

Handbook for Elected Officials on Battered Women's Issues



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"If liberty and equality, as is thought by some, are chiefly to be found in democracy, they will be best attained when all persons alike share in government to the utmost."

~Aristotle

To Our Readers:

The Minnesota Coalition for Battered Women (MCBW) is a statewide membership organization of 90 local, regional, and statewide programs advocating on behalf of battered women and their children. MCBW was founded in 1978 to serve as a unifying voice for battered women and to link battered women's programs in the state with the common purpose of ending domestic violence. Member programs include shelters and safe homes, community advocacy programs, criminal justice intervention projects, state and national training and technical assistance organizations addressing domestic violence and organizations focused on homelessness and human rights advocacy.

The mission of MCBW is to provide a voice for battered women and member programs; challenge systems and institutions so they respond more effectively to the needs of battered women and their children; promote social change; and support, educate, and connect member programs.

In this handbook you will find a primer on domestic violence and its effects on victims, their children and our community. Additionally, you will find information on some of the critical issues facing battered women today. Some of these issues may come up during the 2007 legislative session. We have provided background and analysis and hope that they will be useful to you. If you would like any further information on these or any other issues related to domestic violence and violence prevention, please feel free to call MCBW at any time at (651) 646-6177 or (800) 289-6177.

Sincerely,

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What You Can Do to Help Battered Women and Their Children

Elected officials (local, country, state, or federal) can create a safer society for the people they represent. You hear from citizens about many issues, including domestic and sexual violence, and represent the interest of those you serve.

Some elected officials may have personal or professional experiences with domestic violence and may know victims and this may influence the laws they promote. Elected officials can also play an important role in supporting prevention efforts.

WHY YOU ARE IMPORTANT:

You help others see the big picture. You can support programs and policies that promote nonviolent relationships and reduce domestic violence in families and communities.

You can educate and inform. As a community leader, you can raise public awareness of domestic violence.

You can take action. By ensuring funding for victim services and primary prevention efforts you can help prevent a future free from violence and create safer, more respectful communities.

You can influence policy. You can work for the adoption of creative and effective laws and policies that will prevent domestic violence

TEN THINGS YOU CAN DO:

1. Demonstrate respect in your dealings with colleagues, constituents, and others.
2. Make sure your community has adequate services for both victims and perpetrators, as well as for people who are at risk. See that services are culturally and linguistically appropriate.
3. Work with representatives from child protective services and your community to guarantee a system that is responsive to the varied needs of battered women and their children, who may be affected by the battering parent.
4. Contact programs in your district that work with battered women to learn how they help victims and educate the community.
5. Make domestic violence a keystone issue in your work at the legislature and utilize local programs and MCBW as experts as you develop legislation.
6. Provide a holistic approach to domestic violence by working on crisis intervention and primary prevention strategies. We must stop domestic violence before it starts.
7. Speak out against domestic violence in your district.
8. Talk to your fellow legislators about what you can do to support the work of battered women's programs in Minnesota
9. When making funding decisions, remember that reducing domestic violence and sexual assault is the number one priority of women in the United States, according to a 2003 study by the Center for the Advancement of Women. Domestic violence costs money to governments, employers, and our community.
10. Show your support by joining us at the Violence Against Women Action Day in the Capitol Rotunda at Noon on February 28, 2006.

For more information on these and other ways you can end domestic violence, call your local program or the Minnesota Coalition for Battered Women.

Defining Domestic Violence, Violence Against Women and Battering

Domestic violence is an umbrella term that encompasses different types of abuse between intimates. This section will help to define the many terms we often use when we discuss domestic violence. This section will define some of the primary terms. It is merely a guide as we discuss these issues and for you to use throughout the session as these terms and issues come across your desk.

Assault

Assault is defined by legislative bodies in the criminal codes of each state. Most states make distinctions among levels of assaults; generally, an assault is an act which intentionally inflicts bodily harm through the use of force or which puts someone in fear of imminent bodily harm. In some states this is called battery.

Battering

Battering is pattern of coercive behavior designed to exert power and control over a person in an intimate relationship through the use of intimidating, threatening, harmful, or harassing behavior. It can be sexual, physical, or emotional abuse committed by a person (the batterer) to establish or maintain control of his or her partner.

Self-Defense

The term self-defense can be used both in a legal sense and, informally, as a description of one's motivation for using violence. The law recognizes the right of individuals to defend themselves when facing "imminent" bodily harm, meaning the danger is *now*, not some possible time in the future. Most states have language which allows a person to use reasonable, justifiable, or appropriate force to protect oneself or a third party. Some states allow "reasonable" force to protect property.

Two criteria are used to determine reasonable force: the action must be reasonable for one to defend oneself considering (1) differences in strength and (2) the nature of the attack. For example, it would not be reasonable to shoot someone to avoid being punched, even though there might not be any other way to stop the offender.

Understanding the Context of Domestic Violence:

In order to intervene effectively in domestic violence cases, it is important to understand both the complex issues of violence within intimate relationships and how the violence is being used in a given situation. The key elements to consider include the context in which an act of domestic violence occurred, the particulars of the incident, and how much violence, coercion, or intimidation preceded the event.

A domestic assault is often part of a much larger system of controlling, coercive, intimidating, and violent behaviors used by a batterer to control the victim. The violence causes—or likely will cause—a significant gap in power and autonomy between the batterer and the victim, and it severely compromises the victim's autonomy. The Power and Control Wheel (which can be found on the MCBW web site at www.mcbw.org) describes "battering" of women by men. *Not all behaviors on the Power and Control Wheel are illegal acts or assaults.* This wheel was created by women who attended support groups in Duluth, Minnesota. They were asked to describe behaviors, in addition to violence, that gave their violent partners power over them. Eventually the group started calling these behaviors "tactics." Other tactics were listed, but almost all women experienced the ones on the wheel. Battering behavior is often denied or minimized and the likelihood that it will continue and become more serious is quite high. *When a battered woman attempts to leave a battering relationship, the violence, intimidation, and coercion often escalate.*

Myths and Facts About Domestic Violence

MYTH: You shouldn't get involved in a private family matter.

FACT: Domestic violence, also called domestic abuse, family violence, spousal abuse, battering, woman abuse, and wife beating, is not just a family problem. It is a crime with serious repercussions for the victim, her children, and the entire community.

MYTH: Domestic violence can't really be that serious.

FACT: Battering can include emotional abuse, threats, pushing, punching, slapping, strangulation, sexual assault, and assault with weapons. It is rarely a one-time occurrence. Any act of domestic violence is something to be taken seriously every time.

MYTH: She must be doing something to provoke her partner's violence.

FACT: A victim of battering is never to blame for another person's choice to use violence against her. Problems exist in most relationships, but the use of violence to resolve them is never acceptable.

MYTH: Domestic violence is about mutual abuse.

FACT: Domestic violence is about one partner exerting power and control over another through abusive tactics. While the victim of this violence may get angry, yell, and even fight back physically, this is a reaction to abuse, and not defined as mutual abuse, in that it is not about taking power and control away from someone else. This is an effort on the part of the victim to maintain her own feeling of personal power and control and it exemplifies the lack of her power within that relationship.

MYTH: Men are battered by their female partners just as often as women are battered by their male partners.

FACT: According to the *Bureau of Justice Statistics Selected Findings: Violence Between Intimates*, 90-95% of domestic violence victims are women. Research has indicated that the majority of men who *do* experience violence at the hands of a partner either experience it in the context of a same-sex relationship or from a female partner in self-defense or as reactive violence.

MYTH: It can't be that bad. If it was she would just leave.

FACT: For most of us, a decision to end a relationship is not easy. A battered woman's emotional ties to her partner may be strong, supporting her hope that the violence will end. She may be financially dependent and in leaving she will likely face severe economic hardship. She may not know about available resources and social and justice systems may have been unhelpful to her in the past. Religious, cultural, or family pressures may make her think it's her duty to keep her relationship together. If she has tried to leave in the past, her partner may have used violence to stop her.

MYTH: She doesn't care about what's happening to her children.

FACT: A victim of domestic violence is probably doing her best to protect her children from violence, and has often developed many strategies for providing safety for herself and her children. She may feel that the violence is only directed at her and does not yet realize its effects on her children. She may believe her children need a father, or she may lack the resources to support them on her own. The children may beg her to stay, not wanting to leave their home or their friends. She may fear that if she leaves she will lose custody of her children.

MYTH: I know him. I don't think he could hurt anybody.

FACT: Many abusers are not violent outside of their intimate relationships and can be very charming in social situations, yet be extremely violent and controlling in the privacy of the home.

MYTH: Batterers are sick.

FACT: Battering is learned behavior, not a mental illness. An abuser's experience as a child and the messages he gets from society tell him that violence is an easy way to get power and control over his partner's behavior. Men who batter (and women who batter in same-sex relationships) choose this behavior and viewing them as "sick" wrongly excuses them from taking responsibility for it.

MYTH: Battered women are only young adult women.

FACT: Battering can happen to any woman regardless of age. Older women are battered by spouses, their children, or their caregivers. Battering can also occur in teen dating relationships.

MYTH: Batterers have a drinking/drug problem, that is why they are violent.

FACT: Alcohol or drug use may intensify violent behavior, but it does not cause battering. Batterers typically make excuses for their violence, claiming a loss of control due to alcohol/drug use or extreme stress. Battering, however, does not represent a loss of control, but a way of achieving it.

MYTH: Battered women are always uneducated, "lower class," working class, or poor. Battered women are minorities who don't know any better.

FACT: Battered women are from all racial/ethnic groups and social classes in our country.

Domestic Violence Statistics

Reducing domestic and sexual violence was the number one priority in 2003 of women surveyed in the United States.

The Center for the Advancement of Women

At least 26 women and 4 children were murdered in Minnesota in 2005 as the result of domestic violence.

Minnesota Coalition for Battered Women 2005 Femicide Report

In fiscal year 2005, 36,550 women and children were served by community advocacy programs for battered women.

Office of Justice Programs, Minnesota Department of Public Safety

In fiscal year 2005, battered women in Minnesota spent 98,622 nights in safe shelter and children spent 105,448 nights in safe shelter.

Office of Justice Programs, Minnesota Department of Public Safety

In 2004, 998 Minnesotans received emergency department or in-hospital care for domestic violence related injuries. 97% of the victims were women.

Minnesota Department of Health, Violence and Prevention Unit, February 2006

90-95% of domestic violence victims are women.

Bureau of Justice Statistics Selected Findings: Violence Between Intimates (1994)

One of every three homeless women in Minnesota is homeless at least in part due to domestic violence.

Wilder Research Center, 2003

70% of domestic violence victims were victimized more than once in 2001. Domestic violence victims accounted for over a quarter of all violent crime victims in 2001.

2002 Minnesota Crime Survey

Over 80% of victims of domestic violence in Minnesota did not report the incidents to law enforcement.

2002 Minnesota Crime Survey

12,376 Orders for Protection were filed in Minnesota in 2003.

Minnesota State Court Administrator's Office

Domestic violence is a major public health problem that exceeds \$5.8 billion each year in the United States in health-related costs.

Centers for Disease Control (2003)

Over 1.7 million workdays [in the United States] are lost each year due to domestic violence.

Employers lose between \$3 billion and \$5 billion every year in absenteeism, lower productivity, high turnover, and health and safety costs associated with battered workers.

American Institute on Domestic Violence (2001)

American Indian/Alaska Native women were most likely to report intimate partner violence.
National Institute of Justice and the Centers for Disease Control and Prevention (1999)

On average [in the United States], more than three women are murdered by their husbands or boy-friends in this country every day. In 1999, 1,642 murders were attributed to intimates; 74% of the murder victims (1,218 total) were women.

Bureau of Justice Statistics Special Report, Intimate Partner Violence and Age of Victim

Fathers who batter mothers are two times as likely to seek sole custody of their children. 40-60% percent of men who abuse women also abuse children.

Report of the American Psychological Association Presidential Task Force on Violence in the Family (1996)

Each year, an estimated 3.3 million children are exposed to violence by family members against their mothers or female caretakers.

Report of the American Psychological Association Presidential Task Force on Violence in the Family (1996)

Approximately one in five female high school students reports being physically and/or sexually abused by a dating partner.

Jay G. Silverman, PhD; Anita Raj, PhD; Lorelei A. Mucci, MPH; and Jeanne E. Hathaway, MD, MPH, "Dating Violence Against Adolescent Girls and Associated Substance Use, Unhealthy Weight Control, Sexual Risk Behavior, Pregnancy, and Suicidality," Journal of the American Medical Association

Women and Children Murdered in Minnesota as a Result of Domestic Violence or Child Abuse

1988-2005

1988	<u>At least 18 women</u> died from domestic violence*	2001	<u>At least 33 women</u> died from domestic violence <u>At least 12 children</u> died from child abuse <u>At least 6 family members/friends</u> were murdered by a woman's current or former partner <u>At least 22 children</u> were left without a mother
1989	<u>At least 18 women</u> died from domestic violence	2002	<u>At least 16 women</u> died from domestic violence <u>At least 13 children</u> died from child abuse <u>At least 24 children</u> were left without a mother
1990	<u>At least 16 women</u> died from domestic violence	2003	<u>At least 14 women</u> died from domestic violence. <u>At least 10 children</u> died from child abuse. <u>At least 22 children</u> were left without a mother.
1991	<u>At least 12 women</u> died from domestic violence	2004	<u>At least 13 women</u> died from domestic violence. <u>At least 11 children</u> died from child abuse. <u>At least 3 family members/friends</u> were murdered by a woman's current or former partner <u>At least 12 children</u> were left without a mother.
1992	<u>At least 31 women</u> died from domestic violence <u>At least 8 children</u> died from child abuse** <u>At least 3 women</u> were murdered while being used in prostitution*** <u>At least 2 family members/friends</u> were murdered by a woman's current or former partner.	2005	<u>At least 26 women</u> died from domestic violence. <u>At least 1 woman</u> was murdered while being used in prostitution. <u>At least 4 children</u> died from child abuse. <u>At least 2 family members</u> were murdered in domestic violence-related situations. <u>At least 18 children</u> were left without a mother.
1993	<u>At least 28 women</u> died from domestic violence <u>At least 13 children</u> died from child abuse <u>At least 6 women</u> were murdered while being used in prostitution <u>At least 5 family members/friends</u> were murdered by a woman's current or former partner		
1994	<u>At least 18 women</u> died from domestic violence <u>At least 7 children</u> died from child abuse <u>At least 2 women</u> were murdered while being used in prostitution		
1995	<u>At least 29 women</u> died from domestic violence <u>At least 11 children</u> died from child abuse		
1996	<u>At least 22 women</u> died from domestic violence <u>At least 17 children</u> died from child abuse <u>At least 6 women</u> were murdered while being used in prostitution		
1997	<u>At least 17 women</u> died from domestic violence <u>At least 5 children</u> died from child abuse		
1998	<u>At least 20 women</u> died from domestic violence <u>At least 15 children</u> died from child abuse		
1999	<u>At least 23 women</u> died from domestic abuse <u>At least 20 children</u> died from child abuse		
2000	<u>At least 40 women</u> died from domestic violence <u>At least 6 children</u> died from child abuse <u>At least 1 family member</u> was killed by the women's murderer <u>At least 70 children</u> were left without a mother		

*Cases of women murdered where the suspected, alleged or convicted perpetrator was a current or former husband, boyfriend, intimate partner, household or family member. **Cases of children murdered where the suspected, alleged or convicted perpetrator was a husband, boyfriend or intimate partner of the child's mother, or a parent/foster parent, guardian, babysitter, household or family member. ***MCBW recognizes prostitution as a system of violence against women and chil-

Understanding Men Who Batter

Why Do Men Batter?

Typically, when trying to understand why men batter, people want to look for what is “wrong” with the abuser, believing that they must be mentally ill in some way. However, battering is not a mental illness that can be diagnosed, but a learned behavioral choice. Men choose to batter women because the choice is theirs to make, and until quite recently, there have been no consequences for these actions.

Battering is the extreme expression of the belief of male dominance over women. To understand why men choose to batter, it is important to look at what they get out of using violence. Men use physical, emotional, and/or sexual abuse to maintain power and control over their relationships with their female partners. They have learned that violence works to achieve this end.

Many batterers grew up in homes where they or a sibling were physically abused or their mother was abused by their father. The effect of a batterer on a child has been identified as a common factor for becoming a batterer in adulthood.

While many batterers have substance abuse problems, there is no evidence that alcohol or drugs cause violence behavior. In fact, batterers may abuse their partners while intoxicated as well as sober. However, battering incidents involving alcohol or drug use may be more severe.

Effects of Battering on Victims

Battered women are often exposed repeatedly to threats, violence, intimidation, and physical, emotional and psychological abuse. Constant, repeated exposure to violence has a profound effect on a victim's daily activities and functioning, thinking, interpersonal relationships, and sense of self. Because of the chronic nature of the violence, many victims develop long term effects that include:

- Fear
- Nightmares and sleep disturbances
- Anxiety
- Anger
- Difficulty concentrating
- Depression
- Low self-esteem
- Shame and embarrassment
- Chronic physical complaints
- Substance abuse
- Social withdrawal
- Feelings of helplessness and hopelessness
- Self-blame
- Numbness
- Hypervigilance (inability to relax, jumpiness)

Although these reactions are common in battered women, not all battered women will experience each and every one of these reactions and some battered women may experience reactions not listed here.

Domestic violence victims will often blame their own behavior, rather than the violent actions of the abuser. Victims may try continually to alter their behavior and circumstances in order to please the abuser—believing that if they follow certain rules and make sure the abuser is happy, they will not be hurt. However, violence perpetrated by abusers is often self-driven and depends little on victims' actions or words.

Domestic violence victims may minimize the seriousness of incidents in order to cope, and not seek medical attention or assistance when needed. Victims, because they fear the perpetrator and may be ashamed of their situation, may be reluctant to disclose the abuse to family, friends, work, the authorities, or victim assistance professionals. As a consequence, they may suffer in silence and isolation.

Why Battered Women May Stay in Abusive Relationships

Very few individuals would become involved in a relationship they knew would become violent. Domestic violence has subtle origins. What starts out as love, courtship, and concern may turn into domination, forced adherence to rigid sex roles, and obsessive jealousy. Battered women are not masochists. They do not enjoy being hurt, abused, battered, and controlled. Victims may stay with someone who is abusing them for various reasons that may include:

- Fear of the abuser
- Love of the abuser
- Threats to harm the victim, loved ones or pets
- Threats of suicide on the abuser's part
- Believing the abuser will change
- Believing the abuser will take their children or that she will lose custody of them
- Low self-esteem brought on by the abuser's emotional abuse;
- Fear of the unknown, of change
- Isolation from family and friends
- Embarrassment and shame
- Self-blame
- Denial
- Believing no one can help or lack awareness of help
- Cultural beliefs
- Religious reasons
- Believing that violence is normal
- Believing in the sanctity of marriage and the family
- Fear of being "outed" if in GLBT relationship
- Language barrier
- Lack of immigration status or status depends on her relationship with the abuser
- Limited affordable housing options
- Limited financial options and lack of supports such as affordable child care, health care, living wages, etc.
- Blaming the abuse on alcohol, financial pressures, or other outside factors
- Pressure from friends and family to stay

The Faces of Domestic Violence in Minnesota



**Taryn Baumgardner, 28, St. Paul
Murdered May 21, 2006**



Taryn Baumgardner was found shot in her St. Paul home and died in the hospital the next day of gunshot wounds to her head. Ian Cody, 27, was charged with second-degree murder. Cody was Taryn's boyfriend and the father of her daughter, age 9. A year before her murder, Taryn told a friend she could never leave Ian because he would kill her family. Taryn's daughter reported that Cody would load and unload his shotgun in front of her while she was getting ready for school. Other friends and family members stated that Cody had abused and stalked Taryn for years. Taryn was a star basketball player in high school and coached her daughter's team. She was a mail carrier and took great pride in her home, loving to do yard work, plant flowers and decorate the house for Halloween and Christmas. "She had a smile that would light up the room," said Briana Baumgardner, Taryn's sister. Taryn's daughter is now living with relatives.



Rose, Minneapolis Survivor of Domestic Violence



As a child I witnessed my father abuse my mother and decided that when I grew up no man would ever hit me. Years later I married a man and began a family, only to discover that I could not stop the violence from happening. After a few years of marriage I began to experience physical, sexual, psychological and mental abuse. I was slapped, choked, shot at, sexually abused, and threatened that if I left he would kill me, my kids, and then himself. He said no matter where I went on the face of this earth, he would find me. I believed him.



On one occasion he shot at me with a shotgun. After a narrow escape from death, I called the police. They gave me a 24-hour number for a battered women's shelter. From the day that my children and I entered the shelter, I began a life that I only dreamed could exist after the years of darkness and despair. The advocates at the shelter were wonderful. They listened to me spill out my pent-up stories of the horror that was my life. They offered me support in every facet that was needed and held my hand through the tough times. The officer who had the card, the crisis line that encouraged me to come to the shelter, the advocates who encouraged and supported me during my stay there, the housing program that helped us find a home of our own, and all the many support groups and support services to address self-esteem, parenting, family counseling, education, and skills building all played a key role in this family's survival.



Today, as a professional woman I am able to help others in many of the ways that I received help. I am a role model for my family and hundreds of others. These services are critical—without them the sad consequence would be rising numbers of women and children suffering physical, sexual, and emotional abuse without hope.



DON'T FORGET THEIR FACES