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DOMESTIC VIOLENCE AGAINST WOMEN

The U.S. Attorney General's Task Force on Family Violence is about to start hearings around the country to see if we can identify causes and remedies for this difficult problem. Already bills have been proposed in Congress by those who think that money is the solution to all problems.

The statistical source most often quoted by advocates of publicly-funded shelters for battered women is a 1975 study conducted by Murray Straus, Richard Gelles, and Suzanne Steinmetz, under a grant from the National Institute of Mental Health. From a probability sample of 2,143 couples (both married and unmarried), they found that 3.8% of the males had engaged in acts of "severe violence" toward their mates; this means that they kicked, bit or punched that mate, hit or tried to hit the mate with something, beat up their mate, or threatened and/or actually used a knife or gun on the mate.

Applying the 3.8 incidence rate to the 47 million couples in the United States, the authors estimated that 1.78 million wives are beaten by their husbands. Less publicized was the same study's statistic for husband-beating: 4.6%, which would indicate that 2.16 million husbands suffer severe violence each year. Straus showed that, in at least half the cases, both the husband and wife are violent.

In a presentation to the Civil Rights Commission Consultation, Murray Straus explained an additional facet of the problem: "Our national survey, a study by Hennon (1976) of students living together, and much informal evidence suggests that couples who are not married have rates of violence that are as high or higher than those married."

Other studies confirm a disproportionately high incidence of battering among unmarried couples. A monograph prepared for the Office on Domestic Violence of the Department of Health and Human Services showed that 73% of the 600 battered women in the study were single, divorced or separated at the time they reported to the hospital.

Every state has laws imposing criminal penalties for assault, battery and kidnapping. Although these laws certainly can be enforced against abusive spouses, at least ten states

have enacted legislation making spouse abuse a separate criminal offense. More than half the states have expanded police authority to arrest in domestic abuse cases, and almost half the states impose extra duties on police responding to domestic disturbance calls, including transporting the victim elsewhere and remaining until she is out of danger.

Police response to domestic disturbances offers only temporary relief, but no remedy. It frequently causes an increase in the violence of the husbands. FBI statistics indicate that one out of every five policemen killed in the line of duty dies while trying to break up a family fight. Even if the woman orders the arrest of her husband, she rarely presses charges or follows through in bringing her husband to court.

A glaring omission from most discussions of battered women is the high correlation between spouse abuse and alcohol abuse. Denver Police Department statistics show that 80% of all domestic abuse cases are alcohol and drug related. If the alcohol is ignored or not treated along with the violence, the chances of ever dealing successfully with the abusive family are nil.

Since 1977, virtually every state has passed legislation for the protection of battered women. In addition to beefing up the criminal laws, the big majority of the states have enacted laws to allow one member of a household to get a temporary injunction against another and to evict the abuser from their residence.

Most states have also appropriated funds for shelters for battered women. Usually the funds are raised by a surcharge on the marriage license, sometimes by a surcharge on the divorce fee.

Shelters and safehouses are and ought to be a last resort. They offer only temporary relief, are traumatic for everybody involved and, unfortunately, they offer no remedy.

Surveys show that 60 to 75% of women in shelters eventually return to their husbands in a situation essentially unaltered. Some get divorces, but the husband frequently beats his new wife and, strangely, his first wife often remarries and is beaten again.

Many people believe that the best solution is the restraining order whereby the batterer is required to leave the home. It is much easier and less costly for a man to live temporarily away from home than it is for a woman with children to do the same; certainly it is more just to remove the guilty party rather than his victim.