

VERMONT LAW REVIEW

VOLUME 6 NUMBER 2

FALL 1981

SYMPOSIUM

FAMILY VIOLENCE IN AMERICA*

FOREWORD

FAMILY VIOLENCE - A NATIONAL ISSUE

Hon. Barbara A. Mikulski**

Domestic violence is a national problem that requires national attention. The following statistics graphically demonstrate the extent of this problem:

- The F.B.I. estimates that an American woman is abused every 18 seconds. This adds up to nearly 5,000 women abused each day.
- More than one million children were reported as known or suspected victims of child abuse and neglect in 1981.
- One in every six American couples will experience a violent episode this year.
- Serious physical harm occurs each year among 10% of the couples in our nation.
- The National Institute of Mental Health has estimated that 1.8

* The VERMONT LAW REVIEW extends its thanks to Professor Lowell F. Schechter, formerly of Vermont Law School and now teaching at Salmon P. Chase Law School. Without his efforts this Symposium could not have come to pass.

** U.S. House of Representatives, 3d Congressional District, Maryland. Congresswoman Mikulski was the principal author and initiator of the Domestic Violence Prevention and Services Act which passed the House overwhelmingly on December 12, 1979. This legislation would for the first time provide consistent federal support to local shelters and programs serving the victims of domestic violence.

million wives per year are severely assaulted; child abuse is estimated to occur in one-half of these families.

- Spouse abuse contributes to one-fourth of all divorces in America.
- One-eighth of all murders in the U.S. are the result of violence between spouses.
- More police die answering domestic violence calls than from any other cause (the F.B.I. estimates this to be 22.2% of total police deaths).
- Once it has happened, domestic violence tends to occur again and become more severe each time.

This violence starting in the home reverberates throughout our society. A recent survey of juvenile offenders indicates that a large percentage of them had either been victims or witnesses of violence in their home. I have spoken with a woman who told me that she left her husband after 8 years of severe beatings only when she saw her 8 year old son beat his 5 year old sister because she didn't turn on the T.V. when *he* ordered her to. What disturbed the mother the most was that her son's face was innocent and self-righteous and her daughter's stricken with guilt. Neither child thought that he/she had done anything out of the ordinary.

Today there is a network of shelters to aid victims of domestic violence. The shelter movement developed as a result of the efforts of people who wished to fill the void left by police officers who did not want to treat domestic violence as crime; by a court system that deliberately made it difficult to press charges; by hospital emergency rooms that ignored the real causes of injury and accepted obviously false explanations that let everybody off the hook; and by traditional social services that were just plain insensitive to the needs of battered women. Now, shelters are rapidly becoming an integral part of our communities.

As a member of Congress, I feel a responsibility to be a vigorous advocate for the millions of abused spouses and children in this country and for those who are trying to deal with this painful, insidious problem. It is because of this commitment that I have reintroduced the Domestic Violence Prevention and Services Act.

I introduced similar legislation last year which was narrowly defeated. Opponents to it claim that it represents "government interference" in the family. Yet the greatest threat to the health of

the American family comes from violence. My legislation, with its emphasis on voluntarism and the values that have made America great, will actually serve to strengthen the family. Concerns have been expressed about the cost of such legislation. I have little patience for such questions when, every day, shelters are forced to turn away badly beaten women and children because of lack of funds. There is a real problem at the root of our society when more money is budgeted on weapons which create violence than on those means that work to prevent violence.

Advocates of programs and activities that work towards the solution of this problem face an uphill battle. We are experiencing a climate of political conservatism and backlash against progressive social programs. We are also facing unprecedented cuts in the federal budget. However, we must not let this deter us from our goal. Whether we are working in the courts, in the neighborhoods, in law enforcement, in health care delivery, or in the legislative branch, we must all work toward a number of widespread changes to address this problem:

- we must give people control over their own lives — this is perhaps the most valuable service that shelters perform;
- we must give women the ability to support and protect themselves—this will diminish the likelihood that women will be the targets of someone's misplaced anger and frustration;
- we must insure that petitioners in child protective proceedings are represented by legal counsel;
- we must change social security, health and budgetary policy to end economic discrimination against women and the elderly;
- we must change societal attitudes that attempt to justify domestic violence by putting the "frail, powerless" woman at fault;
and
- we must ratify the Equal Rights Amendment to make clear once and for all that women are first class citizens of this country.

We must not let the current conservative political climate dissuade us from our goal of an adequate national response to the problem of Domestic Violence.

