

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

Printed for the use of the Committee on Education and Labor



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Background PaperFAMILY VIOLENCE PROGRAM


Law Enforcement Assistance Administration

Guide for Discretionary Grant Programs

M4500.1G, Chapter 1, Paragraph 4, Page 19

December 21, 1978

This paper is intended to assist those who are preparing grant applications for the Family Violence Program. It provides background information and supplementary explanations.

 U. S. DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION		GRANT PROJECT SUMMARY	
		GRANT NUMBER 78-DF-AX-0133	
<input checked="" type="checkbox"/> THIS PROJECT IS SUPPORTED UNDER TITLE I OF THE OMNIBUS CRIME CONTROL ACT OF 1973. <input type="checkbox"/> THIS PROJECT IS SUPPORTED UNDER TITLE II OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974. <input type="checkbox"/> OTHER:			
1. STAFF CONTACT (Name, address & telephone number) Jan Kirby, Project Manager LEAA Special Programs Division, OCJP 633 Indiana Ave., N.W., Rm 707 Washington, D.C. 20531 202/376-3550		2. PROJECT DIRECTOR (Name, address & telephone number) Carol Ann Sheperdson Women's Crisis Center 67 Maine Street, Rm. 38 Brattleboro, VT 05301 802/254-6954	
3. TITLE OF PROJECT Women's Crisis Center			
4. NAME & ADDRESS OF GRANTEE Governor's Commission on the Administration of Justice 149 State Street Montpelier, VT 05602		5. NAME & ADDRESS OF SUBGRANTEE Women's Crisis Center 67 Maine Street, Rm 38 Brattleboro, VT 05301	
6. AMOUNT OF AWARD \$42,000		7. PERIOD OF AWARD 9/1/78 thru 8/30/79	
8. TOTAL PROJECT AMOUNT \$52,500	9. TOTAL PROJECT PERIOD 12 months	10. DATE OF AWARD August 23, 1978	
11. SUMMARY DESCRIPTION OF PROJECT This is a continuation grant to the Women's Crisis Center, a rural agency providing services to the victims of family violence and their families. The central program objectives of the Women's Crisis Center are to: (1) reduce the incidence of serious abuse; (2) provide comprehensive support services to victims of abuse; (3) increase community awareness of domestic violence as a problem; (4) develop a coordinated agency approach toward family violence; (5) train community agency personnel in the needs of and desirable responses to abused victims; and (6) develop a model which can be implemented at low cost in other rural communities. New plans for the coming year include: 1. Increasing the skills and scope of the volunteer system with attention to incorporating the many battered women who have used the Center's services into a volunteer program where they may have more control over the emergency services; 2. Developing more specific coordination programs with the criminal justice system through a more comprehensive police training program and a court diversion program; and, 3. Increasing the already large program of education and prevention efforts to reach new segments of the community such as high schools, service clubs, doctors and lawyers.			

I. INTRODUCTION

The LEAA Family Violence Program is aimed at reducing and preventing violence and sexual abuse in the home. This new program is the outgrowth of several grants made during FY 1977 under the Victim/Witness Assistance Program. Under that program, the LEAA has sought to encourage local governments to improve their response to crime victims and witnesses. Special attention was given to the victims of rape, sexual abuse (including incest) and spousal assault because victims seldom report these "sensitive crimes" and are reluctant to cooperate with prosecution efforts.

By 1977, it was clear to the LEAA that the problem of women and children being injured and sexually exploited by family members required new approaches. Grants were made to two hospitals carrying on programs for sexually abused children and four organizations providing shelter and other services for battered women. The experiences of these projects and others like them show that the people who come to them for assistance are often from families where more than one member is being abused and needs help. The American Humane Association, in a 25-state study funded by the Department of Health, Education and Welfare (DHEW), recently reported that the physical abuse of a spouse has been documented in nearly twenty percent of all validated cases of child abuse and neglect. For this reason, the Family Violence Program will focus on the several forms of victimization that occur in the home including, but not limited to, child/adolescent abuse, interspousal abuse and abuse of the elderly.

Although others are engaged in activities aimed at various aspects of the problem, the LEAA is the first federal agency to launch a comprehensive approach to family violence. The Department of Health, Education and Welfare through its National Center for Child Abuse and Neglect (NCCAN), its National Center for the Prevention and Control of Rape (including incest), its Runaway Program, its Center for Studies of Crime and Delinquency and others is carrying out research and demonstration projects which impact various aspects of the intra-family abuse problem. Other federal agencies such as the Department of Housing and Urban Development (HUD), Community Services Administration (CSA) and ACTION are considering ways in which they can contribute to the programming effort. The LEAA seeks to join these agencies in their attempt to help communities find an effective approach to the problem of family violence.

II. FAMILY VIOLENCE AND THE ROLE OF THE CRIMINAL JUSTICE SYSTEM

The Family Violence Program is built upon the premise that physical and sexual assaults on family members are crimes and that the criminal justice system therefore has an important role to play in the resolution of these problems. The new program will focus on the role of the criminal justice system in preventing and controlling violent and abusive behavior in the home. By concentrating its resources on the criminal justice system, LEAA does not imply that the part which criminal justice agencies play in the resolution of family violence should be enlarged. Instead, the LEAA wishes to define the relevant responsibilities of the criminal justice system and to improve its response to crimes in the home. Nevertheless, the approach recommended is called "comprehensive" because it foresees the need for cooperative interaction with social services agencies and community based groups. The tension which normally exists between the punitive nature of the justice system and the treatment models of the social service systems must be eased in order to meet this need.

The argument for intervention by the criminal justice system in family violence extends beyond the immediate needs of the victim for protection. Early research suggests a correlation between the abuse of children and their subsequent truancy, running away, drug and alcohol abuse, suicide and other acts which have the potential to lead to criminal behavior. Furthermore, the evidence to date suggests that children who witness violence between their parents are more apt to engage in violence themselves than children who are not subjected to such experiences; and, as spouses and parents, they will become role models for another generation of violence-prone children.

The need to interrupt the "cycle of violence" is apparent, but tradition forestalls easy solutions. The privacy of marriage and the family are well-guarded in American law and policy. The saying "a man's home is his castle" reflects the commonly held belief that men "rule" their own homes. The courts are reluctant to interfere in an ongoing marriage, and (with few exceptions) they uphold the authority of parents over their children. These concrete manifestations evince societal support for the autonomy of the family.

Nevertheless, legislators in every state have seen fit to make exceptions to this policy in order to protect children from abuse and neglect by their parents, but legislators have given relatively little attention to adults being abused in the home. Although the extent and nature of adult abuse in the home has only recently been documented, the evidence indicates that the problem is extensive and that adults, in some instances, may also need outside intervention to protect them

from further injury. This development has raised new ethical and legal issues surrounding governmental intervention in the home and in the marriage relationship.

Even in the child abuse area, where there is now considerable experience in programming, there is still strong disagreement as to the kinds of intervention which may be most effective. Some believe that actions such as removing a child from the home or criminal prosecution of a family member may have effects on the victim which are worse than the abuse which prompted the intervention. There are also differing views regarding the relative merits of the punitive compared with the therapeutic approach to dealing with the abuser. Despite this lack of agreement, experience gained in the field of child abuse should give useful guidance in the development of intervention approaches in the adult victimization area.

III. PROGRAM STRATEGY

a. A Comprehensive Approach

The LEAA program has been termed a "comprehensive" approach for several reasons. First, it envisions a multi-agency response to family violence. This will be accomplished through a multi-agency advisory committee with responsibility for coordinating the activities of all project components. The committee approach is an attempt to overcome the reluctance of agencies to broaden or narrow their own roles in the interest of improving the larger system. Agencies can cooperate in avoiding duplication of and gaps in services, in collecting uniform data, and in developing inter-agency approaches. In addition, these agencies should develop detailed agreements with respect to procedures to be used in various cases to avoid their working at cross purposes. For example, when an investigation of a case of child abuse or neglect reveals that the mother is being battered, agency coordination will be necessary to insure that before the child is removed from the home, consideration is given to assisting the mother so that she can properly care for and protect the child.

This example also illustrates the second way in which the LEAA program is designed to be "comprehensive." It encourages a family approach with a range of programs for all members of the effected family - the abuser and the victims (some of whom may also be abusive).

The third feature is LEAA's emphasis on a comprehensive approach appears in the program's focus on prevention as well as intervention and treatment. That is, in addition to identifying and intervening in these families, projects should develop programs aimed at breaking the cycle of violence from one generation of a family to another. On the community level, prevention efforts should focus on reducing community and institutional acceptance of intra-family violence.

Projects which work with more than one family member to reduce violence and to prevent its recurrence in the next generation are already in operation. One example is a shelter for battered women which accepts women and their children, many of whom have also been abused by one or both parents. Unlike other shelters, these programs address the hypothesis that these children may have already learned to resolve their own conflicts through violence. Recognizing that they may be the next generation of spouse and child beaters, the shelter offers individual counseling and rap groups for these children while staff teach the mother parenting skills.

Another example of a comprehensive approach to intra-family abuse exists in the Probation Department of a county court. Within this project, men accused or convicted of incest are offered therapy as are their wives and daughters/victims. Although the man must accept responsibility for the incest in order to enter the program, the other family members are helped to see the role that they played in what happened. Sometimes these families are reunited as a result of the therapy, but even when they are not, each person is better able to cope with the feelings of guilt, indignation and alienation which these victims commonly experience. The therapy may make it possible for the mother and daughter to overcome the trauma to their relationship caused by the incest. This could, in turn, prevent emotional isolation of the child and, perhaps, consequent self-destructive or delinquent behavior.

Although these examples involve more than one member of the family and aim at breaking the cycle of violence, each is but one component of the larger community system which the LEAA hopes to involve in its program initiative against violence in the home. Applicants are therefore required to indicate how innovative approaches such as those described above will be developed in

conjunction with other components required by the Family Violence Program Guidelines.

b. Evaluation and Data Collection

A grant has been made to the URSA Institute in San Francisco for a national evaluation of the Family Violence Program. It is sponsored by LEAA's Office of Juvenile Justice and Delinquency Prevention. The national evaluator is developing an evaluation design to be implemented at each site. The major objectives of the evaluation will be to determine the degree to which the program achieves the objectives set out in the Results Sought section of the guidelines. It will also focus on the processes by which these objectives are achieved.

Therefore, access to police and court data will be necessary to measure progress toward program results. A uniform data collection system is being developed by the national evaluator to be implemented by all participating agencies in each site. Stringent provisions for ensuring confidentiality of data are applicable to this program.

Technical assistance in this area will be provided to all grantees by the LEAA but each applicant should demonstrate a knowledge of record-keeping and data collection systems existing in its community and how it could be improved to meet the objectives of the Family Violence Program.

c. Program Elements

Advisory Committee

An advisory committee for each project is required by the LEAA guidelines in order to ensure that all agencies, institutions and community groups concerned with the problem of family violence are able to have input into the project. This committee, to be composed of policymakers from all participating groups, should be constituted and should function in ways that guarantee the required coordinated approach to the problem. Its members should be able to commit the resources of their respective agencies. For example, a community mental health center might agree to provide special services for adolescent victims, or a police department might agree to provide additional training for its officers.

Administrative Component

The guidelines also require an administrative component for overall project management and data collection. Personnel could, for example, determine how to eliminate duplication of efforts among the agencies; assist in setting up a uniform recordkeeping and data collection system for participating agencies, and improve referral between agencies. Additionally this staff could undertake an advocacy function to deal with more substantive obstacles to effective programming. For example, the advocacy role could be used to build community support for new services such as emergency or therapeutic day care for abused children, parent helpers, self-help or therapeutic groups or a shelter or service center for battered women and children. It could propose important legislative and procedural changes and could also address broader needs which impact the family violence problem such as alcohol and drug abuse, stress in the workplace and the lack of extended family or neighborhood support systems.

Public Information Component

The public information component should seek to make people aware of the nature and extent of violence in the family, and inform them of what can be done about it. Efforts should be made to deliver this message to all sectors of the community, using more than than one language where appropriate. Education must also be aimed at what are believed to be the causes of violence and abuse between family members, how families and other responsible groups such as schools can be alerted to these signs and how assistance can be obtained before the problem becomes a violent one.

Other Components

Although the above special components are important, the success of the project will largely depend upon the performance of the police, courts, corrections and family services. Grant funds should also be used to provide resources to the various components of the agency network. One way of doing this was demonstrated by an LEAA grantee operating a county-wide victim assistance program. That project paid for additional staff members to be placed in a number of agencies including the prosecutor's and sheriff's offices. These people were hired to perform new functions or to do a job in a different way on an experimental basis. The agencies were thereby given an opportunity, at no cost to them, to test a possible improvement in their operation.

The so-called "out-station" staffing model described above encourages the host to decide whether the job performed on this basis should be maintained in its own budget when the grant expires. Even when the extra position cannot be absorbed, the techniques developed by the specialist can be taught to co-workers through training sessions so that the know-how remains in the agency. Either way, improvement made under the grant will have become institutionalized.

d. A Range of Options

The causes, forms and severity of intra-family abuse vary widely from case to case as do the personalities and resources of the persons involved in these incidents. Furthermore, there is strong evidence that serious victimization takes place in households of all social, economic and cultural backgrounds. For these reasons, applicants should propose to make available a variety of techniques for responding to these victims.

The LEAA has required that all applications provide for certain services but it has not prescribed how or to whom they should be delivered. The following are some considerations that should be taken into account in the planning process:

Services to Family Members. Violent or abusive behavior is often symptomatic of underlying personal and family conflicts. Treatment and service programs aimed at modifying the abusive behavior, and relieving stress within the family unit, can be successful in resolving violent conflicts at home. These programs would include individual, family, and marital therapy, self-help groups for victims, day care for pre-school age children, including a therapeutic milieu for those who need it, and alcohol and drug abuse programs. Other services might include jobs and housing placement, career education and training programs which families could utilize to reduce the financial stress that frequently creates violent confrontations. These approaches can be expected to increase self-reporting by family members who want to stop abusive behavior but are not willing to jeopardize the integrity of the family unit by inviting coercive legal intervention.

Civil court action. When a person is in danger of being injured by a family member the law provides for protective intervention. If the victim is a child, removal from the home as well as termination of parental rights can be accomplished through a civil court procedure. In the case of an adult victim, the abuser may be ordered by the court to stay away from the victim. Such orders are not easy to obtain in some jurisdictions and they have proven difficult to enforce. Nevertheless,

With increased understanding and cooperation on the part of the police and courts, this approach could be effective with some families. Resorting to these measures may encourage the abusive family member to seek help in controlling his/her behavior problem in order to resume the family relationship. Even when it does not, civil court action becomes a protective way-station on the road to dissolution of the familial bonds.

Mediation or arbitration projects dealing with dispute resolution are another alternative to criminal prosecution. They may be helpful in cases where intra-family violence can be stopped by resolving a specific underlying conflict over money, alcohol abuse or any issue which is amenable to compromise between the parties.

It should be stressed that in any of these civil actions, particularly in the removal of one family member from the family unit, there should be prompt court review, and ideally all parties should be represented by independent counsel.

Criminal Prosecution. The threat of criminal prosecution is sufficient to encourage some abusers to seek alternatives to their pattern of violence or sexual exploitation. Others become serious about changing their behavior only when they have been charged and face conviction. Others must be convicted before there is an incentive to seek help as an alternative to incarceration.

Although this "carrot and stick" approach is effective with some offenders and agreeable to their victims, there are cases where it may be inappropriate. Some abusers are clearly too dangerous to members of the family, too callous with respect to the justice system, or too emotionally or mentally disturbed to be treated in this way. These people may need to be incarcerated to ensure the safety of their families, but programs should be developed to treat these prisoners so that they will not revert to similar behavior when released.

It is suggested that the options of social and legal services, civil court action and prosecution be treated as interrelated. For example, the social service/mental health approach may be useless in a given case because the abuser will not enter voluntarily, but if it is offered as a diversion from criminal process it may be accepted and may prove helpful. Similarly, mediation of underlying disputes may be more effective when offered as an alternative to trial in a criminal case.

IV. PLANNING FOR INSTITUTIONALIZATION

The level and duration of funding available to grantees under this program is extremely limited considering the magnitude of the problem addressed and the number of groups which must participate in the project. This suggests the need for careful planning. In the interest of realistic budgeting, consideration should be given to upgrading and coordinating existing services, as well as creating new ones.

When new services or systems will be initiated under the grant, the applicant should explain how they will be supported on a continuing basis should they prove worthwhile. For example, many communities are discovering the need for a temporary refuge for victims of family violence, and most places do not have such a facility. If an applicant proposes to begin such a service, plans might address how it can be sustained on a purchase of services basis at the end of the grant period.

Agencies also should institutionalize the newly-formed working links among them. Cooperative action is often initiated on the basis of personal relationships and is subject to erosion when the individuals involved change jobs; this tendency must be countered. Similarly, cooperative arrangements induced by the promise of funding are vulnerable when the financial incentive is removed. Very specific formal letters of agreement help to assure that inter-agency cooperation developed under the grant will transcend the grant period. Such statements from each relevant agency are required by the guidelines.

Potential grantees should give attention in the application to future sources of support since the guidelines state that 90% funding will be for one year only. The requirement of a 25% cash match the second year should alert the applicant to the need to plan realistically how financial resources will be developed during the first year of operation for subsequent years. Diminishing the size and activities of the administrative component, by gradually institutionalizing its functions is one way to reduce the cost each year.

The LEAA is attempting to demonstrate the effectiveness of low-cost programs which most communities will be able to support when experimental monies are withdrawn. Therefore, the agency not only requires matching funds and plans for institutionalization, but will use as a selection criteria the applicant's demonstrated ability to raise other contributions for its work. Included in the attachments is information on other possible sources of funding.

V. ADDITIONAL INFORMATION

The following items are also included in this package:

- a. A list of selected readings on family violence;
- b. A list of the items available through the Center for Women Policy Studies (CWPS) clearinghouse;
- c. A paper written by Murray A. Straus of the University of New Hampshire entitled, "The Social Causes of Interpersonal Violence: The Example of Family Violence and Odyssey House Non-Violence;"
- d. Statistics on battered women prepared by the CWPS;
- e. Literature and Resources to be used by those working with battered women, sexually abused children, and/or victims and witnesses; and,
- f. Copies of the project summaries from the 16 Family Violence Projects funded by LEAA during FY 1978.

The National District Attorneys Association produced a special edition on family violence in their publication, "The Victim Advocate." (Orange cover) To obtain a copy, please write to:

The National District Attorneys Association
666 North Lake Shore Drive, Suite 1432
Chicago, Illinois 60611
Telephone: 312/944-4613

READING LIST

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