

**DOMESTIC VIOLENCE: PREVENTION AND SERVICES**

**HEARINGS**

BEFORE THE

**SUBCOMMITTEE ON SELECT EDUCATION**

OF THE

**COMMITTEE ON EDUCATION AND LABOR**

**HOUSE OF REPRESENTATIVES**

**NINETY-SIXTH CONGRESS**

**FIRST SESSION**

**HEARINGS HELD IN WASHINGTON, D.C., ON JULY 10, 11, 1979**

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X  
TESTIMONY

BY

CLARA L. ALLEN, DIRECTOR

DIVISION ON WOMEN

BEFORE THE

SUBCOMMITTEE ON SELECT EDUCATION

COMMITTEE ON EDUCATION AND LABOR

U.S. HOUSE OF REPRESENTATIVES

DOMESTIC VIOLENCE LEGISLATION

JULY 10, 1979

WASHINGTON, D.C.

*New Jersey Is An Equal Opportunity Employer*

I am Clara Allen, Director of the New Jersey State Division on Women, an agency located in the State Department of Community Affairs. The Division is mandated under State law to expand the rights and opportunities of all women in New Jersey, to serve as the central agency for the coordination of programs and services for women in the State, to evaluate the effectiveness of such programs and to develop new ones, and to establish a liaison with all other governmental departments and agencies involved with programs affecting the status of women.

The Division also offers technical assistance to individuals, groups and organizations in their efforts to strengthen the role of women in society, acts as a clearinghouse to publish and disseminate information, and serves in an advocacy capacity regarding the development and recommendation of appropriate pieces of legislation both on the Federal and State levels.

Meeting the needs of New Jersey women, as well as women throughout the country, in the 1980's will require real dedication to the special concerns of women and the cooperation of all levels of government- local, State and Federal. Shaping policy with regard to the development of the nation's human resources will also require flexibility to respond to new challenges and issues as they arise.

I believe that the Division is in a unique position to testify on the problem of domestic violence in New Jersey due to the fact that as a statewide agency, it has been collecting information and facilitating and coordinating an intergovernmental response to this problem for the past three years. The Division testified before this Subcommittee in

March of 1978, when hearings were held on domestic violence legislation HR 7927 and HR 8948.

It is apparent to the Division that the widespread and alarming occurrence of domestic violence on all socioeconomic levels is not being sufficiently addressed by local, State and Federal government. As a result, its victims are not receiving the support from social service, law enforcement and legal agencies which would be given to other victims of criminal assault. Clearly, the need is for the establishment of shelters and the formalization of service programs for victims. However, the lack of sufficient funding is the major obstacle to the realization of such programming efforts.

The Division first became aware of the problem and the need to provide relevant services to the victims of domestic violence when analyzing resource information collected by Women's Referral Central, the Division's statewide, toll-free 24-hour hotline. In addition to identifying existing volunteer programs, it was discovered that many social service agencies were being called upon to provide assistance to victims of battering but were having difficulty meeting the need. In the first six months of 1979, the hotline has received approximately 1,500 calls from victims requesting service information.

In early 1977, the Division held a statewide conference designed to call attention to the problem and to provide an information exchange geared to alternative responses to the needs of victims. This conference, which was planned for 300 people, attracted over 750 participants including representatives of the medical, legal, law enforcement, social service and other professions, as well as women providing volunteer assistance

and interested individuals. The interest in and the reaction to the conference clearly indicated the need to establish shelters and to formalize service programs for victims.

Another more recent illustration of the magnitude of the problem of domestic violence and the great demand for information regarding services available to victims is the fact that the Division has distributed close to 40 thousand copies of its Battered Women's Guide in the past six months to local and county government officials, social service and law enforcement agencies and a wide range of organizations, groups and individuals.

This guide, which is now in its fourth printing, lists by county all shelters presently operating in New Jersey and includes a brief narrative describing the services that are available to victims.

In February of 1978, the first fully-funded shelter program in New Jersey opened its doors, and within several days was filled to capacity. Today there are thirteen shelter programs operating throughout the State all experiencing the same increasing demand for services. One more shelter program is scheduled to go into operation in August. In addition, there are eight other programs existing in New Jersey which offer emergency shelter in private homes and counseling services to victims. These programs are staffed by volunteers and have very little, if any, funding.

The overwhelming demand for shelter and the social services provided by this group of community-based programs has far outpaced the capacity of these existing facilities. According to data gathered on the first five programs to become fully operational during the period March 1978 through January 1979, 1,708 women were referred by various sources to

the programs.<sup>1</sup> Of these, 643, along with 971 children, were housed at the program shelters or received other direct services. An additional 1,065 women who contacted these programs were not housed due to the lack of bed space and/or professional staff or inappropriate referrals. Many of these such women often find shelter at the home of a friend or relative. However, women contacting the shelters are always referred to other social service agencies which should be able to help them even if the shelter program cannot.

Shelter staff try hard not to turn away any woman requiring emergency shelter, but admit that over-crowding and the lack of other available emergency shelter facilities to serve all the women and children who need them often results in denying women and children the safe harbor they so desperately seek. All five shelter programs discussed here have been operating at full capacity since shortly after opening their doors.

To further illustrate this rapid emergence of domestic violence victims and their growing demand for services, I refer you to the attached discussion of the experience of the Atlantic County Abuse Center, an organization which had been serving victims on a volunteer basis since its incorporation in October 1974 and which, in February 1978, was the first shelter in New Jersey to be granted Title XX funding.

<sup>1</sup>

Of the 1,708 women who were serviced by the five programs during the report period, 24% were self-referred, 14% were referred by friends and relatives, 10% were referred by county welfare agencies, 8% were referred by the Division of Youth & Family Services, NJ Department of Human Services, 8% were referred by the police, 4% were referred by the court system, 1% were referred by the schools, and the remaining 31% were referred by sources such as hospitals, other shelters, social service agencies and newspapers.



The Division is currently working with the New Jersey Department of Human Services, Division of Youth & Family Services, and the New Jersey Coalition for Battered Women<sup>2</sup> to coordinate all existing programs, provide technical assistance for the establishment of new programs in areas of the State where such services are now lacking, and search for reliable funding sources.

This search for funding sources has plagued existing shelter programs and groups working to establish such programs since the first shelter in North America opened its doors in Hackensack, New Jersey nine years ago. That shelter- Shelter Our Sisters (SOS)- gained full funding status only in the past year.

Since 1978, some federal financial assistance has been available through Title XX Protective Services funds,<sup>3</sup> the Comprehensive Employment and Training Act (CETA), the Law Enforcement Assistance Administration (LEAA), the Community Development Block Grant program of HUD, in addition to assistance from state and county welfare emergency assistance funds,

<sup>2</sup> The New Jersey Coalition for Battered Women is composed of 30 shelter programs and auxiliary services for victims of domestic violence and their children, as well as 450 concerned individuals, and represents the estimated 150,000 abused women in New Jersey.

<sup>3</sup> Nine shelter programs in New Jersey are presently being funded primarily under Title XX through contracts with the NJ Department of Human Services. The FY78 Social Services State Plan allocated \$300,000 in Title XX protective services funds for shelters. This amount, matched by \$100,000 from public and private sources within the community, was to have funded 4 regional programs at a total cost of \$400,000. However, by January of 1979, with added funds, the total value of the contracts reached \$650,000. This was accomplished by stretching the allocation as far as possible and by the resourcefulness of the local program sponsors in seeking out additional public and private funding sources to meet their budgetary requirements, which are now in excess of \$1.1 million for the nine programs. NOTE: the annual operating budget of an average shelter program is approximately \$200,000.

county and local governments, and other public and private sources within each community. Even the New Jersey Division on Women, with its annual budget of only \$148,000, has granted a total of \$14,333 in FY79 monies to five shelter programs located throughout the State for such funding needs as staff, transportation and building renovation.<sup>4</sup>

While it is agreed that the problems of domestic violence must be addressed by all levels of government, this present "patchwork" funding of shelters forces them into constant financial crises. Too much staff time is devoted to searching for replacement funds rather than concentrating on improving the delivery of services to victims. Furthermore, as discussed previously, when shelters and services are established in communities, and as victims become aware of them, the demand for services rises rapidly.

The viability of these existing, successful, grassroots shelter programs is dependent upon an intergovernmental response to their financial plight. In order to ensure this viability, the programs' desperate search for replacement funds must be answered by a cooperative giving on the part of local, state and federal governments. This cooperation is absolutely necessary if these successful shelter programs are to survive.

These community-based programs have, in the past several years, developed successful and innovative service delivery techniques, but they need financial and technical assistance, especially in the areas of fund raising and good management. They don't want total federal or state

<sup>4</sup>

Atlantic County Abuse Center	\$4,308.00	transportation
Battered Women's Project, Burlington County	3,921.00	bldg. improvement
Jersey Battered Women's Service, Morris County	1,300.00	bldg. improvement
Providence House, Burlington County	2,304.00	transportation
Women Helping Women, Middlesex County	2,500.00	staff

intervention- what they need is short-term, limited federal funding to establish their credibility in the community and to gain the strength to solicit and receive greater local and state financial support. They recognize that the end result is to become economically self-sufficient.

HR 2977, the "Domestic Violence Prevention and Services Act," introduced by Congressman Miller and co-sponsored by 58 Representatives including Congressmen Forsythe, Patten and Thompson of New Jersey, effectively addresses this problem of funding by providing short-term funding over a period of three years. In addition, this legislation focuses on the need to coordinate existing national, state, county, and local government and private efforts aimed at long-range solutions as well as emergency measures.

It's time we recognized that domestic violence is not a narrow problem in isolation from the rest of society. It is related to a variety of issues already being addressed by many local, state and federal programs, including prevention of child abuse, community mental health services, job counseling, training and placement.

Problems stemming from domestic violence show up in the criminal justice, juvenile justice, welfare, educational and health care systems. Clearly, an interdisciplinary, multi-faceted approach is necessary for the prevention and treatment of domestic abuse.

Without shelter programs and the necessary preventative services which they provide designed to break the cycle of violence in the home, the federal government is now and will continue to pick up the tab for the increased use of services which aid in picking up the pieces left by this problem: foster care, hospitalization, institutionalization,

judicial and penal system, public assistance, among others.

We have the choice of providing some limited funding for preventative and emergency measures or of expending far greater amounts of money on mandated social services when those families caught in the web of domestic violence finally come to a decisive end to this problem, be it legal action in the form of separation, divorce, or indictment and/or conviction and incarceration of the abuser on assault and battery charges or worse, to the grave injury to or death of the abused.

The Division also applauds the provision in HR2977 that primary consideration for funding be given to grassroots organizations which have been successful in the establishment of community-based shelter programs. These organizations have acquired a body of knowledge and expertise which is often sought out by professionals in social service agencies interested in helping abused or abusive persons. In addition, they are making significant inroads in the area of criminal justice proceedings, agency procedures and general community understanding of the nature of domestic violence. Such organizations also provide guidance in the establishment of new programs, research and data collection and staff training.

In analyzing the provisions of HR 2977, the Division would like to make two specific recommendations concerning Section 10, Coordination of Federal Programs, and Section 11, Definitions.

While the Division wholeheartedly supports the establishment of a council charged with the coordination of federal level programs for the prevention of domestic violence and the provision of shelter and other services to victims and their dependents, we would like to see some changes in the composition of such a council. Specifically, we feel that



the language regarding the composition of a Federal Council on Domestic Violence, contained in Section 4 of HR 3921, the "Domestic Violence Assistance Act of 1978"- which is also before this Subcommittee- better addresses the need for full intergovernmental and community-based organization cooperation.

The language we would prefer states that the council be composed of not less than five members of the general public who have been victims of domestic violence or who are experienced in the operation of community-based shelters or service programs, but who are not employees of government; and representatives with expertise in the area of the prevention and treatment of domestic violence from such federal agencies as are listed in Section 10 of HR 2977 and including the Office of Children, Youth & Families, Department of Health, Education and Welfare.

In addition, the council should include representatives of State or local governments, for although the Federal government now provides the primary financial assistance for many shelter programs, the State and local governments are recognizing their responsibilities to the growing problem of domestic violence. All three levels of government need to develop long-term plans to combat the problem, including changes in the criminal justice system, social service delivery and public education.

And finally, the language should include the provision that the non-Federal members appointed to this council shall at all times constitute a majority of the members of the council.

This amended version of Section 10, HR 2977 is attached for your information.

The Division would also like to offer an amendment to Section 11 of HR 2977, regarding the definitions of certain terms as used in the legislation.

Again, we feel that the language defining the term "domestic violence" as contained in Section 10 of HR 3921 better describes the victims of battering. While the definition under Section 11 of HR 2977 requires that a victim and the abuser have been or are related, specifically as husband and wife, there is no mention of the fact that victims of domestic abuse are often not related to the abuser. A clearer and more precise definition must take into account this fact.

The amended version of Section 11 is also attached for your information.

In line with proposed Federal legislation on domestic violence, the New Jersey State Legislature has taken preliminary action on several pieces of domestic violence legislation this year. The Division has been instrumental in the drafting of these bills and has worked for nearly two years on a lobbying effort to promote their passage.

New Jersey Senate Bill 807, the "Shelters for Victims of Domestic Violence Act," was approved by the Senate on June 21, 1979 and is presently awaiting Assembly action scheduled for the fall. This legislation authorizes the Department of Human Services to provide services to those public and private agencies, which meet the standards set forth in the bill, to operate shelters for victims of domestic violence and their children. The legislation also establishes an Advisory Council which will be responsible for providing technical assistance to help public and private agencies to qualify as operators of shelters and to obtain State and Federal funds for

the establishment and maintenance of shelters, recommend innovative strategies regarding the prevention of domestic violence, foster cooperation and communication among the providers of services to victims, and provide guidelines for the training and use of volunteers in the delivery of services. This council will be composed of ten members, including the Director of the Division on Women, representatives from state departments and agencies which offer or should offer programs or services for victims, and representatives from viable, successful grassroots shelter programs.

The bill emphasizes the need for cooperation among existing service delivery agencies and recognizes the need for bilingual assistance. A copy of this legislation is attached for your information.

New Jersey Senate Bill 3244, amending the State's Municipal Land Use Law, was reported favorably from Senate Committee in June of 1979 and is scheduled to be voted on by the full Senate in the fall.

This bill, which is intended as a companion measure to S. 807, would permit the location of shelters for victims of domestic violence and their children within the provisions of the law. S. 3244 would require that any such shelter be approved and certified by the Department of Human Services pursuant to the provisions of S. 807, which provides standards for the establishment and operation of shelters.

The passage of S. 3244 will provide relief to the majority of shelter programs now operating in New Jersey, in addition to offering groups working to establish programs more flexibility with regard to choosing the location of the site. Too often a community's local zoning ordinance has proved to be an obstacle to the establishment of a shelter facility

in an area conducive to the healing process, both physical and psychological, necessary for victims and often their children.

In conclusion, the Division hopes that domestic violence legislation is approved by the 96th Congress and that such legislation adequately addresses the needs of victims and the especially acute financial assistance needs of the community-based shelter programs. The problem of domestic violence is probably one of the most compelling social issues at this time, and a coordinated government response is critical.

**END**