

# Domestic Violence: A Community Responsibility

by Pauline Anderson

*Editor's note: This article is based on the report Domestic Violence: Everybody's Business by the City Club of Portland, approved by the Club on July 11, 1997.*

Nichols



Domestic violence is epidemic.

It occurs in all strata of society, in all communities, in all cultural and religious groups. Four million intimate partners are battered every year; six to ten are killed every day. In Multnomah County, 42 percent of all violent crimes are domestic violence crimes. It occurs between partners of the same or different sex, but the U.S. Department of Justice Victimization Report finds that 90 percent of domestic violence is perpetrated by men against women.

Domestic violence is hidden from the world, behind closed doors in the bosom

**Domestic violence is a learned and chosen behavior that can be unlearned and unchosen.**

of intimate relationships, in the sanctity of the family. The victims are often ashamed and reluctant to stand up and accuse the abusers. The batterers are most unlikely to talk about it, except to brag about "bringing the little woman to heel."

Domestic violence is as old as the urge to control. It thrives where that urge intersects an imbalance of power. Domestic violence becomes a way of life when society tolerates it as a private family matter.

In Oregon, we have already taken a strong stance against domestic violence,

beginning with the passing of the Family Abuse Prevention Act twenty years ago. This law mandates arrest of a domestic abuser if there is a 50 percent likelihood that he has inflicted, or will inflict, bodily harm. Oregon was the first state to mandate the arrest of a batterer. It was a good first step, but the current statistics show that it is not doing the job. Under current circumstances, with insufficient funding, training, and prosecution, the epidemic continues.

The pervasiveness and cruelty of domestic violence outraged the members of the research committee of the City Club of Portland, which studied domestic violence in the metropolitan area. We were appalled by how little we knew about the subject. Witnesses who appeared before the committee repeatedly said that the low level of public awareness of the extent of domestic violence is one of the major obstacles to the reduction and prevention of domestic violence in our community. We were heartened by the evidence that the state and Multnomah County have developed effective programs. We think it is time to take the next steps to reduce domestic violence.

#### Such steps would include:

- increasing the number of shelters and other safe havens for women fleeing domestic violence;
- tightening the enforcement of restraining orders;
- making repeat domestic violence a felony;
- requiring all medical and health workers to report indications of domestic violence; and
- changing the way domestic disputes are handled in civil court.

Just what is domestic violence? According to Oregon law, family abuse occurs when a family or household member purposely causes or tries to cause bodily injury to another family or household member, purposely places such person in fear of "imminent serious bodily injury," or forces that person to engage in involuntary sexual relations. (ORS 107.705)

In a broader sense, domestic violence is a system of abuse involving psychological control and verbal assault, as well as bodily injury. It can be a single incident, but more often it is a systematic pattern of increasing abuse.

Domestic violence is not about anger. It is not mental illness. It is not a function of alcohol or drug abuse, although both alcohol and drugs decrease a batterer's



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inhibitions. Violence or the threat of violence is a method of control in a situation where there is an imbalance of power. Abuse is a choice. The need to control undergirds the abusive behavior. Anger management is often prescribed as treatment but does not address the underlying cause of domestic violence.

Specific tactics used by controllers form the pattern of abuse. Abusers may control by criticism, moodiness, anger and threats, over-protection, denying perceptions, and ignoring needs and opinions. They may rigidly control the disbursement of money and deny responsibility for anything that goes wrong. They may limit

contact with other people or resort to physical and sexual violence.

What can we, as a community, do about this miserable epidemic? First, we must provide and adequately fund safe havens for those who leave abusive partners and provide appropriate support services so they will not have to return to those abusive situations. Presently, only one tenth of those requesting emergency

## Domestic violence becomes a way of life when society tolerates it as a private family matter.

shelter can be served in under-funded and under-staffed facilities. We must loudly protest this situation and make our concerns and priorities known to legislators, local funding sources, and public officials.

Second, a woman can have any number of restraining orders against the abuser and still be killed. It is an imperfect mechanism for many reasons. Police cannot monitor an abuser's actions 24-hours a day. Even when a violation is reported, police often do not arrest the violator, especially if he is not on the premises when police arrive. If a violator is arrested, the District Attorney may not prosecute because there are more important cases to prosecute. There is no increase in the penalty for repeat violations. Judges have the power to remove guns from anyone who has a restraining order against him, but that option is never implemented.

Aggressive intervention by police and courts could make restraining orders much more effective. Anyone who violates a restraining order should be arrested and prosecuted, and repeated violations should draw more severe punishment. The same thing applies when there is no restraining order. Batterers should be arrested, prosecuted, and punished or forced into treatment. If they repeat their offense, they should be charged with felony assault, not just a misdemeanor.

Change in law enforcement priorities will not happen without a dramatic shift in resources. If we recognize that domestic violence is really the public's business, then we must let our legislators, local funding sources, and other public officials know that we are willing to pay for programs that will significantly reduce domestic violence. These include more training and staff for police departments

and district attorneys' offices and translation of domestic violence protocols into Russian, Indo-Chinese, and other languages so that non-English-speaking women can access remedies available to them under Oregon law.

In cases of domestic violence, civil justice should be more compatible with criminal justice. When the criminal law catches up with him, a batterer often resorts to the civil courts to resume control over his victim through custody/visitation and divorce proceedings. We need a statute that establishes the presumption that a convicted batterer is not an appropriate parent.

Oregon law (ORS 146.750) requires physicians to report to the medical examiner any non-accidental injuries caused by deadly weapons. But no one else has any responsibility at this time to report suspected domestic violence. We recommend that all health care and social service providers should be required to inform victims of domestic violence about their rights to redress and protection.

We should be sick to death of the excuses: that domestic violence is a private matter protected by biblical authority, that shelters and services for battered women are too costly, and that prisons are for violent offenders but not for batterers.

Hopes for a long-term reduction in domestic violence depend on preventing the pattern of violence from beginning. Prevention means a change in the way society looks at violence, at the way men look at women, and in the way we socialize our young. It means public censure of the perpetrator. It means assuring girls that they are human beings of worth, and they never deserve to be mistreated. It means teaching boys that they can be manly without controlling women. It means treating boys and girls with equal respect—at home, at school, and in the workplace.

The Jonesboro, Ark., tragedy appears to be a juvenile version of domestic homicide. Two boys carried out a premeditated attempt to prove they were in control over girls, using the most powerful weapon they could borrow or steal. All the victims were girls or women.

The Oregon Domestic Violence Council has developed "Education Protocols for Grades K-12" to provide a coordinated community response to prevent domestic violence. They include:

- a safe environment in the schools, where violence is not tolerated;
- primary prevention through education in the classrooms;
- secondary prevention through early

intervention with children who witness domestic violence in their homes; and

- secondary prevention through early intervention with young people involved in abusive relationships.

These protocols can be fully implemented only if they are both accepted at the grassroots level and mandated by legislation and funded.

Other promising prevention approaches include:

- parent education programs teaching parents to be non-violent role models, provide consistent discipline, and limit children's exposure to violent entertainment;
- social learning programs for children to teach them social skills for avoiding violence, and non-violent means to express anger and meet other needs;

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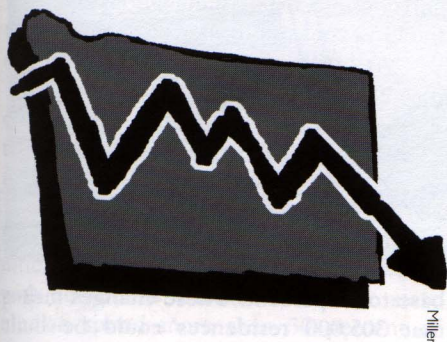
## Reduces Crime

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Think of it in terms of elevens. Because of Measure 11, more than 11,000 Oregonians were not violently attacked or killed in 1996 and 1997.

The cost of fighting crime cannot just be gauged in terms of the actual cost of police, prosecutors and prisons. We also must incorporate an understanding of the cost to our society if we fail to fight such crime, or if our fight is too weak. Violent crime wreaks a horrific impact upon victims and their families, and they never are fully compensated for these non-economic damages. Citizens also have to adopt increasingly expensive and complicated measures to ensure their own safety when government fails to sanction violent criminals.

We have more to do to improve the criminal justice system in Oregon. Prevention and early intervention programs certainly need to be expanded. Police and prosecution resources are insufficient. The courts need additional resources to address both their criminal and civil caseload. Measure 17's implementation needs to continue so as to put



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prisoners to work. Post-prison supervision programs need to be enhanced so we can keep a better eye on offenders after they are released.

The good news is that we have made substantial progress in the last few years and Measure 11 has been a key element in this.

With Measure 11 as a key component, our criminal justice system is on the road to progress and improvement. Repeal of Measure 11 would be a detour back to the road to ruin.

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## Revolving Door

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certainty that a particular offender would never do crime again, the punishment mandated must be generally equivalent to the harm done. The recent case of Katherine Ann Power illustrates this point. She is currently serving time in prison for her role in a bank robbery in which a police officer was killed. She spent 30 years in the community crime-free before turning herself in and most people would predict that she will never commit a crime again. The question is, when will she have paid for the crime she did commit.

Over the past 40 years or so, there has been a strong movement to identify, expand and solidify the rights of a person accused or convicted of crime. Some would argue, "Rightly so." More recently, there has been a countervailing effort to extend rights to victims of crime. Again, some argue, "Rightly so." But we all will have profited little if our criminal justice system is perceived as either unfair in procedure, unjust in findings or ineffective in purpose.

Knowing what works and what doesn't will be a major step in meeting the mandate for public safety.

DeeDee and Bob Kouns have been studying criminal justice issues since the murder of their daughter in 1980. Bob Kouns was one of the founders of Crime Victims United, its first president, and most recently legislative liaison.

### Tips for Victims of Domestic Violence

If you are a victim of domestic violence, the Multnomah County Department of Community and Family Services offers these tips:

- Remain calm: by clearly describing the situation in detail, including the presence of children at the time of the assault, the location of weapons on the premises, and any history of violence, you will increase the likelihood of an arrest.
- Call the jail: you can arrange for them to call you before the perpetrator is released on bail.
- Get witnesses: help the police in identifying anyone who might have seen the event.
- Document injuries: request that the police or health care provider take pictures of any injuries you received. Bruises are best photographed 2-3 days after an assault.
- Give explicit statements to the police: the more descriptive you are, the better case the District Attorney can make, whether you participate in the prosecution or not.
- Call the DA as early as possible.

## Domestic Violence

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- programs to strengthen community organizations, social networks and families;
- stronger community policing programs to improve police responsiveness and reinforcement of pro-social values; and
- public awareness programs that articulate community values against domestic violence. October has been designated as Domestic Violence Awareness month.

The enlightened approach to domestic violence is to bring it out of the darkness of the family closet and into the light of healthy community values. Domestic violence is a learned and chosen

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behavior that can be unlearned and unchosen, but better not to have been chosen and learned in the first place.

To make prevention a prime priority in the war against domestic violence will take all the resources we can muster—public and private, religious, sports, media, business and industry, schools, police, district attorneys, judges, health care professionals, social service providers and the person in the street.

If we know what needs to be done to reduce domestic violence and if we know that Oregon has hundreds of dedicated people working in the domestic violence vineyards, why have we not been able to do what needs to be done? Because "all it takes for evil to prevail is for good people to be silent," and for those good people to elect legislators and other public officials who will not stick their necks out to fight an epidemic. Good people, it is time to make your voices heard. We must make the proper noise.

Pauline Anderson has been an active member of the City Club of Portland since the 1970s. She was elected the first woman President of the Club in 1975-6. She also served two terms as a Multnomah County Commissioner, 1986-94.