

# THE HISTORY OF DOMESTIC VIOLENCE

# THE EARLY YEARS

- ▶ **Early 1500s:** Early settlers in America follow an Old-English common-law that explicitly permits wife-beating for correctional purposes. However they update it to say that the husband is only allowed to whip his wife with a switch no bigger than his thumb. ("rule of thumb")
- ▶ **1871:** Alabama and Massachusetts are the first states to rescind the legal right of men to beat their wives.
- ▶ **1882:** Maryland is the first state to pass a law that makes wife-beating a crime, punishable by 40 lashes or a year in jail
- ▶ **1886:** North Carolina courts declare that a criminal indictment cannot be brought against a husband unless the battery is so great as to result in permanent injury, endanger their life or is malicious beyond all reasonable bounds.



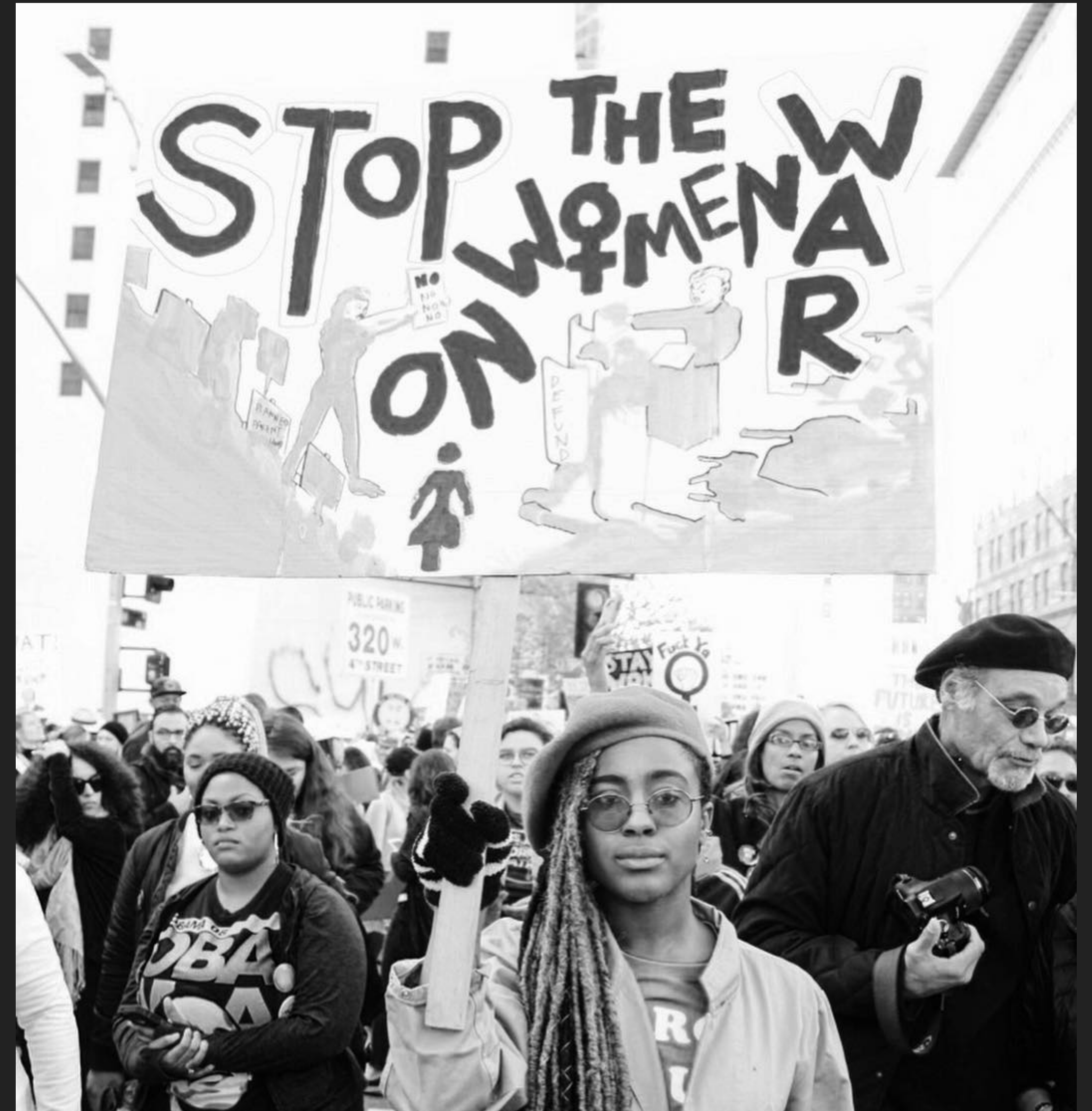
## EARLY 1900S

- ▶ **1900s:** Wife beating receives public attention in the United States as it relates to the temperance movement, the social purity movement and the women's suffrage movement.
  - ▶ Since alcohol and intoxication contributed to violence against women, suffragettes like Elizabeth Cady Stanton favored temperance and thought it would reduce incidences of violence.
  - ▶ The movement was also able to gain momentum when the government realized addressing violence against women would appease female citizens, without giving them the right to vote.
- ▶ **1910:** U.S. Supreme Court denied a wife the right to prosecute her husband for assault because to do so "would open the doors of the courts to accusations of all sorts of one spouse against another."



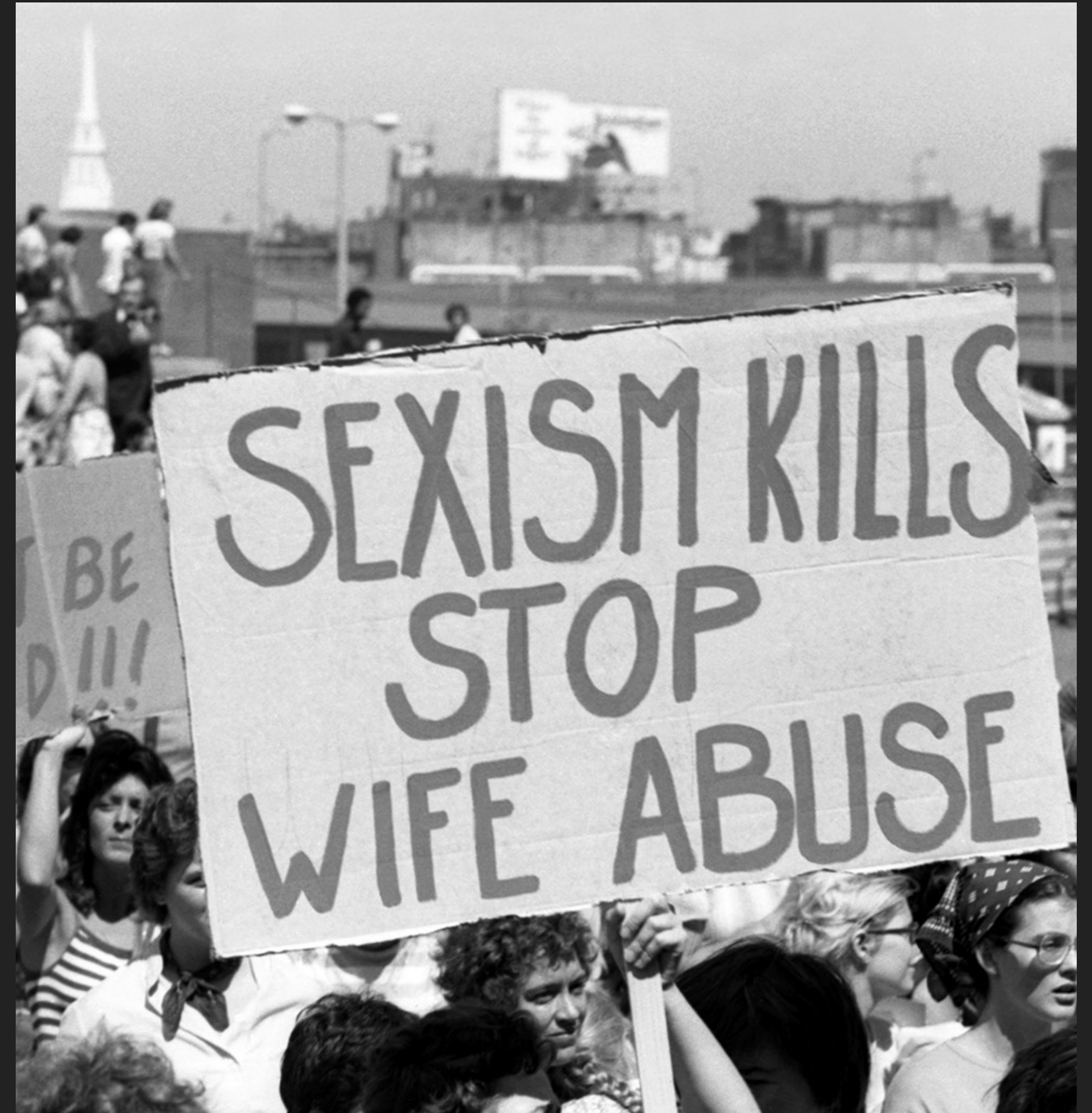
# THE 1960S

- ▶ **1950s-1960s:** Civil rights and anti-war movements challenge the country and lay the foundation for the feminist movement.
- ▶ **1962:** New York domestic violence cases are transferred from criminal court to civil court, where only civil procedures apply. The husband never faces as harsh penalties as he would suffer if he was found guilty in criminal court for assaulting a stranger.
- ▶ **1966:** "Beating as cruel and inhumane treatment" becomes grounds for divorce in New York, but the plaintiff must establish that a sufficient number of beatings have taken place
- ▶ **1970:** Women's rights start to become a more "publicized" issue and the "battered women's movement" was born. Grassroots organizations begin to take the spotlight, "We will not be beaten" becomes the mantra of women across the country organizing to end domestic violence.



# THE 1970S

- ▶ **1975:** Most US states allow wives to bring criminal action against a husband who inflicts injury upon her
- ▶ **1984:** The Duluth Project is formed in Duluth, Minnesota, to develop a coordinated criminal justice response to domestic violence. The US Attorney General establishes a Task Force on Family Violence and conducts hearings throughout the country to examine the scope and nature of the problem. The report spurs Congress to pass the Family Violence Prevention Services Act - the first time federal funds are specifically designated for programs serving battered women and their children.
- ▶ **1988:** The Victims of Crimes Act is amended to make financial awards available (for the first time) to victims of domestic violence.
- ▶ **1989:** There are 1,200 battered women's programs in the United States that shelter over 300,000 women and children. US Attorney General C. Everett Koop warns that violence is the number one public health risk to adult women in the United States.



# THE 1990S

- ▶ **1989:** The first Domestic Violence Awareness Month Commemorative Legislation is passed by U.S. Congress.
- ▶ **1990:** Stalking is first identified as a crime
- ▶ **1990:** For the first time, judges are required to consider any history of spousal abuse before determining child custody or visitation rights.
- ▶ **1992:** The American Medical Association releases guidelines that doctors screen women for signs of domestic violence.
- ▶ **1994:** The U.S. Congress passed the Violence Against Women Act (VAWA) as part of the federal Crime Bill. VAWA funded services for victims of domestic violence and rape, and provided training to increase police and court officials' sensitivity to domestic violence. \$1.6 billion was authorized for the years 1994 to 2000.



## EARLY 2000S

- ▶ **1996:** In California, a bill was passed protecting children from the effects of domestic violence. This bill gives the court the authority to remove the battering parent or guardian from the household and prohibiting visitation if it would jeopardize the safety of the child as well as allowed the non-offending parent to create a safety plan
- ▶ **2000:** The Violence Against Women Act of 2000 is passed reauthorizing funding for training and services for battered women and their children and creating new programs. \$3.3 billion was authorized for the years 2000-2005.



# TODAY

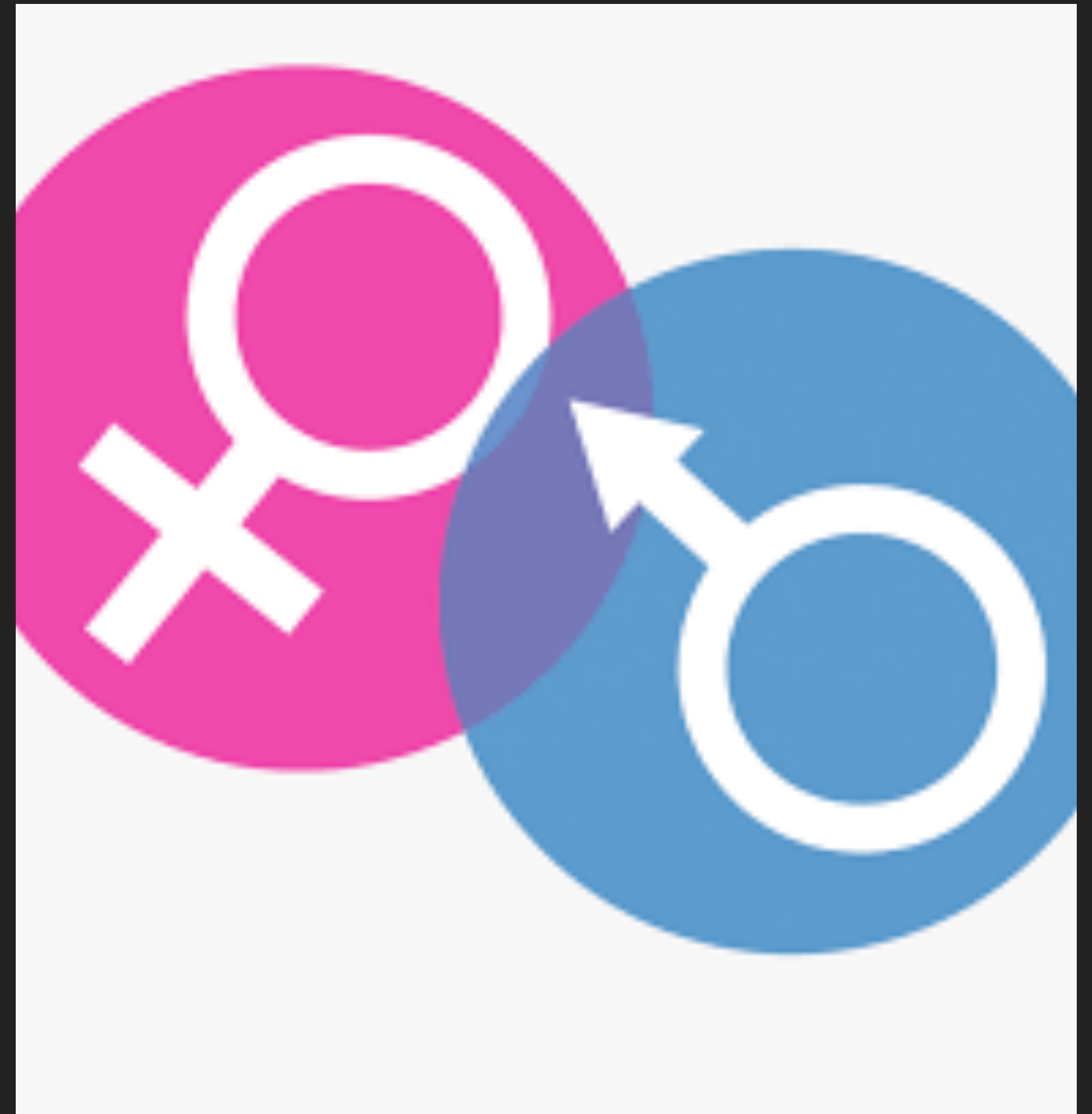
- ▶ **March 16, 2022:** President Joe Biden reauthorizes the Violence Against Women Act
- ▶ This bill authorizes all current VAWA grant programs until 2027. Additionally, it expands special criminal jurisdiction of tribal courts to cover non-Native perpetrators of sexual assault, child abuse and sex trafficking, and it supports a pilot program to help survivors in Alaska Native villages.
- ▶ It also increases services for survivors in the LGBTQ+ community and increases support for culturally specific services and services in more rural communities
- ▶ It also creates new programs to help end the backlog of rape kits and improve the health care system's response to domestic violence, including through enhancing training for sexual assault forensic examiners.





## GENDER CANNOT BE IGNORED

- ▶ While we recognize that intimate partner violence happens to both men and women, we cannot ignore the statistics that show the discrepancies among the genders.
- ▶ Everyone, regardless of gender or gender identity, is susceptible to abuse by an intimate partner, but statistics show that women are more likely to be abused by a partner than men.



---

# GENDER BASED RATES OF INTIMATE PARTNER VIOLENCE

- ▶ **1 in 4** men have experienced some form of physical violence by an intimate partner
  - ▶ **1 in 3** women have experienced some form of physical violence by an intimate partner
- ▶ **1 in 7** men have been severely physically abused by an intimate partner at some point in their lifetime
  - ▶ **1 in 4** women have been severely physically abused by an intimate partner at some point in their lifetime
- ▶ **1 in 71** men in the United States reported being raped in his lifetime, which translates to almost 1.6 million men in the United States
  - ▶ **1 in 5** women in the United States have been raped in their lifetime.

# WOMEN WITH DISABILITIES

- ▶ Women with disabilities are uniquely vulnerable to all forms of violence, including intimate partner violence. They are significantly more likely to experience physical, sexual, and psychological abuses and stalking than their peers without disabilities. They are also more likely to experience intimate partner control of reproductive and sexual health than women without disabilities.
- ▶ People with disabilities are three times more likely to be sexually assaulted as their peers without disabilities
- ▶ A survey conducted by the Spectrum Institute and Disability and Abuse project found that 70% of respondents with disabilities experienced some form of abuse by an intimate partner or family member with the most common form of abuse being verbal



## WOMEN OF COLOR

- ▶ The Women of Color Network reports that economic insecurity, combined with isolation, racism, and discrimination, shape how women of color experience and respond to domestic violence.
  - ▶ For instance, non-white women are often more afraid of what will happen if they report abuse than they are of the violence they are enduring.
  - ▶ An estimated **51.3%** of black adult female homicides are related to intimate partner violence
- ▶ **45.1%** of Black women have experienced intimate partner physical violence, intimate partner sexual violence and/or intimate partner stalking in their lifetimes.



# WOMEN OF COLOR: THE STATISTICS

- ▶ African-American women are four times more likely to be killed as a result of domestic violence.
- ▶ Even though Black women only comprise about 13 percent of the U.S. population, they constitute half of the homicides against women in America.
- ▶ Approximately 1 out of 5 African-American women have been a victim of physical violence, rape and/or stalking by a partner
  - ▶ This rate is 30-50% higher than what is experienced by white, non-hispanic, hispanic and asian women



# INDIGENOUS PEOPLE AND ALASKA NATIVES

- ▶ Indigenous and Alaska Native women experience assault and domestic violence at much higher rates than women of any other ethnicity.
- ▶ **55.5%** of Native women experience physical intimate partner violence in their lifetimes; 66.6% experience psychological abuse
- ▶ Indigenous women are 3 times more likely to experience sexual violence than any other ethnic group. Over half of Indigenous women report having experienced sexual assault.
- ▶ Indigenous/Alaska Native children experience PTSD at the same rate as combat veterans from the Iraq and Afghanistan wars



# SOCIO-ECONOMIC STATUS

- ▶ Statistically, poverty disproportionately affects women and single mothers.
- ▶ While women at all income levels experience domestic violence, women with household incomes of less than \$7,500 are 7 times as likely as women with household incomes over \$75,000 to experience domestic violence
- ▶ Women in financially distressed couples who live in a lower-income neighborhoods are twice as likely to be victims of domestic violence than women in equally financially distressed relationships living in more affluent neighborhoods



---

## DOMESTIC VIOLENCE IN RURAL AREAS

- ▶ Approximately 20% of Americans live in rural communities
- ▶ Gender-based violence is more prevalent in rural communities than in urban and suburban communities
- ▶ Injuries from domestic violence are more severe in rural communities than in urban and suburban communities
- ▶ Homicides in rural communities are three times as likely to involve an intimate partner than in large cities



## DV IN THE LGBTQ+ COMMUNITY

- ▶ Sexual minorities report levels of intimate partner violence at rates equal to or higher than those of heterosexuals:
  - ▶ 44% of lesbian women, **61% of bisexual women**, and 35% of heterosexual women experienced rape, physical violence, and/or stalking by an intimate partner in their lifetime
  - ▶ **1 in 5 bisexual women** (22%) and nearly 1 in 10 heterosexual women (9%) have been raped by an intimate partner in their lifetime



## MOVING FORWARD

- ▶ Societal perceptions of domestic violence are always changing
- ▶ Laws and mandates are constantly changing
- ▶ Societal perceptions of relationships, and what it means to be a “partner” are constantly changing
- ▶ What DOESN'T change is the fact that there should never be any form of abuse in an intimate relationship - and your role as an advocate is to support, encourage, empower, and educate.

