

1032 HJ INTERIM FILES, DOMESTIC VIOLENCE

women do not want to make their batterings public. They fear social embarrassment and harming their husbands' careers. Many also believe the respect in which their husbands are held in the community will cast doubt upon the credibility of their battering stories. The recent public focus on battered women has brought many of these middle- and upper-class women out of hiding. The publicity being given the problem is creating a climate in which they think they will finally be believed. They report an overwhelming sense of relief once they have told their stories and find that others will now believe them.

MYTH NO. 5: MINORITY-GROUP WOMEN ARE BATTERED MORE FREQUENTLY THAN ANGLOS.

The battered women interviewed in this study were Hispanic, native American, black, Asian, and Pacific American, as well as Anglo. Although each grew up in a culture with different values and different attitudes about male and female roles, none of them was able to make any impact on the kind of violence she experienced. Anglo and minority women alike told similar battering stories and experienced similar embarrassment, guilt, and the inability to halt their men's assaults. Minority women, however, spoke of having even fewer resources than Anglos to turn to for assistance.

MYTH NO. 6: RELIGIOUS BELIEFS WILL PREVENT BATTERING.

The Catholic, Protestant, Mormon, Jewish, Eastern, and other religious women in this study all indicated that their religious beliefs did not protect them from their assaultive men. Most of the women in my study held religious beliefs. For some, belief in a deity helped them endure their suffering, offering comfort and solace. Sometimes attending services was the only safe outside contact they had. However, other women indicated they no longer practiced their religion,

because giving it up eliminated the batterer. Still others gave up feeling that a just and merciful God would suffer so. Others reported losing hope and fully sought help from a religious community.

Some women told stories that suggested they pray for guidance. One woman said, "I go home and help their husbands find the Lord." Needless to say, it took time to wait for their husbands to be changed. Some continued to receive brutal beatings. Some told of humane religious advice that was given, but no help was offered. Some were helped and some were not.

MYTH NO. 7: BATTERED WOMEN WHO ARE PROFESSIONALS HAVE FEWER RESOURCES.

The education level of the battered women in this study ranged from fifth grade through completed college degrees. They were homemakers, lawyers, psychologists, nurses, teachers, politicians, and successful executives. Many were well at their jobs and some were successful career women. Some women would have had better relationships if it would have been possible. Most had tried to leave without any effect on their husbands. Some who chose to be homemakers kept their lives from falling apart: they met, kept family chaos at bay, and lived a life for their batterer. Most women who were successful in their home lives rather than in their professional lives was dependent on their ability to be a good homemaker and was not well served by their professional activities.

because giving it up eliminated a point of conflict with their batterer. Still others gave up their religion in disillusionment, feeling that a just and merciful God would not have let them suffer so. Others reported losing faith after having unsuccessfully sought help from a religious or spiritual leader.

Some women told stories in which their religious adviser suggested they pray for guidance, become better women, and go home and help their husbands "become more spiritual and find the Lord." Needless to say, these women did not have time to wait for their husbands to "find the Lord" while they continued to receive brutal beatings. Other women joyfully told of humane religious advisers who understood their problems and helped them break out of their disastrous relationships.

MYTH NO. 7: BATTERED WOMEN ARE UNEDUCATED AND HAVE FEW JOB SKILLS.

The education level of the women interviewed ranged from fifth grade through completion of professional and doctoral degrees. They were homemakers, teachers, real estate agents, lawyers, psychologists, nurses, physicians, businesswomen, politicians, and successful corporation executives. Some did well at their jobs and some performed poorly. Although many were successful career women, they stated they would give up their careers if it would eliminate the battering in their relationships. Most had tried changing jobs or staying home without any effect on their husbands' behavior. Those women who chose to be homemakers tried heroically to keep their lives from falling apart: they struggled to make financial ends meet, kept family chaos at a minimum, and tried to smooth life for their batterer. Most of them sought status in their home lives rather than in their careers. Thus, their self-esteem was dependent on their ability to be good wives and homemakers and was not well integrated with their successful professional activities.

MYTH NO. 8: BATTERERS ARE VIOLENT IN ALL THEIR RELATIONSHIPS.

Based on the women in my study, I estimate that only about 20 percent of battered women live with men who are violent not only to them but also to anyone else who gets in their way. Unfortunately, this violent group of men has been the most studied. They tend to be poorer and to live outside the mainstream of society's norms. They often have fewer resources or skills with which to cope with the world. Most street crime is committed by such men. They also have the most contact with society's institutions and seem always to be in trouble with the police. They often subsist on welfare payments; their children have behavioral and learning problems in school; they use hospital clinics. Courts send them to treatment facilities in lieu of jail sentences. Because so much of our resources is spent in dealing with these people, it often seems that they are representative of all of the violence in our culture. When it comes to battered women, this is simply not true. Most men who batter their wives are generally not violent in other aspects of their lives.

MYTH NO. 9: BATTERERS ARE UNSUCCESSFUL AND LACK RESOURCES TO COPE WITH THE WORLD.

It has been suggested that men who feel less capable than their women resort to violence. Contrary findings were reported in England, where physicians, service professionals, and police had the highest incidence of wife beating. Most of the professionally successful volunteers in this study have similarly successful husbands. Among the affluent batterers were physicians, attorneys, public officials, corporation executives, scientists, college professors, and salesmen. Many of these men donated a good deal of time and energy to community activities. Often they would be unable to maintain their high

productivity level were it not for one town, the mayor's wife, revealed the serious bruises he had assisted him with all his of previously successful men lost alcohol or emotional problems erratic in performance by the the batterers in this sample was any other group of men in terms

MYTH NO. 10: DRINKING CA

Over half the battered women relationship between alcohol to blame the battering incident. Upon further questioning, however, men beat them whether or not some association between drinking denied. Exactly what it is is reasonable, however, to suggest blamed as the precipitating component in the battering relationship easier for the battered woman the batterer's drunkenness. Often as a way of calming their anger them a sense of power. Many could only get their men to stop cease. Unfortunately, it just

The most violent physical whose men were consistent did be done on the association between strongly suspect that there changes that occur under a given battering. Furthermore, these are found in the blood of alcohol fundamental changes in brain

productivity level were it not for the support of their wives. In one town, the mayor's wife, whose layers of make-up concealed the serious bruises he had inflicted upon her, regularly assisted him with all his official duties. In some cases, previously successful men lost their effectiveness because of alcohol or emotional problems. Many men were reported as erratic in performance by the women. As a group, however, the batterers in this sample would be indistinguishable from any other group of men in terms of capability.

MYTH NO. 10: DRINKING CAUSES BATTERING BEHAVIOR.

Over half the battered women in this sample indicated a relationship between alcohol use and battering. Many tended to blame the battering incidents on their men's drinking. Upon further questioning, however, it became clear that the men beat them whether or not they had been drinking. But some association between drinking and battering cannot be denied. Exactly what it is is still not known. It does seem reasonable, however, to suggest that in many cases alcohol is blamed as the precipitating factor, whereas it is only a component in the battering relationship. But it is psychologically easier for the battered woman to blame the violence on the batterer's drunkenness. Often the men in this study drank as a way of calming their anxieties. Drinking seemed to give them a sense of power. Many of the women felt that if they could only get their men to stop drinking, the battering would cease. Unfortunately, it just did not happen.

The most violent physical abuse was suffered by women whose men were consistent drinkers. Much work still needs to be done on the association between drinking and battering. I strongly suspect that there are specific blood chemistry changes that occur under a generalized stress reaction such as battering. Furthermore, these may be the same chemicals that are found in the blood of alcoholics. It is entirely possible that fundamental changes in brain chemistry cause both cycles. It

is hoped that as our scientific technology becomes more precise, we will be able to measure these chemical changes with more accuracy.

MYTH NO. 11: BATTERERS ARE PSYCHOPATHIC PERSONALITIES.

If batterers could be considered antisocial and psychopathic personalities, then individual psychopathology could be used to differentiate batterers from normal men. Unfortunately, it is not that simple. The batterers in this sample were reported to have many kinds of personality disturbances other than just being psychopathic. One trait they *do* have in common with diagnosed psychopaths is their extraordinary ability to use harm as a manipulative technique.

The women interviewed all described their batterers as having a dual personality, much like Dr. Jekyll and Mr. Hyde. The batterer can be either very, very good or very, very horrid. Furthermore, he can swing back and forth between the two characters with the smoothness of a con artist. But, unlike the psychopath, the batterer feels a sense of guilt and shame at his uncontrollable actions. If he were able to cease his violence, he would.

MYTH NO. 12: POLICE CAN PROTECT THE BATTERED WOMEN.

The women in this study manifestly do not believe this to be true. Only 10 percent ever called the police for help. Of these, most stated that the police were ineffective: when the police left, the assault was renewed with added vigor.

Sociologist Murray Straus, in his studies on violence in the family, labeled such assaults a crime and declared that were the violence to occur in any setting other than the home, it would warrant prosecution. He cited studies indicating that somewhere between 25 and 67 percent of all homicides occur within the family in all societies.

Myths a

A recently completed study indicates that in 80 percent of cases where police had intervened from a homicide between man and woman, "but rather the end result was violence.

MYTH NO. 13: THE BATTERER IS A FUN-LOVING LITTLE BOY WHEN HE IS WITH HIS WIFE.

This myth has spawned the term "masochistic wife." Women have often been battered by their batterers' brutality rather than by their batterers' fun-loving little boy when he is with his wife. It has been difficult for society to accept that batterers are not fun-loving little boys when they are playful, attentive, sensitive to their women. The cycle theory explains how the batterers' behavior in the battering relationship is often a result of their own childhood experiences.

MYTH NO. 14: A WIFE BATTERED BY HER HUSBAND IS ALWAYS A MURDERER.

This myth has some foundation. Approximately one third of the women who were also suspected of murdering their batterers were also suspected of murdering their daughters. In many cases, the women who beat their children were not physically abused by their fathers. In some cases, the fathers battered the mothers. In some cases, the mothers had seen their fathers being beaten and had scars which never healed. In some cases, the women who were doing this study seemed to have a higher percentage of children who were also beaten by their fathers.

A recently completed study in Kansas City and Detroit indicates that in 80 percent of all homicides in those cities, the police had intervened from one to five times previously. Thus, homicide between man and woman is not a "crime of passion," but rather the end result of unchecked, long-standing violence.

MYTH NO. 13: THE BATTERER IS NOT A LOVING PARTNER.

This myth has spawned others, most particularly that of the masochistic wife. Women have been accused of loving the batterers' brutality rather than their kindness because it has been difficult for society to comprehend the loving behavior of batterers. But batterers are often described by their victims as fun-loving little boys when they are not being coercive. They are playful, attentive, sensitive, exciting, and affectionate to their women. The cycle theory of battering described later on explains how the batterers' loving behavior keeps these women in the battering relationship.

MYTH NO. 14: A WIFE BATTERER ALSO BEATS HIS CHILDREN.

This myth has some foundation in fact. In my sample, approximately one third of the batterers beat their children. These men were also suspected of seductive sexual behavior toward their daughters. In another third of the cases, battered women beat their children. Although the children of the final third were not physically abused, they suffered a more insidious form of child abuse because of living in a home where the fathers battered the mothers. Those women in my sample who had seen their fathers beat their mothers report psychological scars which never healed. Children whom I encountered while doing this study seemed to be undergoing similar traumas. The National Center for Child Abuse and Neglect has reported a higher percentage of men in battering relationships who also beat their children than those who do not. Their data

show that when there is concurrent child abuse in these families, 70 percent is committed by the violent man.

MYTH NO. 15: ONCE A BATTERED WOMAN, ALWAYS A BATTERED WOMAN.

This myth is the reason why many people have not encouraged women to leave their battering relationships. They think she will only seek out another violent man. Though several of the women in this sample had a series of violent relationships, this pattern did not hold true for most of those interviewed. While they wanted another intimate relationship with a man, they were extremely careful not to choose another violent one. There was a low rate of remarriage for older women who had left battering relationships. Most of them had left a marriage by going against the advice of their families and friends. They preferred being single rather than trying to make the male-female relationship work again. Women who had received some beneficial intervention rarely remarried another batterer.

MYTH NO. 16: ONCE A BATTERER, ALWAYS A BATTERER.

If the psychosocial-learning theory of violent behavior is accurate, then batterers can be taught to relearn their aggressive responses. Assertion rather than aggression, negotiation rather than coercion, is the goal. My theoretical perspective, then, indicates that this myth of once a batterer, always a batterer is just that. The data have not yet been analyzed to prove it false.

MYTH NO. 17: LONG-STANDING BATTERING RELATIONSHIPS CAN CHANGE FOR THE BETTER.

Although everyone who believes in the positive nature of behavior change wants to believe this myth, my research has

not shown it to be true. Relationships maintained by the man having power are stubbornly resistant to an equal relationship. Thus, even with the best help, women do not become battering free. Abuse is reduced in frequency and severity, but it does not escalate to homicidal and suicidal behavior. The better chance for such couples is to terminate the relationship. A better chance that with another relationship, a more equal power structure and as equal relationship.

MYTH NO. 18: BATTERED WOMEN

The myth that battered women are pushing their men beyond their limits. Everyone can recount a story of a woman who deserves what she got: she was sloppy, too uppity, too angry, or too something else. In a culture between winners and losers, the beaten are thought to deserve what they would change their behavior. They would change their behavior, his self-control. The stories indicate that batterers lose self-control for internal reasons, not because they do not do. Furthermore, philosophers of responsibility for their own actions, the kind of brutality reported

MYTH NO. 19: BATTERED WOMEN

In a society where women believe that love and marriage are worth nothing is lost by pretending to love whenever the violence becomes

not shown it to be true. Relationships that have been maintained by the man having power over the woman are stubbornly resistant to an equal power-sharing arrangement. Thus, even with the best help available, these relationships do not become battering free. At best, the violent assaults are reduced in frequency and severity. Unassisted, they simply escalate to homicidal and suicidal proportions. The best hope for such couples is to terminate the relationship. There is a better chance that with another partner they can reorder the power structure and as equals can live in a nonviolent relationship.

MYTH NO. 18: BATTERED WOMEN DESERVE TO GET BEATEN.

The myth that battered women provoke their beatings by pushing their men beyond the breaking point is a popular one. Everyone can recount a story where the woman seemed to deserve what she got: she was too bossy, too insulting, too sloppy, too uppity, too angry, too obnoxious, too provocative, or too something else. In a culture where everyone takes sides between winners and losers, women who continuously get beaten are thought to deserve it. It is assumed that if only they would change their behavior, the batterer could regain his self-control. The stories of the women in this study indicate that batterers lose self-control because of their own internal reasons, not because of what the women did or did not do. Furthermore, philosophically this myth robs the men of responsibility for their own actions. No one could deserve the kind of brutality reported in these pages.

MYTH NO. 19: BATTERED WOMEN CAN ALWAYS LEAVE HOME.

In a society where women are culturally indoctrinated to believe that love and marriage are their true fulfillment, nothing is lost by pretending that they are free to leave home whenever the violence becomes too great. In truth, battered

women do not have the freedom to leave after being assaulted. Their psychological inability to do so is described in detail in the next chapter. Part II deals with the stark realities of having no place to go and no means of survival. A battered woman is not free to end her victimization without assistance.

MYTH NO. 20: BATTERERS WILL CEASE THEIR VIOLENCE
"WHEN WE GET MARRIED."

A small number of women in this sample reported violence in their premarital relationships. They thought that their men would cease their abuse once they were married, because the men would then feel more secure and more confident of the women's exclusive love for them. In every case, the expected marital bliss did not happen. Rather, the batterer's suspiciousness and possessiveness increased along with his escalating rate of violence.

MYTH NO. 21: CHILDREN NEED THEIR FATHER EVEN IF HE IS
VIOLENT—OR, "I'M ONLY STAYING FOR THE SAKE OF THE
CHILDREN."

This myth shatters faster than some of the others when confronted with the data on the high number of children who are physically and sexually abused in homes where there is such domestic violence. There is no doubt that the ideal family includes both a mother and a father for their children. However, children of abusive parents, compared with children of single parents, all say they would choose to live with just one parent. The enormous relief in living with a single parent expressed by children who formerly lived in violent homes is universal. In this sample, young children from homes where the father beat the mother had severe emotional and educational problems. The women in this sample remained with their batterers long after the children left home, putting to rest the myth that they were staying because it was better for

the children. They remained because of love established over a period of years. Who, then, are the battered women?

COMMON CHARACTERISTICS OF BATTERED WOMEN

As indicated earlier, the battered women in this book were a mixed group in terms of religions (including no religion) and socioeconomic groups. The youngest, and the oldest was seven years old, and the oldest was seven years old. The battering relationship was two to fifty-three years, when the battered woman was in this age group.

1. Has low self-esteem.
2. Believes all the myths about men.
3. Is a traditionalist about family unity and the family role.
4. Accepts responsibility for the violence.
5. Suffers from guilt, yet feels helpless.
6. Presents a passive face to the world to manipulate her environment and her violence and being.
7. Has severe stress reaction complaints.
8. Uses sex as a way to escape.
9. Believes that no one will help her out of her predicament except her batterer.

Although a few of the women in this sample were living with their batterers, most were not. Some were legal

the children. They remained because of the symbiotic bonds of love established over a period of time in such relationships.

Who, then, are the battered women?

COMMON CHARACTERISTICS OF BATTERED WOMEN

As indicated earlier, the battered women interviewed for this book were a mixed group, representing all ages, races, religions (including no religion), educational levels, cultures, and socioeconomic groups. The youngest was seventeen years old, and the oldest was seventy-six years old. The shortest battering relationship was two months and the longest lasted fifty-three years, when the batterer died from natural causes.

The battered woman in this study commonly:

1. Has low self-esteem.
2. Believes all the myths about battering relationships.
3. Is a traditionalist about the home, strongly believes in family unity and the prescribed feminine sex-role stereotype.
4. Accepts responsibility for the batterer's actions.
5. Suffers from guilt, yet denies the terror and anger she feels.
6. Presents a passive face to the world but has the strength to manipulate her environment enough to prevent further violence and being killed.
7. Has severe stress reactions, with psychophysiological complaints.
8. Uses sex as a way to establish intimacy.
9. Believes that no one will be able to help her resolve her predicament except herself.

Although a few of the women were unmarried and not living with their batterers, most either lived with their batterers or had been legally married to them. Many women

represented all ages, races, religions (including no religion), educational levels, cultures, and socioeconomic groups. The youngest was described as sixteen years old and the oldest was seventy-six. They were unrecognizable to the uninformed observer and not distinguished by demographic data.

The batterer, according to the women in this sample, commonly:

1. Has low self-esteem.
2. Believes all the myths about battering relationships.
3. Is a traditionalist believing in male supremacy and the stereotyped masculine sex role in the family.
4. Blames others for his actions.
5. Is pathologically jealous.
6. Presents a dual personality.
7. Has severe stress reactions, during which he uses drinking and wife battering to cope.
8. Frequently uses sex as an act of aggression to enhance self-esteem in view of waning virility. May be bisexual.
9. Does not believe his violent behavior should have negative consequences.

The first three characteristics of the batterers are strikingly similar to those of the battered women. Batterers typically deny that they have a problem, although they are aware of it; and they become enraged if their women should reveal the true situation. These men do not want to discuss the problem, and attempts to learn more about batterers have not been successful. When these men do agree to be interviewed, often as a favor to their women during their contrite and loving phase, they cannot describe the details of an acute battering incident. They evade questions or claim not to remember very much of what did occur. Thus, the knowledge we have of these men comes from the battered women themselves and our few meager observations.

Researchers Eisenberg and Micklow found 90 percent of

the batterers in their study had five percent received dishonorably discharged from the military. Del Martin, feminist suggests a correlation between "violence" and subsequent bat

Overkill

There is always an element of overkill in battering behavior. For example, he may slap his woman; rather, he sets out to destroy her. He may begin by slapping her on the face; if she does not know it, he has slapped her there and kicks as well. Even when the batterer often uncontrollably kills, the same is true for his generosity. He showers the woman with affection rather than buying his woman. The batterer bought her a three-ounce bottle of perfume; the woman asked for a pocket watch; the batterer's checkbook balanced. The batterer is capable of performing many of them understood. Several husbands' extravagance, status, and harder to pay off the credit cards. Overdoing things tends to be characteristic of battering relationships.

Excessive Possessiveness and

Another staple characteristic is possessiveness, jealousy, and intrusiveness. If he is not secure, he must become over-possessive. In some instances, he may take

PROFILE OF ASSAILANTS

(by Carolla S. Serum, Ph.D)

Information on assailants in domestic violence cases is difficult to obtain. These individuals are less visible than victims because they are less likely to seek help. The following observations are based on clinical case data gathered in individual and marital therapy contacts with a small sample of ten men who have assaulted women in conjugal relationships.

A major characteristic of assailants in domestic violence cases is their capacity for self-deception and deception of others. They are masters in the art of finding ways to blame other people and external events for their inappropriate behavior. A life-long pattern of avoiding consequences for their own behavior effectively limits their sense of personal responsibility for their actions and limits their motivation for change. While some assailants have a number of ostensibly positive social relationships in which they "relate" politely and charmingly, these relationships are maintained with distance and control.

Some assailants are assaultive outside their homes; others assault only their conjugal partners and appear well adjusted to the casual observer. Their primary, if not exclusive, emotional investment is with a conjugal partner, and the assailant experiences an intense desire to control this partner. The partner plays an important role in the assailant's ability to externalize conflict and avoid internal distress. When the partner is unavailable, the assailant is likely to experience agitation, guilt, and depression. The partner represents a powerful source of gratification for avoiding this emotional pain and for maintaining self-deception. The assailant is likely to become most violent if the partner threatens or attempts to leave.

It is useful to examine how the personality style of the assailant

Profile of Assailants - continued

interacts with characteristics the conjugal partner develops as a result of victimization. It is particularly instructive to understand how the victim's efforts to adapt to or minimize the violence and conflict, and maintain the relationship, may paradoxically and inadvertently also maintain the violence. While the assailant wishes to project blame on the partner in order to avoid the pain accompanying personal responsibility for assaultive behavior, the victim may accept this blame for reasons related to her own survival. The most powerful enticement for the victims to blame themselves is the fantasy that, if they provoked or elicited the beating, they can consequently control or eliminate the assault simply by being "good". Ironically, though the shift of responsibility may meet some immediate desires for reassurance of both assailant and victim, this shift enhances the likelihood of further assaults. As long as the assailant blames the victim for his own problems, he is likely to continue beating her. In actual fact, the assaults are a product of the assailant's personality structure, and have little relationship to external events such as victim behavior. Once this shift of responsibility occurs, the problem of violent interactions is irresolvable; unless the assailant takes responsibility for his own behavior, the violence will continue unchecked.

Another area in which the effects of victimization of the conjugal partner interact with the personality of the assailant lies in the responses to separation from the relationship. When severe beatings and threats of murdering the partner and/or children or other loved ones have failed to prevent the conjugal partner from leaving, the assailant may become severely depressed. His feelings of guilt, loss, and anxiety may interfere with his ability to function effectively in any area of his life. This is frequently perceived by assailants, victims, and others as indicative of his deep "love"

Profile of Assailants - continued

for the victim and his remorse over his violent actions. The attachment of the assailant to the victim is a powerful bond; far from love, however, it represents a pathological dependency upon the partner. In a very real sense, he needs her--he needs her in a sense that would be emotionally destructive for both of them even if the violence were not occurring. He needs her, and their conflictual interactions, to help him avoid experiencing the intense internal distress which would accompany his recognition of his own responsibility for himself, his behavior, and his predicament. In response, the victim, whose self-esteem has been severely shaken by the assaults, is poignantly vulnerable to the pleadings of the assailant that he desperately needs her; it bolsters her shattered sense of worth. While one of my victim-clients, who understood all the implications of this need, was once moved to remark that she wished he would go need someone else for a change, many victims are repeatedly persuaded to return to a relationship by an assailant who is severely depressed, guilty, and/or suicidal. Far from being masochistic, the victim's motivations include: compassion for the assailant's distress, a need to be needed, and the belief that his extreme distress reduces or eliminates the likelihood of further violence. Unfortunately, the last assumption is opposite of what is most likely true: While there may be a "honeymoon" or "euphoria" phase immediately after an assault, the greater his distress, the greater is his pathological dependency; hence, the higher is the risk of repeated assaults. The assailant's pain is real; however, he uses it to manipulate and control the victim, rather than as a motivation for change. When this manipulation fails, he rapidly reverts to further attempts at intimidation or assaults, or re-establishes this same pathological relationship with another conjugal partner.

Assaultive behavior has enormous pay-offs for the assailant. An

Profile of Assailants - continued

aggressive person generally receives less negative (and, I might add, less realistic) feedback about his or her actions--one simply does not tell the truth to someone who is literally or figuratively holding a gun. The immediate consequences of aggressive behavior are gratifying for the assailant. His partner becomes submissive, attempting in any way to minimize frustration for him in order to avoid being beaten by him. While the victim's accommodating behavior is motivated by a desire to reduce the frequency of assaultive behavior, it instead serves as a powerful pay-off for maintaining it. Victim defiance, on the other hand, does result in a beating. Therein lies the dilemma for the victim--accommodation of the assailant maintains the violence and the relationship, but at a lower level than efforts on her part to defy his wishes or separate from the relationship.

Within the assailant's environment, there is little possibility for external controls which could provide the motivation needed to alter behavior other than action by society. In order to re-establish the relationship on a healthy basis, the victim must stop accommodating the assailant. However, doing so without effective and efficient support from society is self-destructive. Her only option is to attempt to terminate the relationship, which is also risky for her. If she is successful, the assailant re-establishes the same pathological relationship with another woman. Society could provide a basis for forcing the assailant to change by implementing punitive consequences which would make his assaultive behavior less rewarding.

One of the key pathological aspects of assaultive relationships is the shift in responsibility for assault from the assailant to the victim. Our society fosters this sickness by blaming the victim and by failing to hold the assailant responsible for criminal behavior. We call the victim masochistic

Profile of Assailants - continued

or provocative and ignore the assailant. These attitudes, and institutional practices which are representative of these attitudes, contribute to the violence. Effective intervention by society must impact on the assailant if this assailant is ever to be forced into a position where he or she will change. Societal interventions must deliver the clear and unambiguous message that the assailant is personally responsible for assaultive behavior. There is only one legal justification for hitting another person: self-defense. There can be no other excuse in domestic violence cases. If we are to effect change we must say clearly that a person who is dissatisfied with a partner has every right to leave, but no right ever to brutalize that partner.

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INTRODUCTION TO LISTING

The idea of refuges for women in intolerable living situations is not a new one. Even before the incredible growth of sanctuaries for battered wives in England started, proving the tremendous need for such places, refuges of sorts have existed for hundreds of years. The refuges that have been established in the past, though, have certain significant, all-important differences from the ones being established today. Shelters of the past hardly had women flocking to their doors--women from all strata of life--filling them to capacity as the refuges of today in Britain do. Neither did past refuges address (let alone try to solve) the problem of battered women as a flaw in the social fabric that highlighted the generally brutal and degrading treatment women received.

Most sanctuaries for women in the past were affiliated with religious bodies, charitable organizations or community governmental groups. Some of these refuges still exist today. Often convents, hospitals, asylums, charitable institutions, poor houses, etc., offered women in extreme crisis a place to go temporarily or permanently. These refuges functioned to serve the needs of the family unit, the community, the governments and the status quo, rather than the long term well-being of the women who sought shelter there. In this respect, they served as a safety valve for the social institutions with which women were in conflict. They bound a woman's immediate wounds, gave her advice on how to adjust and cope with her situation and sent her back or kept her forever within their confines.

During the Middle Ages, many women entered convents to escape from the harsh realities of feminine life: constant childbearing, drudgery, poverty and male violence. Many women in crisis, though, were loath to enter the strict confines of these sanctuaries, whether convents, hospitals or charities. Others felt they would receive no real understanding or sympathy there. For many women the streets became their refuge, and even brothels their sanctuary from the family or community. Indeed, most refuges for women weren't refuges at all, but were merely forced to serve as such for lack of better alternatives.

Many of the refuges that are being established now are crucially different from those of the past in that they unequivocally put the interests of the women who use them in the forefront. In contrast, traditional refuges upheld the tenet that when the interests of men, the family or community were in conflict with women's needs, social priorities decreed that women's interests be run counter to or remain unmet. As an illustration of this we might look at the experience of some women in Amsterdam who are trying to aid women in crisis.

In January, 1974, six women in Amsterdam, all of whom worked in welfare work, got together. We knew from our own personal experience that women were not taken seriously; we knew from our professional experience that the "helping" services do not take the abuse of women seriously. Welfare work never begins with the woman herself, but with her relationship with a man. Abuse of women, as such, is thus never discussed in welfare work; it is a complaint that is first "translated" and then unfolds as a "relational problem", "marriage difficulties", "communication disturbance". The "solution" is thus regularly seen as the "rebuilding" of the "relationship" in the sense of bringing the partners together again. A woman tells about her experience with "relational therapy": "When I said that I was so afraid of my husband because he had tried to strangle me the night before, the

therapist answered: 'But ma'am, do you ever think how terrible it is for your husband that you're so afraid of him?''

A survey of a number of Dutch refuge-centers for women showed in fact that they denied that abuse was a problem. The women were there because of "marriage difficulties". In response to our questions as to what those marriage difficulties were, we got evasive answers. Abuse occurred only rarely, and it often seemed that the woman had "just concocted a story." Sometimes the staff even called up the man behind the woman's back. He then came to talk, and the staff got the impression that he was friendly, gentle, and helpful. After that, a "confrontation" was arranged between the man and the woman, and they often went back home together. In the folder of one house, intended only for service to women and children, it was said that services were offered "which the client can use to work out his own objectives." Only one house is specifically aimed at women who are physically abused. There is room for ten women. This house wants to offer concrete help to victims of existing abuses. The possibility of change is not considered, however: "It's always been that way (that men beat up women) and it will always be that way." (A man speaking). A variant of this viewpoint was sent to us from this same institution when we opened our house. "Our objection has to do with the poster in your window (one which says YOU CAN LEAVE IF YOU WANT TO). There are women who see in this a chance to flee from their marriages for a little while, when in fact there are no real problems that justify this."

The Council for the Protection of Children also represents itself as "neutral", and thus too does not consider the actual power relationships. They tell the man the address of the woman and children. That is an unwritten rule: the father has, after all, "the right to know where his children are", doesn't he? Even in a case in which a social worker had helped a woman to leave ("It was irresponsible toward the children to stay there any longer"), the next day they gave the man the address without any hesitation. The man went to the address immediately and stood crying in front of the door for two hours. He would "improve his ways" and was "so terribly sorry", etc. The staff of the house found him so likeable that they pressured the woman into "trying just one more time". Once she had gotten home, she got beaten up again. A week later she left again, this time without asking for the social worker's help.

There appeared to be no house that took its stand unambiguously in support of women and based its work on them and not on relationships or marriage. Because of these conditions, we decided to open a house in which abused women could be safe and could calmly take the time to decide what they would do further. We decided against a "scientific" study of the extent of the problem, and we asked for no subsidies or grants.... Nowadays, we occupy a big house that the city has made available to us, and that big house is already full. In the past six months there have been 121 women and 210 children here. In the past few weeks the numbers have been getting greater, we think because of the greater familiarity with the problem and with the possibility of refuge. (Excerpted from an article on the "Stay Away From My Body" Institute in Amsterdam by Elizabeth Kobus, translated by Janice Weiss. See publications listing.)

In France, feminists of the League of Rights of Women, have also recently set up a refuge for abused women called S.O.S.--Women's Alternatives. In a November, 1975 article in the French newspaper "Le Monde", by Bruno Frappat, the contrast between traditional attitudes and feminist perspectives on wife abuse are again brought to light.

All the organizations are not discovering the problem with the generosity of a neophyte. Five years ago, for example, Catholic Aid opened in L'Essonne, in a beautifully wooded area of 114 hectares, a shelter for women in difficulty and their children of less than 12 years of age. . . . "Constantly," wrote the former director of the Center, "women and children arrive here in casts, burned, covered with scars and dressings." According to the present director, Mlle. Martineau, "it's necessary to save what's left of the family."

Mlle. Trentesaux, secretary general of the Association of shelters or "welcome" centers for women alone, directed from 1962 to 1972 a center at Seine-et-Marne, where victims of this violence, among others, came. She considers it "ridiculous" to want to create a structure specialized for battered women: "The problem is not so simple. Violence is an element of the discord within the home. It's necessary to know the two points of view. Many women are beaten as soon as they raise their arms to defend themselves. It's somewhat the same as dogs who attack only those people who are afraid of them. There's a mutual exasperation. Some husbands defend themselves against this exasperation by slamming the door and going out for a drink. Others by beating their wives. There are also, it's necessary to say, some women who adore being beaten. It's like a vice."

These diverse arguments do not discourage the militants of the League of the Rights of Women. For them, the victims of violence--from rape to marital aggressions--have need of a specific refuge, "where they will take themselves in charge. In the shelters that exist now," said one of the activists from S.O.S.- Women's Alternatives, "the residents are taken under guardianship, treated as boarders and minors. They are continuously reminded that they are in a situation of failure. Our focus, to the contrary, is to break the vicious circle of violence and dependence, and not to encourage passivity. This is why we want to create a flexible structure."

To fight against the violence, perhaps first of all, is to shake up the fatalistic apathy of the victims. But also to denounce several ideas such as those expressed recently by Mme. A. Schultz, a delegate for the condition of women in Alsace. When the League of the Rights of Women attracted her attention to the case of a woman thrown out a window by her husband last August who died from her injuries, Mme. Schultz responded: "My medical experience has taught me that many mental and even physical cruelties with respect to the marital partner were the fault. . . of the weaker partner." (Translated by Lisa Leghorn).

From these attitudes we can see that those who purported to give aid to women, often compounded and perpetuated her unjustified victimization. It does seem to make all the difference when a shelter is being set up for women with a feminist consciousness. That's why it's important that no matter what area of wife abuse we're working on, whether it's the legal aspects, social work, research, public

education or setting up refuges, we can learn from the lessons of the past. To insure that our efforts will be put to the best use in terms of real benefits for women we must break with sexist traditions and view and treat abused women as worthy of regard and aid in their own right.

Frequently, when violence towards women momentarily does catch the public's attention, it's the assailant, rapist or someone other than the women who is the object of sympathy or concern. Often you hear how the poor wife beater was under the stress of unemployment, in the grip of alcoholism, victim of neurosis or psychosis, a battered child or under stress at work, etc. And how many times have we heard of rapists being the victims of vengeful women or being mistakenly misidentified?

In reaction to feminist efforts to aid rape victims and secure them more sympathetic treatment, there has been a backlash by men who decry that the rights of rapists are being infringed on. In response to recent efforts on behalf of battered women, articles by men have appeared like, "Battered Husbands - Victims of the 'Angry Woman Syndrome'". On reading this article, you might find that a miniscule proportion of husbands are "emotionally battered" by their wives. Only when the violence of wife beating is portrayed as a symptom of a man's problem, or when it spills out to disturb others in the community is some concern over the problem shown.

An old Pennsylvania law stating that it's illegal to beat your wife after 10:00 P.M. or on Sundays, testifies that the peace of the community is the important consideration. The police have recently expressed concern over how the problem of "domestic disputes" is being dealt with. Does this evidence a long-delayed realization of the plight of battered women? No. "Domestic trouble calls (are) the assignment that most policemen fear and despise above all others. According to the F.B.I. thirty policemen were killed last year breaking up personal disturbances, more than in any other area of law enforcement." (Newsweek) So, the policemen, we find, are concerned with their own safety and thus impelled to cite domestic disputes as an area for their concern. The new courses training police in crisis intervention were spurred by an effort to protect the police.

The rights and safety of men, the social stresses that they sometimes encounter, no matter how infrequently, are the first issues that evoke concern. While wife beating has occurred in epidemic proportions for centuries, it has hardly caused a ripple in the law enforcement apparatus, the judiciary, the medical establishment, social agencies or the psychiatric community.

Women's Advocates, who founded a refuge for abused women in the United States, tell about one of the first meetings they had with the police to secure better treatment and some protection or even response for women being beaten.

We tried to elaborate our specific demands point by point, and in the process of defining our needs, we got really sidetracked in the husband's and men's rights issue. The Chief was very concerned about the legal rights of men who wished access to their wives and children. He seemed to doubt that we had the right to deny physical contact at Women's Advocates (house) between women housed and their men.

I was beginning to despair that the real aim was going to be lost in this issue, which seemed to loom in the minds of many police personnel, and was being reflected by the concern of the Chief." (from Women's Advocates Newsletter, Vol. XXIII, see publications in listing.)

In this country, a groundswell of feminist concern that refuges be established, is being felt. This concern is sometimes of a very different character and even at odds with traditional concepts of what the structure, purpose and philosophy of shelters for abused women should be. The clashes between these differences make it clear that compromise will not work when the integrity, physical safety, and interests of women are at stake. In the United States, as well as in such diverse places as Holland and France, these differences of philosophy and practice are being manifested.

Many feminists have put months and even years of intense effort and labor into bringing the problem of battered women to public attention and focussing energy into viable solutions. The groundwork was painstakingly laid, the need clearly defined, the solutions formulated and fought for.

Finally, the fact that millions of battered women exist is being reluctantly acknowledged by the institutions, professions and governments that seek to control and define our lives. It was in spite of these very institutions that profess to be our benefactors that the issue of battered women has begun to receive some public attention.

The attitude toward this issue, and the understanding of it by professionals and bureaucrats administering these traditional institutions, leaves much to be desired. Increasingly, I believe, the issue is being seen by them as merely a new way to obtain funding and jobs, a new area to exploit for profit and sinecures.

I have heard from groups and individual women in many parts of the country, who, on the brink of establishing their programs for battered women, or having just received funding, find their work coming to a standstill through the interference of traditional institutions, governmental agencies or professionals. Though these agencies have shown little or no concern for the battered woman in the past, the smell of money is an overpowering incentive for them. Often they step in after all the hardest work is done and attempt to place their people in positions of control.

Another tactic is to obtain thousands of dollars in funding to do a "study" to see if the problem exists or a shelter is needed. If this money was simply used for a refuge, evidence of the need would be quickly demonstrated through use of the facility. (See Majority Report, Oct. 16-29, 1976, 74 Grove St., NYC 10014. Also Battered Wives, by Del Martin, pp. 219-222.)

Much like the Poverty Programs of a decade ago, the movement in behalf of battered women is vulnerable to exploitation by well-off professionals and bureaucrats who fund themselves with the money obtained, rather than letting it benefit the people whom it was secured for.

In other areas, opportunism is also evident. A number of men are in the process of writing sensationalized books on battered women for various publishers who believe that the time is right for cashing in on the issue. Closer to home, the listing, "Working on Wife Abuse" has been used many times by well-paid journalists, T.V. people, etc., as their main resource, for no fee.

As the movement in behalf of battered women gains ground, we must remain aware of the real and long-standing interests of various agencies and charities who proffer

their "help". The issue of battered women may be a powerful money-raising tool for them, but we have no reason to expect or hope that traditional organizations will suddenly renounce their long-held attitudes and policies.

These attitudes and policies have co-existed with, contributed to, or reinforced women's oppression and are still strong and widespread today. They have meant that, always, in cases of conflicting interest with other members of the human community, women's well-being has been put at the bottom of the list. It will take years to redress the balance, and tragically, for many women, aid will be too late in coming. Reparations for this criminal neglect and denied support are long overdue.

Betsy Warrior



WHY REFUGES?

Many people feel resentment at the compounded injustice refuges for battered women represent. They believe that it is the perpetrators of the assaults, the men, who should be driven from their homes, community, and friends - not the women who have already been victimized by the batterer's behavior. There have been suggestions for refuges for battering men which, on the surface, seems to be a more just and reasonable solution than inflicting further trauma on the battered woman by removing her and her children from their home to unfamiliar surroundings.

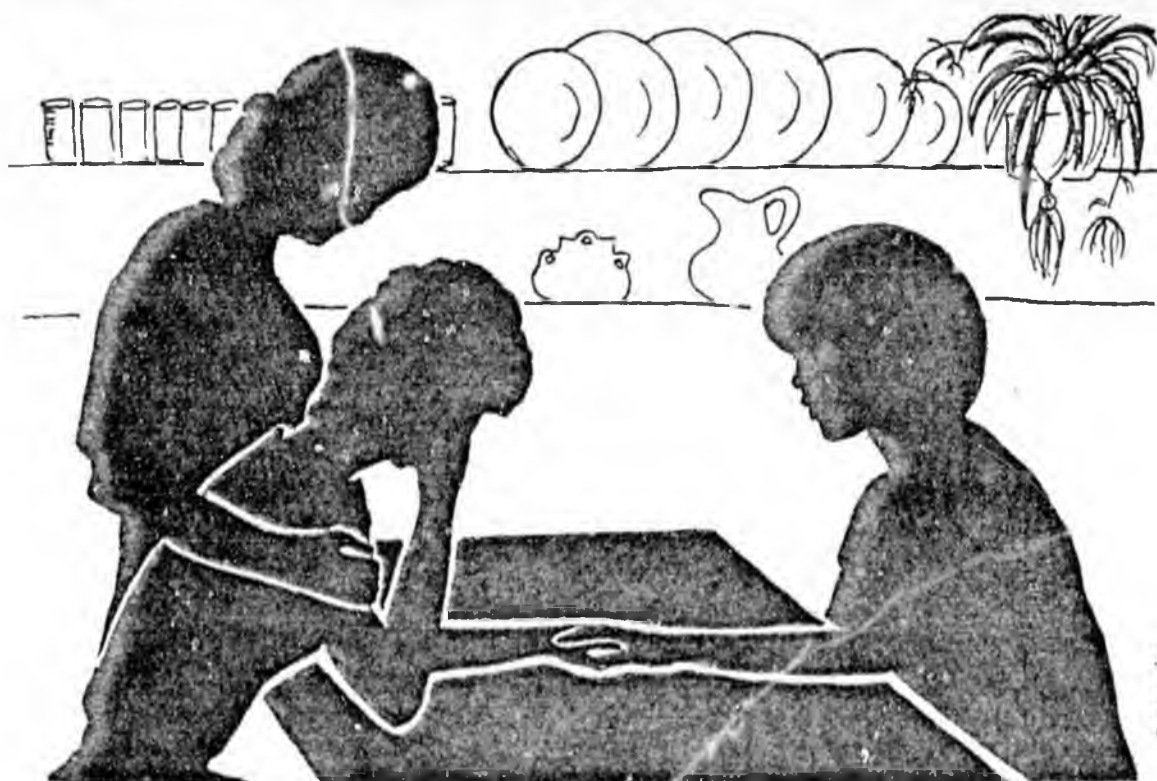
The law implies that there are already places where people who commit assaults can be sent. Though jails may be thought of as "refuges" for people who commit violent assaults on others, they have seldom been used to restrain a man who physically attacks his wife or girlfriend. Although a man is seldom penalized for assault on "his" woman, when he is, his major fault in the eyes of the court usually lies in his being too poor to afford a good lawyer or belonging to an unfavored minority. Any wholesale demand to use these "refuges" for men would also be likely to result in compounding an injustice. There is a long history of evidence to indicate that prisons don't serve to rehabilitate, but rather foster a feeling of revenge toward the former victim and accuser. Short of the force already supposedly provided by the law to remove a batterer from the home, there seems little motivation for the man to seek out help to free his victim from abuse. In fact, most batterers refuse even the simple step of seeing a counselor.

The greatest weakness in the argument against the injustice of refuges for battered women, though, lies in the fact that we are not dealing with a just or equitable society, but a society in which millions of women are being abused daily. The question then is one more urgent than that of justice; it is a question of women's survival.

Unfortunately, women can seldom even make the choice of having their attacker removed from the home by a "vacate order" or a more amicable verbal agreement. To remain in the home means that the attacker knows his victim's whereabouts and can strike again at any time - when she's sleeping, when she steps out her door, at any vulnerable moment. Under these conditions, a woman is forced to live in constant fear that the attacks and threats will resume at every ring of the phone, every sound at the door, ...

Besides these negative factors that drive a woman from her home, there are positive factors that can attract a woman to a shelter for the benefits it can provide. Foremost among the benefits of a shelter is the environment of safety, understanding, solidarity, and support it has the potential of offering. These qualities can't be elicited or set down in any list of rules or guidelines the shelter adheres to, but arise out of a subtle combination of concern, cooperation, and encouragement the residents and staffers are able to create. Just as shelters are the result of feminist initiative and perspectives, the atmosphere or interactions within the shelter should be a reflection of the basic feminist principles and concern that brought them into existence in the first place. The effectiveness of this environment will vary from shelter to shelter and time to time, depending on the interactions between residents and between staffers and will also be affected by the resources available and the support of the community.

The only real experts on battered women are battered women themselves. The traditional "experts" and professionals have been one of the battered woman's greatest problems. The myths and justifications they have fabricated perpet-



uate a social climate in which such abuses of women as economic discrimination, rape, and battering are taken for granted. Although shelters have the potential to serve battered women in urgent, decisive ways very positively, their services are geared to only one of the symptoms of one of the many aspects of woman abuse. Therefore, the underlying business of a shelter must be aimed at putting itself out of business. This can only happen if shelters are seen as part of a widespread movement to create a society that no longer tolerates the abuse of power in any area or at any level. Working to ultimately put your project out of existence could, unfortunately, be a goal not all people would be willing to work for. Those who acquire academic status or well paying jobs dependent on the existence of battered women might be reluctant indeed to attack the root causes of woman abuse if that would eventually deprive them of a comfortable niche.

A shelter should deliberately put limitations on the services it is willing to provide. Instead of allowing communities to shift the burden of providing medical, legal, economic assistance, and housing onto the meager resources of shelters, communities should be expected to provide these services for all who need them. Since everyone in the community has need for these services, the local government should be responsible for their widespread availability and financing. A woman shouldn't have to wait until she is battered before being able to utilize a good welfare program, legal aid service, etc. There would be far fewer women in need of shelter if these services were adequately provided for all. When a shelter tries to provide these services, money that could have gone more directly to battered women through the shelter channels starts being given to doctors, lawyers, and other professionals. Also, shelters have more than enough work to do in keeping the house, hotline and support groups functioning without taking on "professional" services. A group in Minnesota have pointed out the need to utilize and broaden the services provided by the communities, and were successful in demanding that their housing authority provide them with housing for a shelter.

Although shelters can only partially address the needs of one segment of abused women, the services they do provide are so desperately needed that if they weren't provided, survival, never mind justice, would hang in the balance for many women.

GUIDELINES
SUPPORT GROUP FOR BATTERED WOMEN

For battered women only. No observers.

This is a support group. People should not criticize or be disapproving of how a woman has handled her situation, but offer support and suggestions for alternatives that will be more constructive and helpful in the long run.

Keep the atmosphere as informal and spontaneous as possible.

Give everyone a chance to speak if they want to without going around the room in a formal way. Be aware of who hasn't spoken yet, so that when they do start to speak they'll get a chance to discuss their situation or finish what they want to say.

Allow women in immediate crisis situations the most chance to talk - if they want to.

Define the problem. Don't get bogged down in individual details too long without relating it back to other women in a social context - how all women are socialized and battered (or discriminated against in different ways), how we can deal with this more effectively or change the situation. Each woman must know that she individually is not to blame for her battering, but instead understand the circumstances that are making it hard for her to struggle against it.

Keep to the subject of what we are at the support group for.

Don't single out shy women to speak. Wait until they are ready and then encourage them and try to make them feel comfortable. If they look like they'd like to say something, ask them how their week was, instead of saying something like, "Do you want to talk now?" or "Tell us something about yourself?". This way they can offer as little or as much information as they want without feeling pressured. Sometimes a shy woman will speak up at first only when everyone else is talking at once because then all the attention isn't focused on her. At this time try to allow her some space to be heard and finish what she's saying. Otherwise:

Try to keep everyone from speaking at once and separate conversations from going on at the same time so everyone will have a chance to know what's going on.

Try to keep people from interrupting or monopolizing all the time.

Keep the group small so people can get to know and trust each other and have plenty of time to talk (about six people).

Support group participants must remember that what is discussed within the group is confidential. When relationships between participants in the group develop outside the group, these confidences should never be abused.

cont'd next page

SUPPORT GROUP GUIDELINES
(Page 2)

If a woman in the group shows a lot of hostility, aggression, or manipulateness towards the other women, or is disruptive, consistently unsupportive, or doesn't seem to understand what the group is for, she should be asked to leave.

The support group isn't equipped to handle women with heavy alcohol, drug, or emotional problems. They should be referred to other source of help.

Support group facilitators should be contacted through the shelter hotline or the Women's Center and should not give out their home phone numbers.

The group can't lend money or provide transportation.



Often women start out thinking that their situation is unique and that their mate is exceptional in his brutality and craziness, or in his kindness and understanding when he's not beating her. Unless a woman begins to see that a lot of other women also feel exceptional in these ways, she will feel isolated and feel that the support and information being shared can't possibly apply to her own situation. Not getting bogged down for too long in individual detail is very important, not only to point out how much all women have in common, and thus give us more ease in relating to one another, but even more pressingly, this guideline is necessary to shift the weight of guilt and self-blame that society imposes on battered women. This self-blame is often a strong factor in immobilizing a woman from taking action in her own behalf. When the interactions in the support group are going well, the participants spontaneously and automatically help each other by emphasizing how irrational and unprovoked the beatings are and finding many similarities in their predicaments.

The decision not to give out the home phone numbers of the facilitators was arrived at after receiving many harassing, threatening, and obscene calls from men who had discovered the phone numbers in their wives' possession.

This group is action-oriented and relatively short term (from a few weeks to a few months for each participant). Its work is geared to women who are seriously thinking of leaving their situation or who have already decided to. In this type of group a high turnover rate must be expected - as with a shelter. Also the number of participants attending fluctuates greatly because women are more reluctant to change their situation when they've just enrolled their children in school or when holidays are coming up, etc. One should not get discouraged if no one shows up some weeks or other weeks only a few attend. Some women coming to the group will leave their situations and find their own apartments; others will have their mates removed; some will come to the shelter if there is one; and still others will remain in their situation.

Occasionally, a woman who was battered 5 or 10 years ago will attend the group wanting to discuss the unresolved feelings this experience has left with her. This has been found to be frustrating by the other participants who are anxious to attend to the needs of an immediate crisis situation. Some thought is being given to starting a support group especially for women who have been battered in the past. For now, though, they are being referred to feminist counselors. The former solution, however, would seem to be the best as many battered and ex-battered women express the need to discuss their experience with others who've been through the same situation.

If women continue to come to the group for a long time after their dilemma has been resolved or continue to come many times without getting any closer to a solution, it often has a stagnating effect on the dynamics of the group as a whole. The women who have resolved their situation should instead be encouraged to help facilitate the support group, staff at the hot-line or refuge, or do advocacy with the other women. If there is no shelter in your area, they might be interested in forming a task force to start one.

Although the support group facilitators freely give out information, encouragement, support and sometimes provide advocacy, none play the role of a psychologist or counselor. The emphasis is placed on self-help, on developing the strengths and potential that each woman possesses and allowing all participants to relate on a woman-to-woman basis.

- Betsy Warrior

Feiffer

I GO TO A BAR. I TALK.
EVERYBODY LISTENS. I
FEEL SMART.



UNTIL SOME FATHEAD
DISAGREES WITH ME.



AND I CAN'T COME UP
WITH AN ANSWER FOR
HIM.



AND I FEEL DUMB.



I COME HOME. YOU SAY "HI!"
I DON'T LIKE THE SOUND
OF YOUR VOICE.



I PUT MY FIST IN
YOUR MOUTH.



AND I'M ALL
BETTER.



DON'T
LEAVE
ME,
EMILY!

ALABAMA

Shelters

Penelope House, Inc.
P.O. Box 6871
Mobile, AL 36606
(205) 471-1771 - Crisis
(205) 471-1795 - Office
Services: Legal aid, (court costs only) counseling, referral,
hotline (24 hrs., 7 days/wk.), housing (max. capacity
15-20 people, limit 3 weeks, will take children), childcare
Funding: CETA, community fundraising, have applied for LEAA
grant

Domestic Abuse Shelter, Inc.
P.O. Box 4752
Montgomery, AL 36101
Services are being planned
Funding: donations

ALASKA

Shelters

AWAIC, Inc.
417 W. 8th St.
Anchorage, AK 99501
(907) 274-4561
Services: Legal aid, counseling, referral, hotline (24 hrs.), housing,
childcare, transportation
Funding: State, community

Aiding Women in Abuse and Rape Emergency
P.O. Box 809
Juneau, AK 99802
(907) 586-6624
Services: Legal aid, counseling, referral, hotline (24 hrs.), housing,
childcare, transportation
Funding: State, community

Bering Sea Women's Coalition
P.O. Box 1596
Nome, AK 99762
(907) 443-5259
Services: Legal aid, counseling, referral, hotline (24 hrs.), housing,
childcare, transportation
Funding: LEAA, state, community

Iliuliuk Family and Health Services
Unalaska, AK 99685
Services: Legal aid, counseling, referral, hotline (24 hrs.), housing,
childcare, transportation
Funding: State, community

Shelters

Tundra Women's Coalition

P.O. Box 1034

Bethel, AK 99559

(907) 543-3455

Services: Legal aid, counseling, referral, hotline (24 hrs.), housing, childcare, transportation

Funding: LEAA, state, community

Women In Crisis Counseling Assistance

331 Fifth Avenue

Fairbanks, AK 99701

(907) 452-2293 - Shelter & Counseling

(907) 452-6770 - Rape

Services: Legal aid, counseling, referral, hotline (24 hrs.), housing, childcare, transportation

Funding: State, community

Other Services

Kenai Women's Resource Center

P.O. Box 2464

Seldotna, AK 99669

(907) 262-9760

Services: Counseling, referral, transportation, housing (safe homes)

Funding: State, community

Kodiak Women's Resource Center

Kodiak, AK 99615

(907) 486-3625

Services: Crisis counseling, referral, hotline housing (in safe homes)

Women in Safe Homes

P.O. Box 6552

Ketchikan, AK 99901

(907) 225-2730

Services: Counseling, referral, hotline, housing (in safe homes)

Funding: LEAA, state, community

ARIZONA

Shelters

Rainbow Retreat, Inc.

4332 N. 12th Street

Phoenix, AZ 85014

(602) 263-1113

Services: Counseling, referral, hotline, childcare, housing

Funding: LEAA

Sojourner Center

P.O. Box 2649

Phoenix, AZ 85602

(602) 258-5344

Services: Counseling, referral, hotline, housing (max capacity 25, limit 7 days, will take children)

Funding: City of Phoenix (CETA); Maricopa County (META); Maricopa County Probation Department, State of Arizona Department of Corrections; Title XX; individual and corporate benefactors

Twenty-eight percent of the murders involved relatives, twenty percent friends, twenty-one percent acquaintances, and fourteen percent strangers. Seventeen percent were committed by an unknown person or persons.

TABLE 25

MURDER
Victim/offender Relationship
1978

	Number of Offenses	Percent Distribution
Husband	2	4
Wife	7	14
Father	2	2
Brother	2	4
Son	1	2
Uncle	1	2
Common Law Husband	1	2
Common Law Wife	1	2
Girlfriend	3	6
Ex boyfriend	3	6
Friend	2	4
Acquaintance	11	21
Stranger	7	14
Unknown	9	17
TOTALS	51	100

Thirty-three percent occurred during family or lover's quarrels, ten percent while a robbery was being committed and fourteen percent during arguments or street fights. The circumstances were unknown in nineteen percent of the murders.

Domestic Violence

- statewide programs
- Compton's Decision
- Seattle conference
- Report for status on Women's commission? / Hearings on D.V. Lynn Woods 8th floor
- suspect from D.A.'s police?
- trouble getting funding?
- "male attitude" defensive?
- training S.E. of Police/health aides
- Tony Mander - Northwest Ed. Art Therapy (NEAT)
- "Working on Wife Abuse" Betsy Warrior
- AWAIC - Anch
- Joan Katz Anch
- Porter Sound Health Ctr. Home
- Women in Crisis / Maurine Wolf - Pets
- support groups - for those not wanting/ready to leave

Federal legislation

Facts:

From SAME NEWS
1-1979 & 6-1979

Helen Liska - Al. Women's Resource
Center - 278-9047

Current Alaska Pending Legislation
HB 130 HB 392

Facts: of 2,000 families
surveyed - nearly 1/3 experienced
violence between husband & wife
(pushing, shoving, beating, stabbing, shooting)

4 out of 100 ♀ severely beaten by husbands
in the past year

article - Dr. Murray Straus

rape - Native women unreported
judicial council?

fact sheet by Behr

profile of assailants

"the Battered Woman"
Lenore Walker - Clinical Psychologist

estimated 50% of all women
will be battered women at some
point in their lives -

120 detailed stories
fragments of 300 more

Battering Cycle - at least twice

physical / psychological
sexual / economical

Why do women stay in these situations?

beaten then blamed for not leaving
by society

leave the family & blamed for breaking
up the family

after leaving, equal pay for equal work
is hard to find

encouraged to express feelings, they
are beaten when anger is expressed

Myths -

questionnaires/ hearing coordination
meeting with people/ sending for info.
"read-condense"
tell you where I'm at - where I'm going
feedback from committee

Domestic Violence

HB 392 in our committee
prescribes police response
victim's rights
permits probable cause misdemeanors
arrests
simplified getting a TRO
strengthens penalties for violating
a TRO

"The Battered Women" by Lenore Walker
Clinical Psychologist - 420 stories
1979 copyright

Profile of Assaultants
Camella Serum, Clinical Psychologist
provided by Caren Robinson of AWARE

Working on Wife Abuse
J Betty Warrick - Dec. 1978

Programs Providing Services to Battered Women
June 1979 Center for Women Policy Studies

Crime in Alaska 1978 O.J.P.A.
Murder 1978

Domestic & Sexual Assault
Programs in Alaska

Tony Mander w/ Northwest Education & Arts
Therapy - bureau
working with offenders -

Commission on Status of Women

public hearing Oct. 5
Anch. 3-5:00 p.m.
rm. 402 - Court Bldg. on
Violence Against Women

Judicial Council

considering look at the treatment of
women as victims (rape & domestic
violence) this week -

Sema Tedeman - coordinator Alaska Family
Violence Program -

got report yesterday, haven't had
time to digest but says

Anch. Police received & responded to 1,554
requests for assistance involving
"family disturbances" in 1978

5 goals of Family Violence Program

- 1) increase public awareness of the nature & degree of family violence in Alaska
- 2) save lives & assist of 'id & individuals in finding alternatives to violence
- 3) effect attitudinal & behavioral changes in victims, offenders & other family members
- 4) implement changes in criminal justice system which will insure the safety and dignity of victims and that offenders are tried with just recognition of the seriousness of their crimes.
- 5) maintain & strengthen network of domestic & sexual assault programs throughout Alaska

funding

fed. LEAA	217,500
state	92,580
total	<hr/> 310,080

James Bannon - in Alaska Oct 8-12
policeman - leading spokesperson on
domestic assault in nation
in Detroit he revamped police procedure
handling domestic assault cases and in
the past 3 years no police have been
hurt - will be training police in
Alaska - Sitka - 8th
Juneau 9th
Ibbos 10th
Kenai 11th
Anch 12th

The Criminal Justice Center will
hold a "justice innovations" conference
the 11-13 October - ~~state~~
~~the judge~~

Judge Compton's action
will be in judge's newsletter

Federal Legislation - coming

questionnaire →

On Plea Bargaining Study -
less sentenced if married
" " disturbing peace - misdemeanor assault
" " victim a relative

alternative for males -
up to the P.A.

"Pretrial Intervention Project"
group counseling
some sup. Journals
some Court journals

of 2,000 families surveyed,
 $\frac{1}{3}$ experienced violence between
husband & wife (pushing, beating, shooting)
(Research by Straus, Gelles, Steinmetz)

conclusion to date:

high rate of domestic violence
needs to be treated more
seriously in the justice system

CATEGORY: SOCIAL SERVICES
 AGENCY: DEPARTMENT OF HEALTH & SOCIAL SERVICES

PROGRAM: PROGRAM SERVICES
 SUB-PROGRAM: ADULT SUPPORTIVE SERVICES

***** F.C.C. ANALYSIS *****

GOVERNORS REC \$175.0

OBJECT GROUP	VARIATION		DESCRIPTION: F.C.C. VERSUS GOVERNOR
04 COMMODITIES	-175.0	-100.0%	
07 GRANTS, CLMS	892.3	100.0%	ADDITIONAL GRANTS.
** TOTAL	717.3	409.9%	

F.C.C. FIGURE \$892.3

LEGISLATIVE INTENT:

THE ALLOCATION FOR ADULT SUPPORTIVE SERVICES INCLUDES GRANTS OF \$307,400 TO ANAIC IN ANCHORAGE, \$65,700 TO AWARE, INC. IN JUNEAU, \$52,000 TO TWC IN BETHEL, \$52,000 TO BSWC IN NOME, AND \$63,200 TO WIC-CA IN FAIRBANKS FOR WOMEN'S SHELTERS. THE TOTAL OF \$540,300 FOR WOMEN'S SHELTERS SHALL BE REDISTRIBUTED WHERE DETERMINED NECESSARY BY THE SHELTER DIRECTORS BY UNANIMOUS CONSENT; AND

LEGISLATIVE INTENT:

THE ALLOCATION INCLUDES A GRANT OF \$242,000 FOR THE STUDIO CLUB OF WHICH \$40,000 IS TO BE USED TO REPAY THE MUNICIPALITY OF ANCHORAGE AND A GRANT OF \$110,000 FOR THE HERITAGE HOUSE, BOTH OF WHICH ARE TO BE ADMINISTERED ON A QUARTERLY BASIS WITH EACH PAYMENT TO BE MADE NO LATER THAN TWO WEEKS AFTER THE BEGINNING OF EACH QUARTER.

***** HOUSE ANALYSIS *****

GOVERNORS REC \$175.0

OBJECT GROUP	VARIATION		DESCRIPTION: HOUSE VERSUS GOVERNOR
04 COMMODITIES	-175.0	-100.0%	
** TOTAL	-175.0	-100.0%	

HOUSE FIGURE \$0.0

GOVERNOR'S AMENDMENT #14.

***** SENATE ANALYSIS *****

GOVERNORS REC \$175.0

OBJECT GROUP	VARIATION		DESCRIPTION: SENATE VERSUS GOVERNOR
04 COMMODITIES	-175.0	-100.0%	
** TOTAL	-175.0	-100.0%	

SENATE FIGURE \$0.0

GOVERNOR'S AMENDMENT #14.

CATEGORY: SOCIAL SERVICES
 AGENCY: DEPARTMENT OF HEALTH & SOCIAL SERVICES

PROGRAM: SOCIAL SERVICES ADMINISTRATION
 SUB-PROGRAM: CENTRAL OFFICE

* * * * F.C.C. ANALYSIS * * * *

GOVERNORS REC \$977.4

OBJECT GROUP	VARIATION		DESCRIPTION: F.C.C. VERSUS GOVERNOR
01 PERS. SERV.	-101.2	-15.0%	DELETE UNAUTHORIZED POSITION (20.3), DELETE PCN 3001, DIRECTOR (64.4), INCREASE V/T TO 7% (6.5).
02 TRAVEL	-14.0	-29.2%	75% OF FY 79.
03 CONTRACTUAL	-53.6	-21.9%	REDUCE TO DP CHARGES 72.9 PLUS VAR. COSTS AT 85% OF FY 79.
04 COMMODITIES	-2.0	-19.0%	85% OF FY 79.
** TOTAL	-170.8	-17.5%	
F.C.C. FIGURE			\$806.6

NO NEW POSITIONS AUTHORIZED.

LEGISLATIVE INTENT:

THE DELETION OF PCN 3001, DIRECTOR OF SOCIAL SERVICES AND \$64,400 IN SALARIES AND BENEFITS SHALL NOT RESULT IN THE TERMINATION OR TRANSFER OF ANY PERSON CURRENTLY EMPLOYED BY THE DEPARTMENT UNDER THE CLASSIFIED SERVICE.

* * * * HOUSE ANALYSIS * * * *

GOVERNORS REC \$977.4

OBJECT GROUP	VARIATION		DESCRIPTION: HOUSE VERSUS GOVERNOR
01 PERS. SERV.	-33.7	-5.0%	5% REDUCTION.
02 TRAVEL	-14.0	-29.2%	75% OF FY 79.
03 CONTRACTUAL	-53.6	-21.9%	REDUC TO DP CHARGES 72.9 PLUS VAR. COSTS AT 85% OF FY 79.
04 COMMODITIES	-2.0	-19.0%	85% OF FY 79.
07 GRANTS, CLMS	503.5	100.0%	TRANSFER IN WOMEN'S SHELTER GRANTS OF 503.5 FROM COMMISSIONER'S OFFICE.
** TOTAL	400.2	40.9%	
HOUSE FIGURE			\$1,377.6

NO NEW POSITIONS AUTHORIZED.

LEGISLATIVE INTENT:

THE APPROPRIATION FOR THE CENTRAL OFFICE INCLUDES GRANTS OF \$307,400 TO AWAC IN ANCHORAGE, \$65,700 TO JCAAM IN JUNEAU, \$34,300 TO TWC IN BETHEL, \$32,900 TO USWC IN NOME, AND \$63,200 TO WIC-CA IN FAIRBANKS.

* * * * SENATE ANALYSIS * * * *

GOVERNORS REC \$977.4

OBJECT GROUP	VARIATION		DESCRIPTION: SENATE VERSUS GOVERNOR
01 PERS. SERV.	-71.5	-10.6%	DELETE SOC SVCS FIELD ADMINISTRATOR (PCN 3009), DELETE DIRECTOR (PCN 3001), TRANSFER IN CT III FROM STAFF DEVELOPMENT.
02 TRAVEL	99.7	208.6%	GENERAL REDUCTION (10.3), TRANSFER IN FROM STAFF DEVELOPMENT 110.2.
03 CONTRACTUAL	132.9	54.3%	GENERAL REDUCTION (15.0), TRANSFER IN FROM STAFF DEVELOPMENT 147.9.
04 COMMODITIES	3.7	36.6%	TRANSFER IN FROM STAFF DEVELOPMENT.
** TOTAL	165.0	16.9%	
SENATE FIGURE			\$1,142.4

CLERICAL

Claudette Curtis
Mary Jean Reeves
Artemis Bona Dea

Carolyn Thibodeau
Sally Leithead

ALASKA STATE CORRECTIONAL CENTERS

ANCHORAGE - ANNEX

Vernon Caulkins, Superintendent
Phillip Briggs, Asst. Superintendent

Post Office Box 2100
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Anchorage, Alaska 99510
(907) 277-7651 *Int.*
272-3511 *Office*

ANCHORAGE - 3RD AVENUE

Charles G. Moses, Superintendent
Tom Davey, Asst. Superintendent

Post Office Box 439
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Anchorage, Alaska 99510
(907) 277-.790

ANCHORAGE - RIDGEVIEW

William R. Green,
Asst. Superintendent

6505 Old Seward Highway
Anchorage, Alaska 99502
(907) 344-5614
349-4685

ANCHORAGE CENTRAL OFFICE

MacKay Building, Rm 205
(907) 274-7573

EAGLE RIVER

N. Steven Krause, Superintendent
Russ Moody, Asst. Superintendent

Post Office Box 600
(Highland Road)
Eagle River, Alaska 99577
(907) 694-9511

PALMER

Stanley Zaborac, Superintendent
Dave Corner, Asst. Superintendent

Post Office Box 919
Mile 58 Glenn Highway
Palmer, Alaska 99645
(907) 745-4262

MCLAUGHLIN YOUTH CENTER

David E. Arnold, Superintendent
Gerald Jackowski, Asst. Superintendent

2600 Providence Avenue
Anchorage, Alaska 99504
(907) 277-7541

ALASKA STATE CORRECTIONAL CENTERS (Continued)

FAIRBANKS

Lawrence Calderone, Superintendent
Phillip Briggs, Asst. Superintendent

Post Office Box 317
(Wilbur & Egan)
Fairbanks, Alaska 99701
(907) ~~277-7651~~ 452-3125

NOME

Robert Van Winkle,
Ass+. Superintendent

Post Office Box 63
Front Street
Nome, Alaska 99762
(907) 443-2241

JUNEAU

Bill Houston
Frank Sauser, Superintendent
Duane Buell, As. t. Superintendent

Post Office Box 309
6 Mile Glacier Highway
Juneau, Alaska 99802
(907) 586-6070

KETCHIKAN

Richard Pearson, Asst. Superintendent

Post Office Box 8880
1229 Park
Ketchikan, Alaska 99901
(907) 225-2828/detention home
225-4130/jail

ALASKA STATE PROBATION/PAROLE OFFICES

ANCHORAGE

Ed Coleman, Regional Administrator

MacKay Building, Room 222
338 Denali Street
Anchorage, Alaska 99501
(907) 274-1534

BETHEL

Steve Widmer, Probation Officer III

Post Office Box 157
Bethel, Alaska 99599
(907) 543-2075

KENAI

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Post Office Box 3811
Kenai, Alaska 99611
(907) 283-3125

KODIAK

Frank Byerly, Probation Officer III

Post Office Box 665
Kodiak, Alaska 99615
(907) 486-5785

MAT-SU VALLEY

Wayne Pinquoch, Probation Officer III

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ALASKA STATE PROBATION/PAROLE OFFICES (Continued)

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FAIRBANKS ADULT PAROLE/PROBATION OFFICE

Curtis Masingill
Joe Anderson
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Stephen Korenck
Ronald Murray

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KOTZEBUE

Ida Hadley, Program Service Aide III

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NOME

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Post Office Box 478
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JUNEAU

Keith Stell, Regional Administrator

Post Office Box 1224
Court Building, Main Street
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HAINES

Neal King, Probation Officer III

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(907) 766-2592

KETCHIKAN

Barton Penny, Probation Officer III

415 Main Street, Room 207
Ketchikan, Alaska 99901
(907) 225-3179

PETERSBURG

Robert E. Hubby, Probation
Officer III

Post Office Box 1002
Petersburg, Alaska 99833
(907) 772-3877

ALASKA STATE PROBATION/PAROLE OFFICES (Continued)

SITKA

Linda Zaugg, Probation Officer III
Robert Wild, Probation Officer II

Post Office Box 1027
Sitka, Alaska 99762
(907) 747-6641

CORRECTIONS ACADEMY

Harrison Robinson, Training Officer II
Ron Epperson, Training Officer III

Post Office Box 2380
Sitka, Alaska 99835
(907) 747-5284

STATE OF ALASKA
THE LEGISLATURE

POUCH Y STATE CAPITOL
JUNEAU ALASKA 99801
907 461 2800


LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

October 11, 1979

SUBJECT: Domestic Violence (Work Order Number 7414)

TO: House Judiciary Committee
Attn: Peggy Berke, A.A.
Rocky Plotnick, A.A.

FROM: Kenneth E. Vassar 
Legislative Counsel

This is to modify a statement I made to Rocky in a discussion relating to the authority of peace officers to make arrests without warrants in domestic violence situations. I stated that a peace officer may only make an arrest without a warrant for a misdemeanor under AS 12.25.030 when the misdemeanor is committed in the officer's presence. This is generally true under AS 12.25.030(a); however, as Peggy has correctly brought to my attention, AS 12.25.030(b) provides an exception to this general rule. That subsection allows an arrest without a warrant if the misdemeanor is assault in the third degree under AS 11.41.230(a)(1) against a member of the assailant's household. Thus, if the assailant "intentionally or recklessly causes physical injury" to a member of his household, the police may arrest him without obtaining an arrest warrant. This provision is specifically included in House Bill 392 at page 2 line 6.

I am sorry for any confusion my earlier statement may have caused Rocky, Peggy or the committee.

KEV:ljb

STATE OF ALASKA
THE LEGISLATURE

FOURTH STATE CAPITOL
JUNEAU ALASKA 99811
907 465 3801

LEGISLATIVE AFFAIRS AGENCY

MEMORANDUM

October 8, 1979

SUBJECT: Domestic Violence (Work Order Number 7414)
TO: House Judiciary Committee
Attn: Rocky Plotnick
FROM: Kenneth E. Vassar
Legislative Counsel *KV*

You have requested a response to the following questions pertaining to House Bill 392, an Act relating to domestic violence:

- (1) What are the conditions of arrest in domestic violence situations?
- (2) "Assault in the third degree" is mentioned in both AS 12.25.030(b) and 11.41.230(a)(1). What does it mean?
- (3) What is "reasonable cause for believing"?
- (4) What additional authority to arrest does this bill give police?

1. CONDITIONS OF ARREST

The conditions which must exist, under this bill, before a police officer may make an arrest are listed in sec. 09.55.-650(a)(5)(A) - (C) on page 2, lines 1 - 6, of the bill. These are essentially the same grounds which are provided in AS 12.25.030 for arrests by peace officers or private persons without a warrant.

2. ASSAULT IN THE THIRD DEGREE

The second Alaska statute you referred to in your question is the definition of assault in the third degree. So, a person commits assault in the third degree if

- (1) he intentionally or recklessly causes physical injury to another person;
- (2) with criminal negligence he causes physical injury to another person by means of

October 8, 1979

a dangerous instrument; or (3) by words or conduct he intentionally places another person in fear of imminent physical injury.

Assault in the third degree is classified as a class A misdemeanor which means that a conviction could result in imprisonment for one year (AS 12.55.135; effective January 1, 1980) and a fine of \$5,000 (AS 12.55.035; effective January 1, 1980). The terms "intentionally", "recklessly", and "criminal negligence" are defined in AS 11.81.900(a).

3. REASONABLE CAUSE

"Reasonable cause" is synonymous with "probable cause"; each is a term which has special legal meaning. In order to establish probable cause or reasonable cause, there must exist facts and circumstances known to the officer which would warrant a prudent person in believing that an offense has been or is being committed. City of Nome v. Ailak, 570 P.2d 162 (1977). The facts and circumstances may become known to the officer through his own observations or from a trustworthy informant. Probable cause cannot be established solely on the basis of a good faith belief on the part of the officer that there is probable cause to arrest.

4. ADDITIONAL AUTHORITY TO ARREST

I have found no other provision in this bill which directly grants additional authority to police officers to make arrests.

KEV:ljb

WORK ORDER REQUEST FORM

7414

KEYWORDS: crime/criminal procedure

ASSIGNED TO Vansar

REQUEST FOR: BILL RESOLUTION RESEARCH OTHER Analysis

SUBJECT Domestic Violence - HB 392

REQUESTED FOR House Judiciary BY Rocky Plotnick EXT. _____

* DELIVER TO Rocky Plotnick TAKEN BY Noah

INSTRUCTIONS, EXPLANATIONS Analysis of arrest procedure in HB 392. See attached memo for specifics.

OBTAIN

SPECIAL DRAFTING INSTRUCTIONS ATTACHED

AUTHORIZED TO CONFER WITH _____

RETURN _____

_____ TO REQUESTER

APPROVED: DCB Director, Legal Services

_____ Director, Research

REVIEWED _____

IN 10/11 DUE 1/15

TYPED - Draft _____ DATE _____

Final _____ DATE _____

PROOFED _____ DELIVERED _____

SPECIAL INSTRUCTIONS TO TYPIST/PROOFREADER

DRAFT

FINAL

AN INTRODUCTION TO
THE ALASKA COMMISSION
ON THE
STATUS OF WOMEN



In order to address the problems and needs of Alaska's women in the 80s, and to recognize their contributions, the Alaska State Legislature in 1978 created the Commission on the Status of Women in the Office of the Governor.

Recognizing the need for action to guarantee the fullest possible involvement of women in the life of Alaska, the Legislature gave the Commission five years, until June 30, 1983, in which to accomplish some specific tasks.



WHAT THE LAW SAYS

The law states "the purpose of the Commission is to implement the recommendations contained in the preliminary study on the status of women in Alaska . . . and improve the status of women in Alaska by conducting further research and by making and implementing additional recommendations on the opportunities, needs, problems and contributions of women in Alaska including, but not limited to,

- (1) education,
- (2) homemaking,
- (3) civil and legal rights,
- (4) labor and employment."

To help the Commission fulfill its purpose, the law gives administrative guidelines and further states that the Commission may

- Review Alaska laws, regulations and guidelines with respect to equal protection for women,
- Cooperate with public and private agencies to study and resolve problems relating to the status of women in Alaska,
- Recommend legislative and administrative action on equal treatment for women;
- Encourage women to assume leadership roles,
- Act as a clearinghouse for information relating to the status of women,
- Disseminate the results of research

RESEARCH, ACTION, ACHIEVEMENT...

As you can see, the Commission is unique. Its activities do not duplicate the work of any other commission or governmental body. Unlike some commissions, for example, it has no regulatory or law enforcement authority, nor does it deal directly with complaints from individuals of alleged discrimination (these complaints are investigated by the Alaska Human Rights Commission). Instead, the Commission on the Status of Women is a new resource for the people of Alaska, and the results of its research projects will be used to inform and advise the Office of the Governor, the Legislature, state agencies and others on changes needed to improve the status of women in Alaska.

The Work Has Begun

Initial meetings of the Commission on the Status of Women were held in 1978, and the Commission established its office in January 1979. Staff has been hired, and the Commission has started its first year program.

Some of the first-year activities include updating the recommendations in the preliminary study, asking village and community groups to express their concerns and assisting policy-makers in a variety of areas. Also, the Commission is establishing a clearinghouse for information about women's issues.

With a clear mandate from the Legislature, the Commission on the Status of Women is action oriented. Its goal is to compile and use research data for the basis of recommendations for action to Alaska's policymakers. With this analytical approach, the Commission intends to foster achievements which will guarantee equal treatment under the law to each of Alaska's men, women and children, achievements which will help assure every person in Alaska an equal opportunity to reach his or her full potential.



WE
NEED
YOUR
HELP

The Commission needs your help. It needs to know what you think, what your concerns are, if you've encountered some problems which you think might affect other women, too. So, please, let the Commission know of your concerns and needs, keep the Commission informed of your organization's activities or, if you live in a village or community where there is no women's organization, let the Commission know what women in your area are doing and how they plan to proceed to deal with their issues.

DISCRIMINATED AGAINST?

If you have a complaint about discrimination, please contact the Alaska Human Rights Commission which has offices in the following cities:

Anchorage	274-4692
Fairbanks	452-1584
Juneau	165-3560



Want to Know More?

For more information, or to arrange for a speaker about the Commission, please contact the Commission office at 338 Denali Street, Suite 850, Anchorage, Alaska 99501. The telephone number is (907) 276-3003.

The Alaska Commission on the
Status of Women
Office of the Governor
338 Denali Street, Suite 850
Anchorage, Alaska 99501



To:



Official Business

Alaska State Legislature

House of Representatives

Committee on Judiciary

1016 West 6th Ave., Suite 201
Anchorage, Alaska 99501
277-7540 or 277-7549

Pouch V
State Capitol
Juneau, Alaska 99811

October 16, 1979

Dr. Tony Mander
326 Fourth Street
Suite 209
Juneau, Alaska 99801

Dear Dr. Mander:

I am researching domestic violence for the House Judiciary Committee and Barbara Bondi from AWARE has referred me to you.

I understand that you are working with sexual offenders. Does this include batterers? To be more specific, I am trying to find out what kinds of treatment for batterers exist in Alaska, besides jail sentences. I do know of the "Male Awareness Project" in Anchorage, but that is it.

During the 1979 session the Judiciary Committee held one hearing on House Bill 392: "An Act relating to domestic violence". A copy is enclosed. This bill would permit police to make probable cause misdemeanor arrests without a warrant. What do you think this would do to the batterer? HB 392 puts an emphasis on women as victims, but it has been suggested that batterers are also victims.

I am very interested on your feelings on this subject and would like to have a chance to talk with you. I will be in Juneau November 6, 7, and 8. Please send me a note or call collect (277-7540) we can set up a meeting. I have tried calling, but you are usually with a client. My report is due the first week in January, so I hope we can meet in November.

Sincerely,

Rocky Plotnick
Rocky Plotnick, Admin. Asst.
House Judiciary Committee

enclosure

April 18, 1979

Representative Charlie Parr
Chairman, House Judiciary Committee
Pouch V
Juneau, Alaska 99811

Dear Sir:

I am the coordinator for a women's crisis group in Ketchikan, but am writing as a private citizen to voice support for House Bill 392, concerning domestic violence.

It is imperative that the laws involving domestic violence and sexual assault be changed. They are archaic, riddled with prejudice and socially damaging. It is important when considering domestic assault that it be differentiated from ordinary assault. As a volunteer organization we are receiving approximately 12 calls a month from women in domestic crisis. However, we are not available 24 hours a day and it is impossible to ascertain the number of family assaults taking place daily in Ketchikan because the police presently do not differentiate domestic from all other assaults. Other assaults are not perpetrated by a family member in your own home, behind "sacred" closed doors, by someone who holds you emotionally, physically and financially dependent and isolated. Most victims of domestic assault are women. Women who don't want their children to grow up without fathers, women who often have few job skills or none, women who have traditionally been taught to respect their husbands, regardless if he batters them and/or their children to death.

With present laws, women are the victims of discrimination, but so are men and children. Everyone in society suffers from these laws that allow people to suffer alone with no intervention or support. Everyone suffers when children grow up with the knowledge that brutalizing your family members is acceptable in this society.

Although the Ketchikan women's group now operates a safe home network for women in crisis, the increasing need is forcing us to examine the possibility of a future shelter facility. We are working closely with the law enforcement, legal services and social service agencies in town to alleviate the problems of domestic violence. Unless the laws are changed to reflect a more humane system, our work can never be successful. We will continue to be a temporary shelter in a continuing storm.

I hope I can expect your support in passage of House Bill 392.

Thank you for your consideration.

Sincerely yours,

Aline Barrett

Aline Cole Barrett

Col. Representative Terry Gardiner

LAW OFFICES OF
ALASKA LEGAL SERVICES CORPORATION
165 SOUTH FRANKLIN STREET
JUNEAU, ALASKA 99801
TELEPHONE 586-6425

MEMORANDUM

TO: House Judiciary Committee
FROM: Don Clocksin *DC*
SUBJECT: HB 392 - *DC* Violence
DATE: March 15, 1979

I. The Problem

Victims of physical attacks by household members are in an unique position. Police often refuse to view these attacks as criminal conduct. The victim is often unaware of what options he or she has and continues to accept beatings as unavoidable. (While the bill applies to both men and women, women are usually the victims.) The economic dependence of battered wives and the fear of injury create a loss of self-respect. The social acceptance of wife-beating and the irrationality of most attacks make the woman feel she is to blame. It is this syndrome which makes spousal abuse an unique and particularly serious problem.

According to the study on The Status Of Women In Alaska, Anchorage had an estimated 3.3 reported wife beatings each day. Alaska Legal Services Corporation reports that 70 to 75 percent of women seeking legal assistance have been beaten by their husbands. Another study indicates inter-spousal murders accounted for 12 percent of all murders in the United States in 1975.

II. The Solution

There is no immediate solution to the problem until people learn to solve their problems without the use of violence. Particularly, society must recognize spousal attacks as unacceptable conduct.

This bill seeks only to inform the victim of the available options and to protect the victim from attack. It is an "intervent on" bill which does not try to solve the social problem but only to protect the victim from serious injury.

III. Section By Section Analysis

1. Section 1:

- a. Sec. 09.55.650: Requires a police officer called to the scene of a domestic attack to advise the victim of his or her rights and provide assistance as the circumstances require. Arrest of the attacker under existing criminal laws would be mandatory in some situations.
- b. Sec. 09.55.660: Allows the victim to obtain an emergency Order for Relief from a judge for up to ten days. After a hearing, such an Order may be issued for 45 days. The Order is to protect the victim from future attacks.
- c. Sec. 09.55.665: Requires the court system to prepare forms and instructions so the victim may file for this Order for Relief without the need for a lawyer.
- d. Sec. 09.55.670: The Order for Relief must be provided to the police, and procedures must be established to assure all officers know of the Order.
- e. Sec. 09.55.680: Law enforcement agencies must include in their training programs information on how to handle domestic violence.
- f. Sec. 09.55.690: Violation of the Order for Relief is a misdemeanor. A second violation (i.e. the third attack) means three days in jail. Arrest is mandatory for a violation of the Order for Relief.
- g. Sec. 09.55.700: "Domestic violence" is defined. It includes assault or battery on the victim or the victim's child, and includes sexual abuse. The term is limited to such acts against relatives, household members and present or former spouses. Programs providing alternative, temporary shelter to victims are defined.

2. Section 2:

Provides alternative housing for victims of domestic violence by granting a preference for ASHA housing, if otherwise eligible.

3. Section 3:

Allows magistrates and district judges to issue emergency ten-day Orders for Relief.

4. Section 4:

Amends certain Court Rules relating to filing of legal papers and issuance of injunctions.

DC/jf

Sec. 12.15.040. Prosecution of one compounding or concealing crime.

Repealed by § 21 ch 166 SLA 1978, effective January 1, 1980.

Chapter 25. Arrest.

Section	Section
30. Grounds for arrest by private person or peace officer without warrant	190. When person to be given five-day notice to appear in court
33. Grounds for arrest by peace officer without warrant	200. Form for citations
130. [Repealed]	210. Disposition and records of citations
150. Rights of prisoner after arrest	220. When copy of citation considered a lawful complaint
180. When peace officer has option to take person before judge or magistrate	230. Failure to obey citation

Sec. 12.25.030. Grounds for arrest by private person or peace officer without warrant [Effective January 1, 1980]. (a) A private person or a peace officer without a warrant may arrest a person

(1) for a crime committed or attempted in his presence;

(2) when the person has committed a felony, although not in his presence;

(3) when a felony has in fact been committed, and he has reasonable cause for believing the person to have committed it

(b) In addition to the authority granted under (a) of this section, a peace officer without a warrant may arrest a person when he has reasonable cause for believing that the person has committed assault in the third degree under AS 11.41.230(a)(1) against a member of the person's household.

(c) As used in this section "household" means the social unit comprised of those living together in the same dwelling. (§ 2.04 ch 34 SLA 1962; am § 11 ch 166 SLA 1978)

Effect of amendment. — The 1978 amendment, effective January 1, 1980, added subsections (b) and (c).

Editor's note. — Section 23, ch. 166, SLA 1978, effective January 1, 1980, provides in subsection (f): "Sections 1--12 of this Act do not apply to or govern the construction of and punishment for any offense committed before the effective date of this Act or the construction or application of any defense to a prosecution for the offense. An offense shall be construed and punished according to the law existing at the time of the commission of the offense in the same manner as if this Act had not become law."

Common law breach-of-the-peace requirement discarded. — Although at common law a police officer was authorized to arrest without a warrant anyone who had committed a misdemeanor in his

presence amounting to a breach of the peace, over the years most states, including Alaska, have dropped the breach-of-the-peace requirement, retaining the in-the-presence. *Howes v. State*, Sup. Ct. Op. No. 846 (File No. 1443), 503 P.2d 1055 (1972).

The rule, state and federal, etc.

In accord with 2nd paragraph in original. See *Howes v. State*, Sup. Ct. Op. No. 846 (File No. 1443), 503 P.2d 1055 (1972).

Officer's presence essential for arrest of person for misdemeanor violation. — Under this section a peace officer may not arrest a person for a misdemeanor violation unless the crime was actually committed or attempted in the officer's presence. *Layland v. State*, Sup. Ct. Op. No. 1150 (File No. 2264), 535 P.2d 1043 (1975).

The Alaska legislature has classified both reckless driving and operating or

driving an automobile under the influence of intoxicating liquor as misdemeanors. Thus, a state trooper who arrived at an accident scene could not arrest a driver without a warrant for either reckless driving or drunk driving since neither of these offenses was committed or attempted in his presence. *Layland v. State*, Sup. Ct. Op. No. 1150 (File No. 2264), 535 P.2d 1043 (1975).

Two elements are involved in the term "presence": (1) The officer must observe acts which are indicative of the commission of an offense; (2) The officer must be aware that he is in fact seeing an offense being committed. *Howes v. State*, Sup. Ct. Op. No. 846 (File No. 1443), 503 P.2d 1055 (1972).

Presence requirement met by officer witnessing one segment of continuing offense. — The presence requirement of this section may be met by the officer witnessing one segment of a continuing offense or of an offense that spans a considerable period of time. *Howes v. State*, Sup. Ct. Op. No. 846 (File No. 1443), 503 P.2d 1055 (1972).

An officer may rely on information and observations reported by other officers helping in the investigation to establish probable cause for his belief that the arrestee has committed, or attempted to commit, an offense in his presence. *Howes v. State*, Sup. Ct. Op. No. 846 (File No. 1443), 503 P.2d 1055 (1972).

Paragraph (3) must be given, etc. —

In accord with original. See *City of Nome v. Ailak*, Sup. Ct. Op. No. 1498 (File No. 3137), 570 P.2d 162 (1977).

And lawfulness of arrest without warrant, etc. —

In accord with 4th paragraph in original. See *City of Nome v. Ailak*, Sup. Ct. Op. No. 1498 (File No. 3137), 570 P.2d 162 (1977).

Facts and circumstances necessary to establish probable cause. — Probable cause cannot be established solely on the basis of a good faith belief on the part of the officer that there is probable cause to arrest. In order to establish probable cause, there must exist facts and circumstances

known to the officer which would warrant a prudent person in believing that an offense has been or is being committed. *City of Nome v. Ailak*, Sup. Ct. Op. No. 1498 (File No. 3137), 570 P.2d 162 (1977).

Probable cause may rest on reasonably trustworthy information from an informant. *City of Nome v. Ailak*, Sup. Ct. Op. No. 1498 (File No. 3137), 570 P.2d 162 (1977).

If the informant is a cooperative citizen rather than informant from the criminal milieu, his or her reliability need not be established before the arrest. However, some of the details of the information given by the informant must be verified before the arrest. *City of Nome v. Ailak*, Sup. Ct. Op. No. 1498 (File No. 3137), 570 P.2d 162 (1977).

Where there were no disputes of fact relevant to the determination of whether the officers had probable cause to arrest, the trial court should have made that determination as a legal matter. *City of Nome v. Ailak*, Sup. Ct. Op. No. 1498 (File No. 3137), 570 P.2d 162 (1977).

Sufficiency of evidence. — It was not necessary that the police officer have evidence sufficient to prove defendant's perpetration of the crime beyond a reasonable doubt. It was necessary only that there be evidence which would cause a reasonably prudent person to reach the conclusion that the person arrested was, in all probability, the one who committed the crime. *Richardson v. State*, Sup. Ct. Op. No. 1416 (File No. 2826), 563 P.2d 266 (1977).

Arrest held lawful. — Where the facts which were observed by a police officer, together with his prior knowledge of the physical characteristics of a certain package and its illegal contents, were sufficient to lead a reasonable person to believe that the defendants had committed an offense in his presence, arrest was lawful. *Howes v. State*, Sup. Ct. Op. No. 846 (File No. 1443), 503 P.2d 1055 (1972).

Applied in *Jacobson v. State*, Sup. Ct. Op. No. 1282 (File No. 2478), 551 P.2d 935 (1976).

Sec. 12.25.033. Grounds for arrest by peace officer without warrant. A peace officer may arrest a person without a warrant, whether or not the offense is committed in the presence of the officer, when the officer has probable cause to believe that the person to be arrested has committed the crime of operating a motor vehicle in violation of AS 28.35.030 or a similar city or borough ordinance, if the

violation is
arrest.

Sec. 12.

Whether arrested is objective standard. Sup. Ct. Op. P.2d 162 (1977)

Individual Where an in police in the had no hand doors in occupants in concluded the

Sec. 12.

This section 12.35.040, enforcing entry warrant a State, Sup. Ct. 525 P.2d 541

Noncompliance search unlaw not comply section, the and the evi admissible. 1070 (File No.

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Purpose of refused adm The required admittance to providing the occupant people on purpose of p and providing occupant. D 1070 (File N

The phrase restricted Indeed, it wo

Sec. 12

Repealed

(Effective January 1, 1980)

28 C.J.S., Dueling, §§ 1 to 3; 40 C.J.S., Homicide, §§ 17, 48; 72 C.J.S., Poisons, § 9.

Sec. 11.41.210. Assault in the second degree. (a) A person commits the crime of assault in the second degree if

(1) with intent to cause physical injury to another person, he causes serious physical injury to any person;

(2) he intentionally places another person in fear of imminent serious physical injury by means of a dangerous instrument; or

(3) he recklessly causes serious physical injury to another person by means of a dangerous instrument.

(b) Assault in the second degree is a class B felony. (§ 3 ch 166 SLA 1978)

As to former law, see note to AS 11.41.200.

Sec. 11.41.230. Assault in the third degree. (a) A person commits the crime of assault in the third degree if

(1) he intentionally or recklessly causes physical injury to another person;

(2) with criminal negligence he causes physical injury to another person by means of a dangerous instrument; or

(3) by words or other conduct he intentionally places another person in fear of imminent physical injury.

(b) Assault in the third degree is a class A misdemeanor. (§ 3 ch 166 SLA 1978)

As to former law, see note to AS 11.41.200.

Sec. 11.41.250. Reckless endangerment. (a) A person commits the crime of reckless endangerment if he recklessly engages in conduct which creates a substantial risk of serious physical injury to another person.

(b) Reckless endangerment is a class A misdemeanor. (§ 3 ch 166 SLA 1978)

Article 3. Kidnapping and Custodial Interference.

Section	Section
370. Kidnapping	330. Custodial interference in the second degree
320. Custodial interference in the first degree	370. Definitions

Sec. 11.41.300. Kidnapping. (a) A person commits the crime of kidnapping if

(1) he restrains another person with intent to

****PLEASE NOTE****

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VOL. V, NO. 4

AUGUST-SEPTEMBER

602 W. 10th AVE. ANCHORAGE, AK. 99501

Weber decision leaves questions unanswered

The U.S. Supreme Court decision in the Brian Weber reverse discrimination case might turn out to be a landmark decision in support of affirmative action programs. In its conclusion of June 27, 1979, the Court held that the affirmative action plan implemented by Kaiser Aluminum and Chemical Corp. to increase its ratio of black skilled craft workers was not in violation of Title VII of the Civil Rights Act of 1964 by accepting blacks with less seniority than Weber into a training program which Weber himself was not selected for. This affirmative action plan was one condition of a nationwide collective bargaining agreement Kaiser entered into with the United Steelworkers of America, and it was engineered to effect racial balance in the company's almost entirely white craft work forces.

At the plant in Gramercy, La., where Brian Weber works, 1.83% of the skilled craft workers were black, although the work force in Gramercy was approximately 39% black. Prior to the program, skilled craft-

verse discrimination suits, as did Kaiser Aluminum. Conversely, if they failed to adopt such plans, they could expect to find themselves embroiled in discrimination suits by minority and women employees or in the position of losing federal contracts.

This confusion was inherent in Title VII, which in wording denied what its inception intended. At face value, the law's meaning supported Weber's case, in providing:

"It shall be an unlawful employment practice for any employer, labor organization, or joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs to discriminate against any individual because of his race, color, religion, sex, or national origin in admission to, or employment in, any program established to provide apprenticeship or other training."—Section 703(d)

The two justices dissenting in this case (Burger and Rehnquist)

the purpose of the bill was to prohibit preferential treatment of any race for any reason, on the premise that discrimination by any other name (affirmative action?) would not smell sweet at all. As Justice Rehnquist stated "...I find a prohibition on all preferential treatment based on race as elementary and fundamental as the principle that two wrongs do not make a right."

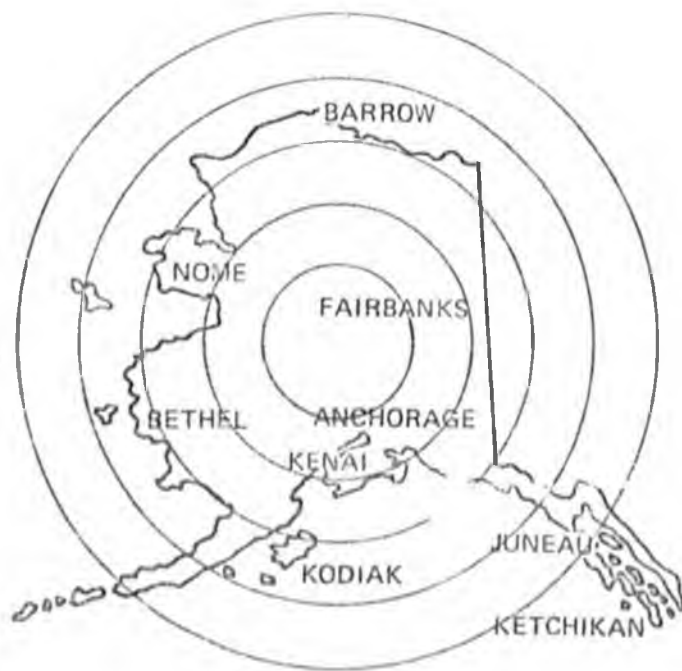
The five justices that overturned Weber's claim (Brennan, Stewart, White, Marshall, and Blackmun) chose to look beyond the wording of the statute in an analysis of its true intent. They considered in their decision the courts' pre-established recognition that "a thing may be within the letter of the statute and yet not within the statute, because not within its spirit, nor within the intention of its makers." In their appraisal of the act's legislative history and historical context, they deemed that Congress' main concern in enacting Title VII's prohibition against racial discrimination was to amend the disadvant-

in Title VII, Section 703 (j), which provides that nothing in the statute "shall be interpreted to require any employer...to grant preferential treatment...to any group because of the race...of such group...The statute in no way forbids voluntary affirmative action plans, which are designed to redress past violations.

In reviewing the two differing judicial opinions in this case, it appears that there is some disagreement over the meaning of the word discrimination and its long term implications. To the dissenting judges, it appears to be an almost mathematical concept of the immediate tense, which a law of prohibition for all people will effectively solve. The other, and fortunately prevailing, school of thought admits that measures to correct past injustices by hastening the assimilation of minorities and women into job and career opportunities they've been denied access to are a necessary prerequisite to the simple enforcement of non-discrimination. The final judgment must

ALASKA FAMILY VIOLENCE PROGRAM

SECOND YEAR GRANT



FEDERAL ASSISTANCE		2. APPLICANT'S APPLICATION		3. STATE APPLICATION IDENTIFICATION		4. NUMBER																			
1. TYPE OF ACTION <input type="checkbox"/> PREAPPLICATION <input checked="" type="checkbox"/> APPLICATION <small>(Mark appropriate box)</small> <input type="checkbox"/> NOTIFICATION OF INTENT (Dpl) <input type="checkbox"/> REPORT OF FEDERAL ACTION		a. NUMBER b. DATE Year month day 19 79 9 1		a. NUMBER b. DATE Year month day ASSIGNED 19		Leave Blank																			
4. LEGAL APPLICANT/RECIPIENT a. Applicant Name : Criminal Justice Planning Agency b. Organization Unit : c. Street/P.O. Box : Pouch AJ d. City : Juneau e. State : Alaska f. Contact Person (Name & telephone No.) : Sema E. Lederman (907)276-1024				5. FEDERAL EMPLOYER IDENTIFICATION NO. 926001185																					
7. TITLE AND DESCRIPTION OF APPLICANT'S PROJECT Alaska Family Violence Program: Addresses domestic assault through projects in eight(8) communities, providing transportation, shelter, crisis intervention, & advocacy for victims & their children, offender alternatives to prosecution & incarceration, public education, & criminal justice personnel training, with central administration & coordination of a State-wide network of domestic assault projects.				6. PROGRAM (From Federal Catalog) a. NUMBER 1 6 0 5 0 1 b. TITLE Law Enforcement Assistance Discretionary Grants		8. TYPE OF APPLICANT/RECIPIENT A-State B-Interstate C-Substate District D-County E-City F-School District G-Special Purpose District H-Community Action Agency I-Higher Educational Institution J-Indian Tribe K-Other (Specify): Enter appropriate letter <input type="checkbox"/> A																			
10. AREA OF PROJECT IMPACT (Name of cities, counties, States, etc.) State of Alaska		11. ESTIMATED NUMBER OF PERSONS BENEFITING 400,000		12. TYPE OF APPLICATION A-New B-Renewal C-Revision D-Continuation E-Augmentation Enter appropriate letter <input type="checkbox"/> B		9. TYPE OF ASSISTANCE A-Basic Grant B-Supplemental Grant C-Loan D-Insurance E-Other Enter appropriate letter(s) <input type="checkbox"/> A																			
13. PROPOSED FUNDING <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>a. FEDERAL</td> <td>\$ 217,500</td> <td>.00</td> </tr> <tr> <td>b. APPLICANT</td> <td></td> <td>.00</td> </tr> <tr> <td>c. STATE</td> <td></td> <td>.00</td> </tr> <tr> <td>d. LOCAL</td> <td>92,580</td> <td>.00</td> </tr> <tr> <td>e. OTHER</td> <td></td> <td>.00</td> </tr> <tr> <td>f. TOTAL</td> <td>\$ 310,080</td> <td>.00</td> </tr> </table>		a. FEDERAL	\$ 217,500	.00	b. APPLICANT		.00	c. STATE		.00	d. LOCAL	92,580	.00	e. OTHER		.00	f. TOTAL	\$ 310,080	.00	14. CONGRESSIONAL DISTRICTS OF: a. APPLICANT: Alaska CJPA b. PROJECT: Statewide		15. TYPE OF CHANGE (For 13c or 13e) A-Increase Dollars B-Decrease Dollars C-Increase Position D-Decrease Position E-Cancellation F-Other (Specify): N.A. Enter appropriate letter(s) <input type="checkbox"/>		17. PROJECT DURATION 12 Months	
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16. PROJECT START DATE Year month day 19 80 1 1		18. ESTIMATED DATE TO BE SUBMITTED TO FEDERAL AGENCY Year month day 19 79 9 1		19. EXISTING FEDERAL IDENTIFICATION NUMBER N.A.		21. REMARKS ADDED <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																			
20. FEDERAL AGENCY TO RECEIVE REQUEST (Name, City, State, ZIP code) Special Programs Div., Off. of C.J. Programs, LEAA, Wash.D.C.20531				22. THE APPLICANT CERTIFIES THAT: a. To the best of my knowledge and belief, data in this preapplication/application are true and correct, the document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurance if the assistance is approved. b. If required by OMB Circular A-95 this application was submitted, pursuant to instructions therein, to appropriate clearinghouses and all responses are attached: (1) <input type="checkbox"/> (2) Application submitted to A-95 Office <input type="checkbox"/> (3) OIL <input type="checkbox"/>																					
23. CERTIFYING REPRESENTATIVE a. TYPED NAME AND TITLE Charles Adams Executive Director		b. SIGNATURE		c. DATE SIGNED Year month day 19																					
24. AGENCY NAME				25. APPLICATION RECEIVED Year month day 19																					
26. ORGANIZATIONAL UNIT		27. ADMINISTRATIVE OFFICE		28. FEDERAL APPLICATION IDENTIFICATION																					
29. ADDRESS				30. FEDERAL GRANT IDENTIFICATION																					
31. ACTION TAKEN <input type="checkbox"/> a. AWARDED <input type="checkbox"/> b. REJECTED <input type="checkbox"/> c. RETURNED FOR AMENDMENT <input type="checkbox"/> d. DEFERRED <input type="checkbox"/> e. WITHDRAWN		32. FUNDING <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td>a. FEDERAL</td> <td>\$</td> <td>.00</td> </tr> <tr> <td>b. APPLICANT</td> <td></td> <td>.00</td> </tr> <tr> <td>c. STATE</td> <td></td> <td>.00</td> </tr> <tr> <td>d. LOCAL</td> <td></td> <td>.00</td> </tr> <tr> <td>e. OTHER</td> <td></td> <td>.00</td> </tr> <tr> <td>f. TOTAL</td> <td>\$</td> <td>.00</td> </tr> </table>		a. FEDERAL	\$.00	b. APPLICANT		.00	c. STATE		.00	d. LOCAL		.00	e. OTHER		.00	f. TOTAL	\$.00	33. ACTION DATE Year month day 19		34. STARTING DATE Year month day 19	
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37. REMARKS ADDED <input type="checkbox"/> Yes <input type="checkbox"/> No				38. FEDERAL AGENCY A-95 OFFICIAL (Name and telephone no.) Jerry Rudden (907) 455-7577																					
39. FEDERAL AGENCY A-95 ACTION: a. In taking above action, any comments received from clearinghouse were given consideration. If agency response is due under provisions of Part 3, OMB Circular A-95, it has been or is being made.				40. FEDERAL AGENCY A-95 OFFICIAL (Name and telephone no.) Jerry Rudden (907) 455-7577																					

SECTION 1 - APPLICANT/PROJECT DATA

SECTION 2 - CERTIFICATION

SECTION 3 - FEDERAL AGENCY ACTION

PROBLEM STATEMENT

"There was a saying among hunters in his territory (National Moose Range on Alaska's Kenai Peninsula): 'If you're going to shoot your wife, make sure you don't miss her and hit a moose.'" Henry Hurt, "He got me bad ... but I'll make it," Readers Digest, July, 1979.

ALASKA

Alaska is a land of extremes in climate and geography. These extremes have greatly affected human settlement and continue to have an important influence on the life-style of Alaskans.

The land area is vast. Alaska sprawls over 586,000 square miles or one-fifth the area of the entire United States, stretching across four time zones. The state has 33,000 miles of coastline (twice the continental U.S.), and is divided by four major mountain ranges and twelve major river systems.

Nearly one-fourth of the State is above the Arctic Circle. Permafrost locks two-thirds of the land in perpetual ice and is an important land use factor. Only along the southcentral coast and the southeastern portions of the State does the soil completely thaw during the summer months.

The geographic features have a significant effect on the climatic extremes. Along the Alaskan Panhandle, precipitation amounts to over 200 inches and would be considered a desert if the moisture were not trapped at the surface by underlying permafrost.

The isolated Aleutian Islands which extend 500 miles from the mainland have mountainous terrain and narrow passes which stretch across the North Pacific storm tract and are constantly buffeted by storms with winds often in excess of 100 miles per hour. Occasional storms originate in the Bering and Arctic Seas and blow inland across the low coastal plains. Strong winds in areas of extreme cold create hazardous working and living conditions by reducing the wind chill factors to minus 150 degrees fahrenheit and below.

Temperatures vary enormously. The central and eastern portions of the interior experience the greatest seasonal contrasts; summer days have twenty-four hours of daylight and 70-80 degree temperatures, but winter days pass in total darkness with temperatures that plunge to minus 50 degrees or below. In the southeast, the climate is much more moderate and winter temperatures frequently remain above 32 degrees. The arctic seasons are cool with temperatures above freezing for only three weeks of the year.

Conventional transportation is limited to the areas surrounding Anchorage and Fairbanks where two paved roads and the federally owned Alaska Railway connect the cities. Juneau, the State Capital, and other southeastern towns are accessible only by boat or airplane. Air travel is the only connection between Bush villages and the populated areas. The harsh climate and vast distances create frequent delays and extended stop-overs, making travel expensive and time consuming.

These geophysical attributes cannot be isolated from the fact of violence in Alaskan families; they are not only contributing factors but present considerable obstacles to effective systemic response to that violence.

Even Anchorage, the largest population area of the State with 213,000 residents, where winters may be comparable in severity to the Midwest, the length of winter -- from October through early May -- and the limited sunlight contributes to family malfunction.

Stress The cold and darkness result in a syndrome of depression and psychological strain that has been given its own name, Cabin Fever. By its very nature, the effects of Cabin Fever fall directly on the family unit. Unlike the summer crisis typical of metropolitan centers in other parts of the U.S., the syndrome of frustration and depression in Alaska tends to turn inward and is manifest as violence in the home.

Distances between settled communities, their inaccessibility, and the distance between Alaska and the Continental U.S. make travel and communication difficult, sometimes impossible. Isolation and alienation place tremendous strain on nuclear families as there may be minimal contact with family or friends, either in the Lower 48 or in other parts of Alaska. When violence threatens the stability, indeed the safety of family members, alternatives are few. In all of Alaska, which, if super-imposed on a map of the Continental U.S. would stretch from Virginia to California, there are only 2,157 miles of paved road.

The community of Bethel, located on the banks of the Kuskokwim River in western Alaska, is some 470 miles from Anchorage, and serves as the hub for fifty-six villages in a 60,000 square mile area. Characteristically, these villages may not have much communication with each other, both because

of distance and climate (approximately eighty-eight percent of rural Alaska communities do not have roadways to even one other community), and because they differ significantly in racial, language, religious, and geographically - determined subsistence factors, e.g., fishing, hunting, gathering, and/or trapping economies.

Programs which hope to address intra-family violence in Alaska, within or outside the criminal justice system, must recognize unique problems of distance and culture if they are to have an impact. There are at least seven distinct racial/language groups native to Alaska (at least forty-four percent of Native communities rely predominately on Native dialects*), and each represents an individual challenge in terms of public education and acceptable remedies. Natives of the Bering Straits Region, of which Nome is the center, speak a distinct dialect from the Natives of the North Slope Borough, for example, and some Native groups are historically more prone to violence than others.

Income levels between Native and non-Native vary widely: in 1970, Natives of the Norton Sound Region had a median income of \$3,198 with 8.3 percent earning over \$15,000, while non-Natives earned a median yearly income of \$13,631, with forty percent earning over \$15,000.

The frustration of being pushed into a cash economy for which Natives are ill prepared, the dwindling of identified roles and status associated with subsistence, and increasing reliance on welfare may all be factors to

*Alaska Village Justice, Criminal Justice Center, University of Alaska, Anchorage.

John Angell

RP - Natives traditionally are peaceful, so is alcohol the culprit for rural family violence?

Ad:
which a high suicide rate and high accident and injury rates may be attributable. With a lower than average proportion of older people in rural Alaska -- fifty-three percent are estimated to be below the age of nineteen -- there is increasingly less social influence to stem intra-family violence.

In urban Alaska, too, economics seem to have considerable impact on the incidence and severity of family violence. As the hub of Alaska, Anchorage has represented the progressive edge of modern America, and at the same time fallen heir to inevitable pressures which beset any community making the quantum leap from the "last frontier" to a technological society.

The oil pipeline turned the focus of world attention on Alaska, and forced the State to update its institutions to accommodate the most highly sophisticated industry in the world. The pipeline construction boom also brought with it the tremendous influx of workers from the Lower 48, and from around the world. As pipeline work diminished and the construction boom terminated with the completion of the line, the anticipated emigration of non-resident workers did not occur.

In the three years 'since the pipeline' the social agencies and institutions have been under increasing strain to handle the impact of post pipeline economy, and unemployment.

Fairbanks has received the brunt of the economic and social strain. The cost of living in Fairbanks, while considerably lower than rural Alaska, is far higher than other U.S. cities and current unemployment rates are running close to seventeen percent.

RP - Could a program for ~~the~~ rural battered include interaction w/ rural S. C. Centers?

In 1978, the Anchorage Police Department had jurisdiction over seventy-eight square miles of the Municipality of Anchorage. Within their jurisdiction resided 107,883 residents. The Anchorage Police Department received and responded to 1,554 requests for assistance involving cases of "family disturbances" during fiscal 1978. During the same time period in 1976, the Anchorage Police Department averaged 3.3 intra-family violence calls per day. The 1978 rate represents an increase to 4.2 responses per day.

Alaska's population grew by forty-one percent between 1970 and 1975, yet the support services and resources available in Anchorage to victims and perpetrators of domestic violence remains at a minimal level. There is only one mental health hot line available during non-working hours. Public mental health services average a three week waiting list for counseling appointments. The police are not and do not want to be "social workers," yet they are the agency/personnel who actually do the intervening in cases of domestic disturbance and family violence.

The image of Alaska as the "Last Frontier," where the sturdy of heart and brawn can "carve" out an existence in the wilderness, shoot the great Brown Bear and subsistence hunt and fish, has motivated many individuals to pack up and head North. Arriving in Alaska, often with little money, the modern day pioneer finds that the cost of living is extremely high, there is little or no land available to private ownership, and the fishing industry is strictly limited.

Informal conclusions about the nature and causes for the high level of family violence in Anchorage have been formulated from data collected at

RP Should Alaska Family Violence be divided into rural and urban? Are the factors similar?
This re-emphasizes the "traditional family".

the Abused Women's Aid in Crisis (AWAIC) shelter. From August, 1977 to date, 622 women and 768 children have sought refuge at the shelter. Ninety percent of the women were married, over seventy percent had children or were pregnant.

The women seldom have close family ties or long time friends who can express concern or support. They are often geographically isolated, living beyond buslines or taxi routes, often on roads impassable except by snow machine. Even in families with more than one car, the woman will often have no keys or permission to operate an auto.

X Economic dependency is significant. Even when women work in Alaska, they earn sixty percent less than the working man.

In the first year and one-half of shelter services, four client-related deaths occurred: two women were murdered by their husbands, and two men committed suicide.

Other indices attest to the psycho-social strain of the Alaskan environment. According to the National Council on Alcoholism, one of every ten adults who drink will become alcoholics. In Alaska, the same study shows that one person in every nine (adults and children) will become alcoholic.

X Every Alaskan community identifies alcohol abuse as a primary social and health problem. The town of Ketchikan, population 11,300, has thirty-two liquor establishments. There are 663 licensed establishments in the Third Judicial District (Anchorage, Valdez). The City of Bethel, which voted itself dry a few years ago, has an active bootlegging business, and in one year, the Bethel Alcohol Treatment Center (BATC), a sleep-off center,

RP. Talk to Bob Cole.

served clientele equal to one-third of the total City population, this despite the fact that the BANC does not take juvenile clients.

The specific relation of alcohol abuse to family violence has as yet to be established, but the staggering rate of alcoholism in Alaska, must, perforce, affect family relations already strained by geographical and social isolation, inclement weather and light conditions, and the double-edged sword of a boom economy. The State Office on Alcoholism links alcohol to sixty-four percent of homicides and thirty-four percent of rapes. Informal estimates by law enforcement officials are much higher for all crime categories.

The criminal justice system throughout Alaska has been ill prepared, and perhaps ill disposed, to provide swift, sure, or just response to violent incidents between family members. The Alaska Criminal Code prevents [?] police from making probable cause misdemeanor arrests, thus victims of domestic assault have the considerable burden of signing a citizen's arrest, knowing that the attacker will be out on bail or own recognizance (OR) within hours.*

*Alaska Rules of Criminal Procedure provide in part as follows:
Appearance Before Judge or Magistrate.

Except when person arrested is issued a citation for a misdemeanor and immediately thereafter released, the arrested person shall be taken before the nearest available Judge or Magistrate without unnecessary delay. Unnecessary delay within the meaning of this section is defined as a period not to exceed twenty-four hours after arrest, including Sundays and holidays.

In 1978, there were fifty-six murders reported in Alaska, an increase of eighteen percent over 1977, with an increase of forty-two percent in Anchorage, one hundred fifty percent in Fairbanks, two hundred percent in Juneau, and one hundred percent in Ketchikan. Twenty-eight percent of the murders involved relatives, twenty percent friends, twenty-one percent acquaintances, fourteen percent strangers, and seventeen percent were committed by an unknown person(s). Thirty-three percent occurred during family or lovers' quarrels. (Crime In Alaska, 1979, Criminal Justice Planning Agency.)

During 1978, two hundred and twelve law enforcement officers were assaulted in Alaska, an increase of thirteen percent over 1977. As the following table from Crime In Alaska shows, seventy-four, or thirty-five percent of these assaults occurred when officers responded to disturbance calls, i.e., family quarrels, etc.

In a 1977 study by the Alaska Judicial Council, The Anchorage Citizen Dispute Center: A Needs Assessment and Feasibility Report, pp. A3-A23, data was collected on every assault and battery, disorderly conduct, and family disturbance incident reported to Anchorage Police in 1976. (See following pages).

An interpretation of this data may legitimately infer inadequate police response. One factor not revealed in this study is the wide discrimination afforded police, and later prosecutors in labelling an assault a misdemeanor or a felony. Only in a minority of those cases which involve permanent loss of a limb or organ are offenders who assault family members charged with felonies.

Comprehensive and relatively reliable data on police response to calls involving family violence will be available for twenty-six Alaskan communities beginning in March, 1980, through the State's Criminal Justice Planning Agency's SAC-71 CR Project. Prior to the full implementation of that project, base line data for incidence of family violence is almost impossible to obtain.

It is fair to say that discrimination against the victim of family violence permeates Alaska's criminal justice system, beginning with the law enforcement officer's inability or refusal to make an arrest, the prosecuting attorney's reluctance or refusal to prosecute, and the judiciary's tendency to impose light sentences in those rare cases where a conviction or guilty plea results.

Under Alaska law the sentencing authority of judges is vast. The Judicial Council's study of the effects of the Attorney's General's prohibition

*refusal to arrest
refusal to prosecute
light sentences*

of plea bargaining revealed some startling disparities in sentencing practices. In cases where the specific offense of conviction was disorderly conduct or assault and battery, both misdemeanors, the charges were found to be factors estimated to reduce sentence length by ninety-six percent and seventy-five percent respectively. If the defendant was separated or divorced, sentence length was estimated to increase by one hundred forty-five percent. In cases where victim-offender relationship was that of spouse, relative, acquaintance, employee or employer, sentence length was estimated to be reduced by fifty-one percent.

Based on these findings, a married defendant convicted of assault and battery on a spouse would yield a considerably lower sentence than a single defendant convicted of a comparable misdemeanor committed against a stranger. Except in Anchorage, where through AWAIC, a specially adapted pre-trial diversion program for batterers is offered, and this is sometimes used as a sentencing alternative to incarceration, there are no pre-or-post trial programs of rehabilitation for domestic assault. One judge used an innovative sentencing approach in Juneau (see following page), but as an exception, it proves the rule. More commonly, a convicted batterer can expect a light or suspended sentence.

The state of justice in Bush Alaska is so removed from normal expectations of other U.S. citizens as to be beyond their comprehension. Bush communities surveyed by the Criminal Justice Center have the slowest police response to emergency calls in the United States. Forty-seven percent of calls for police service from outside the community, primarily to the

→ need to check out

State Troopers, required one to three days to complete, ten percent required over one week.

Almost half of the villages do not have facilities in which to detain disorderly persons. People who are a threat to themselves or others may be handcuffed to a bed, frequently in the village police officer's home, until State Troopers arrive.

The report cites the following incidence as indicative of the inadequacies of Bush justice:

For example, one village police officer, over a period of a year, had written several letters to a higher level of government elsewhere in the State requesting bullets, and claiming that without them he could do nothing about an increasingly dangerous dog situation in his village. The bullets were not sent, and shortly after his last letter, a five-year-old boy was attacked by a pack of roving dogs, dragged under a building, severely mauled and nearly scalped. Fortunately, the incident was spotted in time for adults to save the boy. But, the child was evacuated to a hospital in Anchorage where he underwent several weeks of treatment.

Bullets are so inexpensive and readily available in most communities that it's difficult for someone who is not familiar with the Native villages to appreciate why a police officer would be so concerned as to repeatedly write letters simply to obtain them.

About seventy-five percent of the villages have at least a part-time person considered the police department, and that person is the sole representative of the justice system except in emergency situations when the State Troopers are called. It is not uncommon for a rampaging drunk to keep an entire village in terror for hours or even days until help arrives.

It would be impossible to begin to understand the exigencies of Bush justice without an historical context of unique cultural and economic

conditions, but it may be significant to the issue of family violence that in Native communities, the "Village" calls the police, whereas in urban areas, a victim calls the police. Commonly, State Troopers are only requested when an individual poses a threat to the village as a whole, and then repeatedly and over a prolonged period of time.

The Criminal Justice Center survey of village police workloads (see following table), identified family fights as accounting for eight percent of their time. Seventy-three percent of their reported activities are basically non-criminal. In a summary of village police perceptions of problems of their jobs, they identified "handling family problems" as a concern, along with alcohol and marriage counseling, arresting relatives, and others.

Clearly, the victim of domestic violence in Bush Alaska, unless the assailant is also threatening to injure or has injured numerous other residents and has resisted the counsel of village councils or other traditional forms of dispute resolution, cannot expect any response by State authorities. If the Bush situation, believed by most to be largely accepting of high levels of intra-family violence, is to be altered, it must be approached cautiously and sensitively.

The vast size of Alaska, combined with a sparse population (estimated 417,000) have made it necessary and practical to develop a program for violent families with a State-wide approach. Each of the local projects operate with extremely limited resources and, except for the development of a network of domestic and sexual assault projects across Alaska, have little

I wonder if I could get a grant to do research on batterers? What common characteristics are there, if any? Perhaps do a study on alcohol as a key factor. //

If I could get the cooperation
of the Shelter Network, maybe I

- could
- 1) interview batterers
 - 2) interview victims
 - 3) " both

Work w/ "Male Awareness" Project

How about a grant from:

- 1) Booze Industry
- 2) Legislature
- 3) Bob Cole
- 4) Oil Co's?
- 5) May A
- 6) JCAA?

contact with similar efforts outside of their communities.

As fledging, primarily volunteer organizations, these groups have had to counter adverse public reaction to their purpose, continuous doubt and setbacks in funding, seasons when all but the most committed go fishing or hunting, unreasonable landlords, lack of information and experience, fears that Social Services, the Legislature, or other official agencies may attempt to over-regulate, control, or otherwise coopt their programs, and the personal challenges of working with traumatised victims of violent crimes while, for many, trying to maintain healthy relationships with their own spouses and/or children. Through it all, project staff and volunteers, whether operating one of five regional shelters, crisis lines, safe homes, public education projects, or counseling projects, have resisted the tendency toward territorial chauvinism, and begun to develop alternate modes of joint decision-making, resource allocation, and cooperation.

What about the idea of \$ for T.V.?

An intense media campaign -

"if you violate a TRO it's 3 days (twice) in jail"

ON TV
Radio
posters
newspapers

Is this the tip of the iceberg? Is it a sign of those who cannot handle stress? Unfortunately, the women are hurt (in terms of "species survival of the fittest") not the men!

ACCOMPLISHMENTS TO DATE

On December 26, 1978, a Coordinator of the Alaska Family Violence Program was hired by the Dept. of Health and Social Services to provide fiscal and programmatic management of the LEAA grant, technical assistance and coordination between projects, and to oversee data collection and evaluation. On April 1, 1979, the administration of the Program was transferred from the Office of the Commissioner to the Division of Social Services.

Many of the accomplishments of the Alaska Family Violence Program have been the result of concerted effort of all the projects, or the responsibility of the Program Coordinator. These are described in this section. Accomplishments by individual project follow.

Legislation:

Three bills (see Appendix) were introduced into the State Legislature which have direct bearing on the criminal justice system response to family assaults and management and control of the grass roots projects involved in the Alaska Family Violence Program.

HB 392 prescribes the police response to domestic assault reports, requiring that victims be informed of their rights and transported to a safe place or medical facility. It alters the Criminal Code to permit probable cause misdemeanor arrests. The process for obtaining temporary restraining orders is simplified and the penalties for violating a temporary restraining order are strengthened.

Also, HB 392 will give victims of domestic assault priority in securing low cost State housing.