



RESPONDING to **DOMESTIC VIOLENCE**

The Integration of Criminal Justice and Human Services

Eve S. Buzawa ■ Carl G. Buzawa ■ Evan Stark

4 EDITION

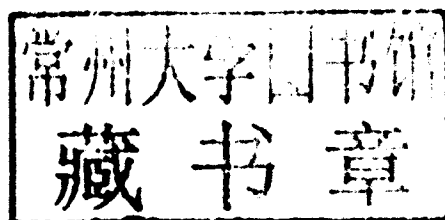


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*To the millions who endure and survive and
to those who protect and support.*

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Introduction

1

The Role and Context of Agency Responses to Domestic Violence

Purpose and Overview

The movement to end domestic violence in the United States began more than a century ago. In 1885, volunteers working with a coalition of women's organizations in Chicago started a "court watch" project designed to monitor proceedings that involved female and child victims of abuse and rape. In addition to providing legal aid and personal assistance, they also sent abused women to a shelter run by the Women's Club of Chicago, the first shelter of its kind. The Chicago initiative was short-lived, however, and the idea of using emergency housing as a first-line protection did not take hold until a May afternoon in 1972 when the first call to a shelter was made to Women's Advocates in St. Paul, Minnesota. As recalled by Sharon Vaughan (2009), a founder of the St. Paul program and a pioneer in the battered women's movement:

The call was . . . from Emergency Social Services. A worker said a woman was at the St. Paul Greyhound bus station with a two-year-old child. To get a job, she had traveled 150 miles from Superior, Wisconsin, with two dollars in her pocket. What were we expected to do? Where would they stay after two days at the Grand Hotel? One of the advocates borrowed a high chair and stroller and we took them to the apartment that was our office. These were the first residents we sheltered. The two-year-old destroyed the office in one night because all the papers were tacked on low shelves held up by bricks. His mother didn't talk about being battered; she said she wanted to go to secretarial school to make a life for her and her son. She tried to get a place to live, but no one would rent to her without a deposit, which she didn't have. . . . After a couple of weeks, she went back to Superior, and every Christmas for several years sent a card thanking Women's Advocates for being there and enclosed \$2.00, the amount she had when she came to town. (p. 3)

During the next 3 decades, the use of shelters for women escaping abusive partners became widespread in the United States and in dozens of other countries. The shelter movement helped to stimulate a revolution in the societal response to domestic violence victims and offenders that has circled the globe, stirring women from all walks of life; of all races, religions, and ages; and in thousands of neighborhoods, to challenge

men's age-old prerogative to hurt, demean, or otherwise subjugate their female partners virtually at will. In addition to the proliferation of community-based services for victims, the revolution consists of the three other major components that are the focus of this text: (1) the criminalization of domestic violence; (2) the mobilization of a range of legal resources to protect abused women and their children and to arrest, sanction, and/or counsel perpetrators; and (3) the development of a vast base of knowledge describing virtually every facet of abuse and the societal response. By 2010, police in the United States were arresting more than a million offenders for domestic violence crimes annually, and shelters and related programs for battered women in more than 2,000 communities were serving over 3 million women and children. Most of those arrested for domestic violence are male, although a large number of females also are arrested for abusing male or female partners and both partners are arrested in many cases. So-called dual arrests are a controversial practice that has stimulated much debate.

The Domestic Violence Revolution: Taking Stock

At the heart of public reforms is an ambitious conceit, that violence in intimate relationships can be significantly reduced or even ended if it is treated as criminal behavior and punished accordingly. Given this goal, it is not surprising that the societal response has rested so heavily on reforming criminal justice and legal intervention with offenders and victims. From the start, it was assumed that the primary responsibility for supporting individual victims would be borne by domestic violence organizations and other community-based services and that the role of public agencies like the police and the courts was to provide the legal framework for this support and to manage offenders through some combination of arrest, prosecution, punishment, rehabilitation, and monitoring (i.e., much in the way that other criminal populations are managed). An unfortunate side effect of the focus on individual offenders and victims is that relatively little attention has been paid to identifying and modifying the structural and cultural sources of abusive behavior. Mapping the societal response to domestic violence requires that we place the criminal justice and legal systems center stage. But it also means recognizing the limits of addressing a major societal problem like abuse with a criminal justice approach to individual wrong-doing.

Since the opening and diffusion of shelters, the policies, programs, and legal landscape affecting victims and perpetrators of partner abuse have changed dramatically. Reforms run the gamut from those designed to facilitate victim access to services or to strengthen the criminal justice response to those aimed at preventing future violence by rehabilitating offenders. A range of new protections is available for victims from civil or criminal courts. Conversely, a distinct domestic violence function has been identified in numerous justice agencies and is increasingly being carried out by specialized personnel. Examples include "dedicated" domestic violence prosecutors, domestic violence courts, and domestic violence police units. Complementary reforms have attempted to enhance the predictability and consistency of the justice response by restricting discretion in decisions about whether to arrest or prosecute offenders, making domestic violence a factor in decisions regarding custody or divorce, integrating the criminal and family court response to domestic violence by creating "consolidated" courts, and constructing