**Fact Sheet: Domestic Violence**

**Proposed Concurrence Position:** DOMESTIC VIOLENCE: Action to support preventing initial and repeat occurrences of violence against spouses, domestic partners, the elderly, and children. Action to support a strong statewide response to violence that is integrated, interdisciplinary, and adequately funded, involving all segments of the law enforcement and judicial system, the medical community, the schools, social services, animal care and control agencies, and the private sector with a primary focus on the safety of victims.

**Domestic Violence**: Abuse that may be physical, psychological, and/or economic, affecting all socio-economic, religious, ethnic and social groups. It includes spouses, partners, children, and the elderly.

***BACKGROUND***

*British Common Law established the "rule of thumb": "A husband may chastise his wife as much as he likes, provided that the rod is no thicker than his thumb." Although astoundingly harsh to contemporary ears, the rule represented progress -- at least there was a law preventing men from murdering their wives without penalty.*

*Throughout history men have sustained control over women through social, economic, physical and institutional intimidation. Women and children were considered property. Common law prevailed in post-Revolutionary America Society tacitly condoned or ignored domestic violence under the guise of protecting family sanctity and structure.*

***Change comes about:***

*Change began to occur when women secured voting rights, gained access to higher education and jobs, and established a foothold in politics. The realization of the extent of domestic violence and understanding how it affected female victims is rooted in the women's movement of the early 1970's.*

*Organized groups emerged to confront the problem, provide victim assistance and seek changes in the law to protect victims and punish perpetrators. Maryland organizations began to attack domestic violence in the mid-1970's. The LWV of Prince George's County studied the issue and added a strong "Spouse Abuse" position to their action agenda in 1977. The first domestic violence programs were established in the mid-1970's, and the Maryland Network Against Domestic Violence (MNADV) started in 1980. Today, 21 domestic violence programs serve the 24 jurisdictions in Maryland. Education and advocacy efforts help the police, judges and the courts, the medical community, social workers and legislators to understand the scope of the problem and to grapple with solutions.*

*In 1994 Congress passed the Violence Against Women Act (VAWA) which provided federal funding for law enforcement training, new initiatives to strengthen the criminal justice system's response to domestic violence, and additional funds for local domestic violence programs. Proposed federal legislation would reauthorize VAWA funding and expand its scope to include new initiatives.*

***Startling Statistics***

*Domestic violence is believed to be the most common yet least reported crime in our nation. The U.S. Surgeon General identified domestic violence as a major health problem for women. Wife beating results in more injuries requiring medical treatment than rape, auto accidents, and muggings combined. Each year, more than 1,000 women -- about four per day -- are killed by husbands or partners.*

*The following statistics are from the Bureau of Justice Statistics Crime Victimization Survey, August 1995.*

*A women is battered every 15 seconds in this country. In 29% of all violence against women by a lone offender, the perpetrator was intimate (husband, ex-husband, boyfriend or ex-boyfriend). Women were about six times more likely than men to experience violence committed by an intimate.*

*Nearly 30% of all female homicide victims were known to be killed by intimates in 1992. In contrast, 3% of male homicide victims were known to have been killed by an intimate. 63% of males between ages 11 and 20 who committed homicide murdered men who beating their mothers.*

*The victimization rate of women separated from their husbands was about 3 times higher than of divorced women and about 25 times higher that that of married women. 32% of battered women were re-victimized within six months.*

*Men who witnessed violence in their childhood homes are 3 times as likely to batter their wives/girlfriends. 75% of abusers witnessed violence in their childhood homes.*

***Maryland statistics***

***From June 1, 1997 to July 30, 1998 72 individuals died as a result of domestic violence in Maryland. This means that one person dies approximately every five days in our state as a result of domestic violence!***

*Since 1997 Maryland law enforcement agencies have been required to submit reports of domestic violence incidents to the State Police. Under the Maryland Uniform Crime Reporting Program, the definition used for reporting domestic violence incidents is: "An individual who has received deliberate physical injury or is in fear of imminent deliberate physical injury from a current or former spouse or a current or former cohabitant."*

*The following statistics are from****The 1999 State of Maryland Domestic Violence Annual Report****(Supplement to the 1997 Crime in Maryland Uniform Crime Report) from January 1, 1996 through December 31, 1997. The report includes data on five victim relationships: in 1997, 40% of victims were wives, 11% husbands, 39% female cohabitants, 9% male cohabitants, and 1% homosexual.*

*In 1997, 25,792 domestic violence crimes were reported, an increase of 3.4% over 1996. Of that number, 15% (3,569) were reported as aggravated assaults; 85% were non-aggravated simple assaults. 78% of reported domestic violence victims were female. 72% of spousal abuse victims were between the ages of 25 and 44. 50% of the victims were white, 48% African American, and 2% were other races.*

***History of Domestic Violence Laws in Maryland -- 1980-1999***

*The progression of Maryland laws addressing domestic violence reflects society's changing attitudes and increased understanding of the issue, its destructive impact on families, and its cost to society. In 1980 legislation established state funding of battered spouse shelters in major population areas, the first ex parte order (short term relief based on information from one side only: may be extended) and a 15-day protective order. Since 1980, lawmakers have expanded civil protections, included more classes of victims to be protected, extended the time period for protective orders, and increased remedies and penalties for abusers.*

*In 1997 the maximum time period for a protective order was extended from 200 days to 12 months with a possible 6 month extension. In 1999 a Peace Order Statute was passed providing a new form of relief for anyone experiencing problems with an individual including someone in a dating relationship, a neighbor, stranger, or anyone else. Individuals eligible for protection were added over the years: abused children in 1984, unmarried persons living together and having at least one child in common in 1988, and "vulnerable adults" in 1991.*

*Police were often reluctant to enforce protective orders and the courts were lax about punishing batterers. The Legislature gradually bolstered the power of the police and the courts to intervene in domestic violence situations. Eventually (1986) officers were permitted to make warrantless arrests if the was probable cause to believe that a violation of a protection order or a battering had occurred. They also were required to inform victims of available services. In 1995 a new law mandated the arrest of violators of protection orders. The Domestic Violence Act of 1995 discouraged dual arrest of perpetrator and victim and prohibited granting mutual protection orders in most cases. In 1996, Legislators required the state to enforce protection orders issued in another state.*

*To strengthen the actions of the courts, a law passed in 1994 compels a victim to testify under restricted circumstances even if the victim asserted "spousal privilege." Legislators changed the law in 1997 so that spousal adultery can no longer be used to justify reducing a charge of murder to manslaughter. The following year, the Family Law Statute was altered to enable married victims of domestic violence to file immediately for absolute divorce, eliminating the one year waiting period. In 1999 those violating an ex parte order could be granted pretrial release only by a judge and posting bail.*

*Maryland also passed major legislation including establishment of a marriage license fee which allows the counties to levy a surcharge to fund domestic violence programs (1983), a marital rape statute (1989), recognition of the "battered spouse syndrome" as evidence in court (1991), penalties for stalking (1993), the Gun Violence Act of 1996 which limits possession of guns by domestic violence offenders, and a law prohibiting insurers from discriminating against victims of domestic violence (1996).*

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| **What follows is a four-part section identifying violent home situations and how they affect those living in such homes. The sections include domestic partners, children, the elderly and animals. Observations and recommendations to alleviate problems gleaned from the research are found in a final section.** |

***Domestic Partners***

*It is important to understand the cycle of abuse between domestic partners and the characteristics of abusers and victims. It is an unavoidable fact, supported by statistics, that batterers are overwhelmingly males. Typically when people try to understand why men batter, they prefer to believe that the abusers are mentally ill. Battering is not a mental illness, but a learned behavior choice. Batterers use physical force to maintain power and control in their relationships with their partners. Most are not out of control when they abuse and they are not angry. They behave conventionally in public situations. Drug and alcohol abuse do not cause abusive behavior, though it is used as an excuse. However, drugs and alcohol do lower inhibitions and increase the severity of the abuse.*

*The cycle of violence begins with a build-up of tension, then the abuse, followed by a "honeymoon" phase with apologies and assurances of future good behavior, tension and more abuse. As the cycle repeats more frequently, the abuse generally grows more severe.*

*Abusers come from all age groups, races, religions, educational levels, cultures and socio-economic groups. Batterers share recognized traits: they are convinced they are entitled to control the partner and that the partner is obligated to obey them; they believe they are moral even if they use physical violence to get what they want; they believe they will not suffer significant adverse physical, legal, economic or personal consequences. Abusers have low self-esteem. They believe in male supremacy and the stereotyped male sex role in the family. They blame others for their actions, are extremely jealous, present a dual personality that is charming and manipulative. Frequently they use sex as an act of aggression to enhance their self esteem.*

*Almost any woman can become involved in a violent, intimate relationship. Battered women may exhibit some of the following characteristics. They often accept traditional male/female roles, may be passive, placating, and easily dominated, accept male dominance and the myth of male superiority. They may equate dominance with masculinity and feel they have no basic human rights. They sometimes accept guilt for no reason, accept the partner's reality as the only reality and feel they must help the mate even at their own expense. Many have a strong need to be needed. They often underestimate or downplay the danger of their situations and feel powerless to remedy the situation.*

*Women stay in violent relationships for many, often overlapping, reasons. Many fear, justifiably, that leaving will cause even more violent incidents of abuse directed toward them or their children. Most are emotionally dependent on the relationship. Many accept violence in families as "normal" because they experienced violent episodes in their childhood. They often lack financial resources and fear the loss of economic security and benefits such as retirement income and health insurance. They have feelings of love toward the abuser, coupled with hopes that the relationship will improve. Many are isolated from family, friends and community services and lack information regarding their legal rights and the resources available to them. They may have tried to leave and failed to obtain needed help.*

***Children***

*Patterns of violent behavior are passed from one generation to the next. An estimated 30% of those who witness violence in their homes become perpetrators of violence. (Gelles, R.J., Conte, I.R., Journal of Marriage and the Family, 1990: 52-1045-58)*

*The American Humane Association's Children's division quarterly, Child Protection Leader (Sept., 1994) reports "a growing body of research (that) points to a definite link between adult domestic violence and child abuse. These connections are pervasive. Forty-five to 70% of battered women in shelters report that batterers have also committed some form of child abuse. Even using the more conservative figure, child abuse is 15 times more likely to occur in households where adult domestic violence is also present. Women who have been beaten are.. . twice as likely as other women to abuse a child. It is also estimated that 3.3. . .to 10 million witnesses of domestic violence experience increased problems themselves."*

*The article continues, "A variety of family dynamics are at work in homes where spouse abuse leads to child abuse or neglect. Sometimes the child is the unintended victim... .However, many children are deliberate targets in violent households. The severity of wife beating is also predictive of the severity of child abuse, and the manner in which children are abused bears a strong resemblance to the.. .maltreatment (experienced by) their mothers."*

*"Even in households (where) children are not.. .abused or neglected, they can be victimized by witnessing spousal abuse. Because children do not fully understand the dynamics of violence, they may come to view power and control, aggression and violence as the only means of getting one's needs met....(they) may also imitate the violent adult behavior they observe by victimizing younger siblings, peers, and animals. Other children may adopt the victim role, becoming passive and withdrawn..."*

*Children in homes troubled by violence are at high risk of suffering from physical, emotional and sexual abuse. The effects of domestic violence on children are death by homicide or suicide, emotional injuries such as low self-esteem and depression, aggressive behavior, delinquency, poor school adjustment, modeling behavior-learned victim/aggressor roles, runaway episodes, alcohol/drug experimentation, early marriage, continuation of violent behavior in their adult relationships, or expansion of violence into the community.*

***Elderly***

*It is believed that elder abuse, like other forms of family violence, is vastly under reported. The U.S. House of Representatives Select Committee on Aging stated in their 1991 report on elder abuse, A Decade of Shame and Inaction, about 5% of the over-65 population -- between 1.5 and 2 million people -- are abused every year. The plight of the elderly abused spouse has not been adequately addressed.*

*Historically, elder abuse has been defined as a problem of caregiver stress. Thus, preventative efforts have focused on respite services. The frail elderly are considered child-like, vulnerable, dependent and unable to make decisions or protect themselves. This is ageism. The paternalistic response fails to recognize that most elderly are competent. Consequently, state legislation was modeled after child abuse legislation. The true problem of elderly abuse is much larger and more diverse and encompasses the abuse of the elderly by a spouse, partner, or adult child.*

*Four major factors of abuse are applicable to elder abuse:*

*(1)****Dysfunctional characteristics of abusers****. The inappropriate use of alcohol and the psychiatric problems of abusers are definite risk factors in elder abuse. However, elder abuse cannot be explained away by alcohol misuse or mental illness of the abuser.*

*(2)****Dependency relationships****. A widely held belief is that the dependency of elders is the major cause of abuse. New studies show that elders abused by family members are neither more likely to be seriously ill nor more functionally impaired than non-abused elders. Also, abusers are more likely to be financially dependent on their victims. Because abusers perceive that they lack power in these relationships, they respond with maltreatment and abuse.*

*(3)****Social isolation****. Because abused elders are found to have fewer overall contacts, physical abuse occur more easily as family members are isolated from community life and sources of support. Isolation appears to be relevant in both spouse and elder abuse but it is not clear whether isolation is a cause or an effect of abuse.*

*(4)****Age related changes****. Abuse may start or intensify after retirement. A perceived loss of purpose may increase alcohol misuse. Changes in work patterns and in traditional sex roles, and sexual impotence may be used to justify abuse. Changes in physical/mental health also can play a role. Physicians may fail to diagnose abuse and may prescribe drugs such as tranquilizers that impair an elder's ability to take action. Other medications used by the abuser or victim can cause behavioral changes that lead to violent behavior.*

***Animal Abuse***

*The connection between animal abuse and human abuse is well documented. The Latham Foundation found that 25% of families who commit child abuse had a household member who also injured pets; caseworkers observed unreported animal abuse in an additional 38% of the families. Animal abuse was found in 88% of the families in which physical child abuse occurred.*

*The FBI, police department and domestic abuse shelters have identified animal (pet) abuse as both an indicator of potential violent behavior as well as indicator of probable actual violent behavior, and a factor in preventing victims of abuse from seeking shelter. Some victims are reluctant to leave homes because family pets will suffer. Studies of child sexual abuse include parents' threats to kill pets as a means to intimidate children to maintain their silence.*

*The FBI, in its efforts to develop profiles of potential violent behavior (threat assessment) states: "...(animal abuse) is prominently displayed in the histories of people who are habitually violent..." one can look at cruelty to animals and cruelty to humans as a continuum. Notorious killers such as Ted Bundy, Jeffrey Dabmer and David Berkowitz all admitted to aggressive behavior toward pets. A study of 100 abused women in Utah shelters, all of whom had pets, found that over half reported that the animals had been abused or killed. Law enforcement officers are increasingly supportive of strong anti-cruelty laws and their enforcement.*

***OBSERVATIONS AND RECOMMENDATIONS***

***Therapy.****Counseling for abused women and children in individual or group formats is beneficial in breaking down isolation and learning to understand how to break the cycle of violence. In cases of domestic violence, traditional marital or couples therapy is not recommended because of the imbalance of power in the relationship. Programs designed specifically for batterers, whether court ordered or voluntary, teach abusers about domestic violence and help them accept responsibility for their behavior.*

***Systems Collaboration.****In 19 Maryland counties, domestic violence coordinating councils work to coordinate efforts among agencies involved in domestic violence response. In cases where multiple household members are victims, each incident may be handled by different professionals in specialized fields which include health, police, criminal justice, social services and veterinarians and animal welfare agencies. They continue to work to establish a "seamless response" to domestic violence throughout the state. Cooperation between professionals working with battered women and abused children is particularly important.*

***Early Intervention.****Childhood behavior is the most important predictor of future violent behavior. Teenagers may become involved in abusive dating relationships. The earlier the intervention, the better the prospects for changing the behavior pattern. Teachers are most likely to have significant, frequent contact with children. Educators at all levels should be trained to recognized and report child behavior that may signify child abuse or a violent home setting.*

***Education.****Programs should be continued and expanded to sensitize police and judicial personnel, health care providers, mental health workers, clergy, social service workers, businesses, community groups, educators, and veterinarians and animal care workers to enhance their ability to recognize and provide appropriate responses to domestic violence. Foster public awareness of ageism and the deleterious effect it has on elderly victims. Promote awareness of the relationship between animal abuse and domestic violence.*

***Funding.***

*Provide adequate funding for all domestic violence programs. Ensure that programs to reach currently under served populations such as those in rural areas, same-sex relationships, immigrants, non-English speakers, and other ethnic and racial groups are funded.*

***Laws.***

*Many laws to combat domestic violence have been passed in Maryland. These laws must be interpreted correctly and implemented forcefully. We have the laws and they should be used. Increase use of legal advocates for domestic violence victims in the courts. Expand affordable, legal services for victims.*

***Facilities.***

* *Establish safe homes to meet the needs of elderly victims.*
* *Ensure programs and housing for elderly abuse victims whose needs differ from younger victims with children.*
* *Provide transitional housing opportunities for victims.*
* *Provide facilities for pets not permitted in shelters.*

***Other.***

*Encourage and support research for programs and laws to stop domestic violence. Strengthen coalitions among organizations to address domestic violence on all fronts including education (awareness), training and advocacy.*