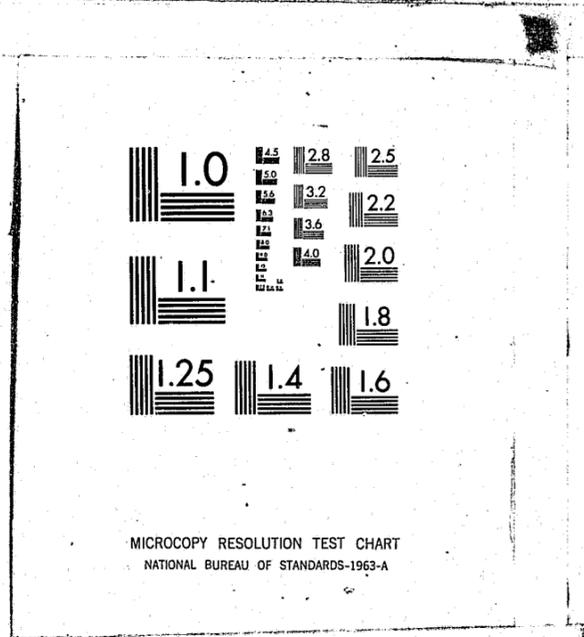


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DOMESTIC VIOLENCE, 1978

HEARINGS
BEFORE THE
SUBCOMMITTEE ON
CHILD AND HUMAN DEVELOPMENT
OF THE
COMMITTEE ON HUMAN RESOURCES
UNITED STATES SENATE
NINETY-FIFTH CONGRESS

SECOND SESSION
ON
DOMESTIC VIOLENCE AND LEGISLATION WITH RESPECT TO
DOMESTIC VIOLENCE

LOS ANGELES, CALIF.
MARCH 4, 1978
WASHINGTON, D.C.
MARCH 8, 1978

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Statement
of
Glen R. Murphy
Director
Bureau of Governmental Relations
and Legal Counsel
IACP
Submitted to the
Subcommittee on Child and Human Development
of the
Senate Committee on Human Resources
Regarding the
"Domestic Violence Prevention and Services Act"
July 17, 1978

Dear Chairman Cranston:

The International Association of Chiefs of Police appreciates the opportunity to submit a statement to the Senate Subcommittee on Child and Human Development regarding the "Domestic Violence Prevention and Services Act", (S. 2759).

The IACP is a professional membership organization with more than 11,000 members from 64 nations. The Association was established in 1893 to further the science of police administration. The majority of our membership is from the United States, and may be directly affected by this legislation.

As you know, the purpose of the "Domestic Violence Prevention and Services Act" is to increase state, local and private participation in programs designed to combat domestic crime, which has become an epidemic within our society. This is also the goal of similar legislation in the House of Representatives, H.R. 12299. Generally, S. 2759 authorizes a state grant program to help support projects which offer assistance to victims of domestic violence and programs which attempt to prevent such incidents. The bill has been constructed to (1) provide a financial incentive for states to support programs addressing domestic violence; (2) have states assume a rapidly increasing proportion of the costs of the program; (3) ensure that nonprofit private groups are not precluded from sharing in the resources, and (4) provide seed money for community groups. These provisions will be accomplished by the establishment of state citizen panels on domestic violence; regional centers to provide technical assistance and training; and an interagency council to coordinate federal programs with respect to domestic violence. The bill will also provide for research and reporting programs relating to domestic violence.

Legislation concerning domestic violence is of grave concern to the law enforcement community. Violence in American households is widespread, reflecting the fact that many people feel that violence is acceptable as a form of release for stress within the family. Family violence constitutes a significant percentage of homicides, aggravated assaults, and assaults and batteries in the United States. The known dimension of domestic violence represents only a small portion of the actual number of incidents, with conservative estimates speculating that 3.5 million severely battered women (requiring hospitalization) and 5 million battered children are affected annually. In addition to being a significant problem in relation to victims of abuse, family violence is one of the most hazardous assignments to which police officers must respond. The 1976 Uniform Crime Report indicates that 31.5 percent of all law enforcement officers were assaulted while responding to disturbance calls during 1976¹, representing the greatest percentage of assaults on law enforcement officers. An FBI study covering an eight year period showed that 20 percent of the total number of police officers killed in the line of duty died while responding to family disturbance calls.²

In order to respond effectively to family violence situations, the law enforcement community has recognized the importance of specialized training in this area. Police officers are trained to attempt to recognize evidence which may indicate family abuse, recognize factors which might motivate offenders and to maintain a professional attitude when responding to such calls. Law enforcement officials

¹ Crime in the United States 1976 (Washington: U.S. Government Printing Office, 1977), p. 282

² Roger Langley and Richard C. Levy, Wifebeating: The Silent Crisis (New York E.P. Dutton, 1977), p. 165

have also attempted to become involved with social service agencies for referral purposes. While training of this type has been instrumental in the more efficient response to domestic violence situations, community assistance for domestic violence is limited, and in some areas, is nonexistent. There are numerous situations, for example, in which social service agencies do not operate on a 24-hour basis, or in which shelters are overcrowded and cannot accept victims. There are also instances in which the law enforcement community is unaware of the various services provided by family violence programs due to a lack of communication. Again, in certain areas, there is a lack of cooperation between social service agencies and law enforcement in providing assistance to victims of family violence, because of either a competitiveness between the agencies or, in some cases, a lack in definition of services provided.

To remedy these and similar situations, coordination and cooperation must be maintained at all levels of government. The proposed legislation establishes this link between the various levels, as well as providing an effective avenue through which various agencies can jointly develop viable solutions to family violence.

The law enforcement community has, in the past, been held primarily accountable for resolving incidents of family violence because traditionally they have been the first agency called on to respond. The police response to domestic violence, however, can merely treat the symptoms or consequences of the problem, rather than the causes.

The police, for example, are empowered to take whatever action is necessary to subdue the immediate instance of violence, but, in most cases, the action has little long-range impact on the causes of the violence itself. As an indication

of the effect of the police response to incidents of family violence, a study in Kansas City revealed that in 85 percent of the cases of spouse murders in a single year in that city the police had been summoned at least once before the murder occurred, and in 50 percent of the cases they had been called five or more times before the homicide.

Law enforcement officials are making a sincere effort to combat this crime. However, once they have been summoned to a domestic incident, their alternatives are very limited. They can arrest the offender if the victim will sign a complaint, but the abused party is usually reluctant to do this. Economic dependence, low self-esteem, social isolation and fear or reprisal are among the factors that cause the victim to endure the situation rather than prosecute. When faced with this problem, the police officers' only other alternative is to refer the victim to agencies which can provide immediate shelter and/or long-term help. Even this alternative is limited due to an insufficient availability of services to meet the demand. Many states and local communities are attempting to deal with the problem, but even where shelters and services do exist, the massive demand quickly overwhelms the program. By providing federal funding for community-based programs, such as shelters and counseling, as well as encouraging the availability of such services on a 24-hour basis, the causes of domestic violence can be assessed and realistically dealt with on a case-by-case basis. Studies have demonstrated that as a result of the implementation of community-based family violence programs, the total number of calls for police intervention has been reduced by half; the recidivism rate for domestic disturbances reduced by more than half; and the amount of time spent on domestic disturbance calls reduced by approximately 25 minutes per call. These studies indicate that the current high drain on law enforcement personnel generated by domestic violence can be reduced with proper training and resources.

Family violence is a complex problem affecting every facet of our society, about which there is no definite knowledge. It must be studied and dealt with on every possible level. This bill will help to coordinate federal, state and local efforts in combatting the problem. It will assist the development of effective methods of identification and treatment of offenders. It will establish a program that provides the direction, coordination, leadership, and resources necessary to develop and implement solutions to this widespread crime.

Domestic violence is a severe problem within the family, the community, the state and the nation. It has not yet received adequate attention from the society at large, even though it is becoming increasingly clear that it occurs at all levels of society, within the families of the rich and educated as well as the poor and illiterate. For the benefit of the victims, who are growing in number daily, for the benefit of the law enforcement community, which faces danger and tragedy each time an officer responds to a call, and for the benefit of a nation which is laden with criminal activity, society as a whole must cooperate to eliminate domestic violence.

The IACP wholeheartedly urges passage of domestic violence legislation.

Thank you.

END