell's office sponsored the Iowa stalking legislation passed in 1992. They introduced a bill for a sex offender registry this year.

Kentucky

State Awareness Prevention Campaign. Bill drafts.

Maryland

The Attorney General proposed and testified in favor of improved domestic violence protections. The legislation was passed.

Michigan

Attorney General Kelly issued an opinion in 1985 which concluded that police officers could arrest a suspect in domestic violence cases even if they were not present as eye witnesses to the offense. That opinion was the first of its kind in this area.

Minnesota

Education requirements: require schools to have understandable, effective policies; require post-secondary institutions to adopt clear, understandable policies and provide them to students; supported High School League to adopt a policy which addresses sexual harassment/violence toward/by participants; require all public and private post-secondary institutions to establish sexual violence programs, escort services and campus security plans which address better protection and services for victims.

Nevada

The office has supported comprehensive domestic violence laws and is sponsoring a domestic violence symposium for the 1995 legislative session.

New Hampshire

The office is currently working on legislation to develop training on sexual assault and domestic violence for police, prosecutors and correctional personnel. Attorney General Howard's Task Force has worked with the Department of Education to develop training for educators and students. There is a state mandate requiring sexual harassment training for all state employees.

New Jersey

There is a state-wide policy on sexual harassment in the workplace.

New York

The Governor has a legislative initiative of this sort.

North Carolina

Other state organizations have formed partnerships. For example, allowing officers to arrest without a warrant when a spouse is afraid to bring charges.

Rhode Island

There has been legislation dealing with domestic violence but none focusing specifically on sexual violence prevention.

South Carolina

Domestic abuse and sexual violence are two issues that are addressed as part of the overall legislative package submitted to the General Assembly.

South Dakota

The Office has developed legislation: initiating an act to increase the penalty for stalking if there is a protection order in effect; a sex offenders registry; and legislation to increase the length of protection orders.

Vermont

The office initiated legislation on a stalking act which was passed.

Virginia

A criminal statute prohibiting stalking proposed by the past administration's Task Force on Domestic Violence was enacted in 1992.

Wisconsin

In the 1993-1995 biennial budget a surcharge was created to provide state funding for sexual assault programs. Beginning January 1995 funds will be granted to programs which have a public education and prevention component.

APPENDIX 11: ADDITIONAL PREVENTION PROJECTS OFFERED BY ATTORNEYS GENERAL

California

Child sexual abuse handbook, child-victim witness investigative pilot project (3-year project).

Delaware

The office often speaks to groups to review precautions people can take to avoid being victimized.

Illinois

The Women's Advocacy Division worked on legislative initiatives on behalf of women including: sexual harassment, sexual assault, victims rights, stalking and domestic violence. They also hosted seminars on how to implement the new stalking law and initiated an Emergency Summit on Domestic Violence.

Iowa

The office did a public awareness campaign on domestic abuse including billboards, newspaper ads, radio and television public service announcements. All media forms and development costs were donated.

Kansas

Attorney General Stephan has a Committee on Crime Prevention.

Kentucky

Child Victim's Trust Fund and Grant History. Curriculum on Family Violence Prevention. Curriculum on Model Parenting and Family Life Skills.

Massachusetts

Student conflict resolution programs; many other projects of which this is a part. Family Crimes Bureau-sexual violence prevention is a main focus of the Bureau.

Minnesota

Turn Off the Violence: office members serve on the committee. The committee developed an organizer's guide for communities to establish their own projects. Talking Together: addresses interpersonal violence on campus and its relation to drug and alcohol use.

Nevada

Nevada Commission on Women and the Nevada U.S. Attorney's Office: the office is collaborating on a womens' legal rights handbook. Attorney General Frankie Sue Del Papa is also seeking to insure that domestic violence victims will not be denied health insurance coverage because of previous injuries resulting from domestic abuse under a pre-existing conditions exclusion. An investigation is currently under way.

New Hampshire

Governor's Commission on Domestic Violence, of which Attorney General Howard is an active member, is developing a public awareness campaign covering domestic violence. New Hampshire is also the first state to recognize out-of-state restraining orders.

Puerto Rico

Conferences on sexual abuse are given in schools, low income housing projects, and information is given to local media. Federal funds are distributed among various projects, such as "Casa Julia De Burgos," a shelter for abused women. Psychological help is available through other centers such as the Center for Assistance of Rape Victims and the Clinic for Sexual Abuse, in addition to basic necessities. The Pediatric Hospital offers multidisciplinary services for child abuse including sexual abuse. The Department of Justice has a program for witness and victim protection which provides all of the above-mentioned services, in addition to the relocation of witnesses outside Puerto Rico.

South Carolina

Attorney General Medlock's office donates monies to charitable organizations that benefit women through the Ked's Corporation anti-trust settlement fund.

Texas

The office recently created a Juvenile Crime Intervention Division which deals with the prevention of crimes, including sexual violence, by youth.

Vermont

Child Fatality Review Team and Law Enforcement Task Force on Child Abuse.

Virginia

Many of the responses to this survey are based on policies which existed under the past administration which left office 1-14-94. It is anticipated that Attorney General Gilmore, who has a strong commitment to law enforcement issues, will focus more attention on these areas.

Wyoming

Department of Health currently houses the state Office on Family Violence and Sexual Assault which provides state funding/monitoring of county based programs/shelters.

APPENDIX 12: CONTACTS FOR EACH STATE

State	Contact	Phone
AL	Dean J. Guanell, Administrator-Criminal Division	907-465-3428
AZ	John MacDonald, Director-Government Affairs	602-542-4266
CA	Janet E. Neeley, Deputy Attorney General	916-324-5257
CO	Timothy M. Tymkovich, Solicitor General	303-866-3052
CT	Jack Cronan, Executive Assistant-State's Attorney	203-265-2373
DE	Doris Schnee, Social Worker	302-577-2326
DC	John McCabe, Corporation Counsel-Domestic Violence	202-727-4865
FL	Patricia Gleason, General Council	904-488-9853
GA	Neal B. Childers, Assistant Attorney General	404-656-3355
Guam	Frances Tydingco-Gatewood	671-475-3324
HI	Sherri-Ann Loo and Lawrence Goya, Deputy Attorneys General	808-586-2900
ID	Mike Kane, Deputy Attorney General	208-334-4540
IA	Marti Anderson, Crime Victim Assistance Program	515-281-5504
IL	John Stevens, Chief Counsel	217-782-9003
KS	Julienne A. Maska, Statewide Victims' Rights Coordinator	913-296-2215
KY	Marcia W. Johnson, Director-Victims' Advocacy Division	502-564-7600
MD	John J. Capowski, Director-In House Education and Training	410-576-6561
MA	Diane S. Juliar, Chief-Family and Community Crimes Bureau	617-727-2200
MI	Stanley D. Steinborn, Chief Assistant Attorney General	517-373-1110
MN	Maureen Kucera, Director-Special Projects/Cathy Haukedahl-Solicitor General	612-296-6196
MS	Pat Flynn, Assistant Attorney General	601-359-3809
MT	Elizabeth S. Baker, Assistant Chief Deputy Attorney General	406-444-2026
NV	Frances Doherty, Deputy Attorney General	702-687-7308
NH	Sandra Matheson, Director-Victim/Witness Bureau	603-271-3671
NJ	Heddy Levine-Sabol, Program Development-Criminal Justice Division	609-292-5959
NY	Shelley B. Mayer, Counsel to the Executive Committee	212-416-8036

APPENDIX 12: CONTACTS FOR EACH STATE

NC	Wanda G. Bryant, Senior Deputy Attorney General	919-733-3377
ND	Jim Vukelic, Assistant Attorney General	701-221-5506
OH	Patricia L. Rupich, Senior Policy Analyst	614-644-1234
OK	Doug Allen, First Assistant-State of Oklahoma	405-521-3921
OR	Marla Rae, Executive Assistant to the Attorney General	503-378-6002
PA	Fran B. Cleaver, Senior Deputy Attorney General	717-783-3085
Puerto Rico	Pedro R. Pierluisi, Secretary of Justice	809-721-7700
RI	David D. Prior, Assistant Attorney General	401-274-4400
SC	Barbara M. Heape, Assistant Attorney General	803-734-3970
SD	Charles McGuigan, Assistant Attorney General	605-773-3215
TN	Debra Inglis, Assistant Attorney General	615-741-7859
TX	Laurel E. Kelly, Victim Rights Advocate-Prosecutor Assistance Division	512-463-2170
UT	Rob Parrish, Chief-Child Abuse Protection Unit	801-538-1941
VT	Susanne Young, Chief-Criminal Division	802-828-3171
VA	Elizabeth Shaffer and Kathleen Martin, Assistant Attorneys General	804-786-4624
WA	Kathleen Mix, Chief Deputy	206-586-7842
WV	Fran Hughes, Managing Deputy	304-558-2021
WI	Carol Latham, Director-Crime Victim Services	608-266-0109
WY	Mary Beth Wolff, Assistant Attorney General	307-777-7841



120 MARYLAND AVENUE, N.E., WASHINGTON, D.C. 20002 (202) 544-4470 FAX (202) 546-8605

Contact: Vivian Todini
212/925-6635

CRIME SUBCOMMITTEE HOLDS HEARING ON DOMESTIC VIOLENCE

STATEMENT OF SALLY GOLDFARB, SENIOR STAFF ATTORNEY, NOW LEGAL DEFENSE AND EDUCATION FUND

June 30, 1994 - Washington, D.C. -- Recent revelations about Nicole Brown Simpson's experience as a battered wife have served as a wake-up call to the American public about the epidemic of domestic violence. Her panicked calls to 911, the repeated unwillingness of police to arrest, the slap-on-the wrist sentence imposed the only time her case went to court -- all have ignited a national teach-in about the plight of battered women. Although we do not yet know who killed Nicole Brown Simpson, we do know who failed to protect her while she was alive: the legal system.

Today's hearing called by Chairman Charles Schumer (D-NY) comes not a moment too soon. Two to four million women in this country are battered every year and almost 30% of women who are murdered are killed by a husband or boyfriend, but we still lack adequate policies and resources to respond to the problem. Since news about Nicole Brown Simpson's murder hit the headlines, domestic violence shelters and counseling centers, already struggling to meet the demands for their services, have been flooded with an unprecedented number of calls. We have a national emergency that demands a national solution.

We commend Chairman Schumer and members of his Subcommittee on Crime and Criminal Justice for their attention to the epidemic of domestic violence. Legislators must act swiftly to ensure that women's safety and lives are protected. As a first step, we call on Congress to pass the Violence Against Women Act, the first comprehensive piece of federal legislation designed to address the problem of violence against women. The Violence Against Women Act, of which Rep. Schumer is a principal co-sponsor, would: establish prevention and education programs to reduce domestic violence, provide grants to improve the performance of police and prosecutors, educate judges, make orders of protection enforceable across state lines, make it a federal crime to travel across state lines to commit domestic violence or violate a protective order, establish a national task force on violence against women, improve protections for battered immigrant women, and provide a federal civil rights remedy for victims of gender-motivated crimes of violence. The bill would also furnish much-needed federal funds for domestic violence shelters and establish a national toll-free domestic violence hotline.

The Violence Against Women Act, part of the crime bill, is desperately needed and has widespread bi-partisan support. Before another woman is battered, the crime bill conference committee should move quickly to approve the Violence Against Women Act in its strongest form and with full funding.

Editor's Note: NOW Legal Defense and Education Fund should be referred to by its full name or by NOW LDEF. It is not accurate to refer to the organization as "NOW".

Mr. SCHUMER. I want to thank a lot of people, first of all, the Members who came and particularly Mr. Schiff who was a great acting minority chair, vice chair, whatever—I like to call you whatever you like to be called.

Mr. SCHIFF. Chairman has a nice ring to it.

Mr. SCHUMER. But if we had to have a Republican one, I hope it would be you.

I want to thank Melanie Sloan, who really did a great job on this, and the minority staff, Mr. Cowin and his compatriot, Lisa Hecker, from Mr. Schiff's staff. I want to thank Rachel Jacobson who helped us put together the hearing.

And, finally, I always like to thank the stenographers for their hard work, Lee Bursten. You are the unsung heroes of all these hearings.

With that, we are adjourned.

[Whereupon, at 3:15 p.m., the subcommittee adjourned.]

