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DEVELOPING A COORDINATED RESPONSE TO DOMESTIC VIOLENCE

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On behalf of the United States delegation, I am pleased to participated in this workshop this morning on the important topic of domestic violence. We commend the planning committee of this Congress for making the topic of domestic violence a priority issue for consideration during the Congress, and thank France for its role as Chairman of this workshop.

In addition, we wish to express our gratitude to Canada and Turkey for sponsoring resolutions for consideration by this Congress on measures to address the problem of domestic violence, and in particular commend the Canadian delegation for the progress achieved in the informal working group, which Canada chaired, that was able to produce rapid consensus on a combined resolution. On behalf of my delegation, I note with particular pride that the United States is now a co-sponsor of this resolution.

We meet today to discuss an issue of unique importance to societies around the world -- the problem of violence within the family. In the United States, this issue is now at the forefront of our discussions at every level of government, and within a multitude of communities of every type. Within the current Administration, under the leadership of President Clinton and Attorney General Reno, and with strong bipartisan support from both parties in the United States Congress, the federal government has recently embarked upon an important new initiative marking a new

chapter in federal leadership in the effort to combat domestic violence.

My purpose this morning is to discuss, generally, our view on the problem of domestic violence, and specifically to share with you the outlines of this new federal initiative.

Only recently has society begun to view domestic violence as a serious criminal problem. For too long, violence against women within the confines of marriage or some other intimate relationship was considered a private matter, one that should be kept separate from the public responses of law enforcement, arrest, prosecution and criminal sanction.

Of course, we now consider domestic violence to be a criminal act, and one that warrants the strongest response of the criminal justice system and the strongest condemnation of society as a whole. More important, however, in my view, is the realization that domestic violence should be considered a particularly egregious form of violence, one that can be distinguished from other forms of violence in important respects.

In the case of domestic violence, the victim knows the offender, and the acts of criminal violence are rarely isolated acts. They are most often part of a series of criminal events that include low level assault and often build up to serious assault and homicide. As a result, women in these relationships live in constant fear for their safety. The threat of serious violence is imminent, an integral part of daily existence. These victims live lives different from other victims because their victimization is part of a continuing pattern of criminality.

A second distinguishing characteristic of domestic violence is that the forms of violence that are now properly considered criminal acts are, in fact, part of a broader continuum of power and control exercised by the man over the woman, including emotional duress, financial control and other limits on the independence and integrity of the woman. These multiple levers of control that are available to the man give the criminal acts, even if they are relatively rare, an added dimension -- in essence a multiplier effect, that transforms acts of controlling behavior that might seem relatively unimportant in another context into reminders that violent behavior is a looming possibility. In other words, this combination of criminal behavior and controlling behavior combine to create an environment of terror and powerlessness.

There is a third characteristic of domestic violence that we must recognize and confront honestly and directly. For a variety of reasons, crimes of domestic violence are, in fact, often very well known to the various agencies of government, and to the broader community, yet our response, too often, is to look the other way. This public knowledge of what was considered a private matter is made up of individual fragments of information. I am speaking of the record of police responses to calls for assistance, medical records kept in hospital emergency rooms, patterns of extensive sicknesses from work, visible signs of battering and abuse. If we combine all these indicators into an overall public record of violence within intimate relationships, it is indeed difficult, if not impossible, to call this crime a private crime. Rather, we should think of domestic violence as a crime that occurs in private, but is very often, very visible to the public. Our challenge as a society -- and particularly in the criminal justice system -- is to develop a comprehensive response to domestic violence that calls upon a broad community of police, medical doctors, religious leaders, community organizations, educators, neighbors, to make the

prevention and proper response to this horrific crime everyone's responsibility.

In the United States, the profile of domestic violence is chilling. Allow me to cite some statistics:

- \* Over two thirds of violent crimes committed against women were committed by someone known to them.
- \* Over 1 million women a year are victims of violence perpetrated by husbands or boyfriends.
- \* Data from 1992 show that one-third of all female murder victims over age 14 were killed by an intimate, such as a boyfriend, spouse, or ex-spouse.
- \* Over half of the family violence crime victimizations result in injuries to the victim; female victims are more likely to sustain injuries at the hands of intimates than strangers.
- \* Less than half of all violent crime against women is ever reported to law enforcement officials.
- \* Over one-third of those individuals incarcerated for harming an intimate had a previous conviction for a violent offense.

At the community level, a remarkable number of organizations have been working over the past several years to demand an improved governmental and societal response to domestic violence. A number of institutions have responded to that challenge. Although there is still significant room for improvement, the police agencies of the United State have been undergoing a noteworthy transformation of their policies in this area. Where a decade ago many police departments had formal or informal policies discouraging arrests in domestic violence cases, most have now adopted policies favoring or mandating arrests for these violations of the law. Where a decade ago, few police departments would consider violent households to be "hot spots" of criminal activity, many -- particularly those involved in community policing and problem oriented policing -- are now categorizing those addresses and apartments where they make repeated calls as locations where new crime prevention strategies must be designed. Where a decade ago police departments rarely cooperated with other agencies of government to address the domestic violence problem, a number of police agencies are now developing interagency responses combining law enforcement with social service, health, treatment, and counseling services.

There are similar innovative approaches being developed in other aspects of the criminal justice system. Prosecutors are creating units of domestic violence specialists -- prosecutors who handle all domestic violence cases in a particular jurisdiction. In Miami, Florida, there is a "domestic violence court" in which one judge hears all cases involving violence within the family. Probation Departments are creating special units to supervise probationers convicted of crimes of violence against intimates. Victim assistance agencies have created multi-service domestic violence divisions, offering shelter and emergency day care to domestic violence victims, providing advocacy services and counseling and referral programs.

In a very important development, we are witnessing the active participation of other public and private entities. Hospitals are training doctors in emergency rooms to recognize the signs of battering; schools are developing courses to teach young boys and young girls about the dangers of abusive relationships. Law schools are offering special clinical education courses in which law students provide pro bono legal assistance to victims of domestic violence.

In this time of extraordinary development at the community level, it is particularly noteworthy that the United States federal government has undertaken a very ambitious program to combat domestic violence. As part of the 1994 Violent Crime Control and Law Enforcement Act (also known as the Crime Bill), Congress enacted, and President Clinton signed, the Violence Against Women Act. This Act combines tough federal criminal laws with financial and technical assistance to states and localities to fight violence against women. Allow me to summarize the provisions of this Act.

There are significant new enforcement provisions -- for example, it is now a federal crime to cross state lines to continue to abuse a fleeing spouse or partner. Women's civil rights are also expanded under the Act -- the law now contains a federal cause of action for victims of gender-motivated violence, in other words victims of a felony crime of violence motivated at least in part by gender may bring a civil suit for damages or equitable relief in federal or state court. The Act also provides new protections to the abused spouses and children of aliens.

In my view, however, the most far-reaching aspect of the Violence Against Women Act is the substantial new commitment of federal resources -- more than \$1.6 billion during the next six

years has been authorized -- for police, prosecution, prevention and victim services initiatives in cases involving sexual violence or domestic abuse. For the current fiscal year, Congress appropriated \$26 million for monetary awards to the States to develop coordinated responses to domestic violence spanning the police response, the prosecution function, and victim services.

These funds may be used for a variety of purposes. Communities may develop education and training programs to improve criminal justice responses to domestic violence. Local governments may develop new computerized networks and tracking systems to provide police officers, judges and others with immediate information about the domestic violence history of a suspect or defendant. Specialized prosecution units may be created to ensure that these cases are granted the highest priority. Funding may be provided for victim advocates to secure shelter, provide legal assistance, obtain orders of protection, act as translators, etc. Special efforts will be made to support programs that reach out to abused women who have not been afforded protection in the past -- in rural America, in Indian country, in immigrant communities. And, as a very important component of this federal initiative, each State is being asked by the Department of Justice to develop a comprehensive plan, based on the model of an interagency community strategy, for responding to domestic violence. Finally, the agency I head -- the National Institute of Justice -- is working with other federal research agencies to develop a multi-year research agenda that will examine basic questions about the nature of violence between intimates and evaluate the effectiveness of these various initiatives.

These are very promising developments within our Nation. We stand at the threshold of an era when responding to violence within the family is seen as a top priority for the federal



government -- and, indeed, for all of us.

In that spirit, we welcome the leadership that has been provided by this Congress in making domestic violence a top priority within these deliberations, as well.

Thank you, Mr. Chairman.