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In Search of Safety

Double Jeopardy for Battered Women

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Battering is the single most common cause of injury to U.S. women. Its myriad consequences affect every aspect of the lives of its victims and its children. In their search for safety, many battered women and their children find themselves homeless not because they do not have homes, but because their homes are unsafe. They are homeless because to go home would invite further injury or even death. This article discusses the unique issues and implications of double jeopardy for battered women, including the crisis components of their homelessness, the economic and emotional impacts, the child custody issues, the inadequacy of the homeless shelter system to deal with their special needs, and the sexism and social milieu that continue to downplay the seriousness of the problem. The authors offer suggestions for confronting the jeopardy through strengthening the network of battered women's shelters and programs, providing a specific array of supportive services, changing the legal approach to domestic violence, and radically altering public attitudes toward battering that lead to shifting the responsibility for solving this problem from the battered women's network to the community at large, where it originates.

Joan is a writer; Carol has been home caring for her three small children; Kathy is an administrative assistant in a large firm; Barbara is an executive in the finance industry; Mary has been on welfare for several years. These women all have something in common — they are all homeless for the same reason. They are homeless because their homes are unsafe, because going home means injury and possibly death. They are all battered women.

All the names in this article have been changed for several reasons, chief among which is that battered women are in constant danger even after they leave their violent home situations. Any risk of identification can be life threatening. Battered women also face stigmatization because they are victims of a crime our society has trouble facing. Anonymity is their only assurance of being able to tell their stories safely.

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Battering is the single most common cause of injury to women in the United States, affecting 6 million a year according to *Time* magazine. In the time it takes to read this paragraph, the FBI tells us, another woman will be beaten by her partner — it happens once every fifteen seconds. Researchers estimate that violence occurs in 30 percent to 60 percent of all intimate relationships.¹ Translated into everyday reality, these statistics paint a frightening picture — domestic violence is everywhere. Far from being an unusual occurrence, it is commonplace, respecting no boundaries, no demographics. Women are beaten by husbands, ex-husbands, boyfriends, and female lovers. It happens in every city and town, in every neighborhood. It happens to someone we all know.

In Rhode Island, a state with a population of nearly one million people, more than ten thousand persons received help from battered women's shelter programs in 1990. Domestic violence, however, is an issue that has been kept behind closed doors for the most part. Considered a family matter, intimate violence was long considered an acceptable component of a domestic relationship. In fact, throughout Western history, legal systems have not only permitted, but prescribed conditions under which a husband should physically "discipline" his wife. The phrase "rule of thumb" comes from English common law, which allowed a man to beat his wife as long as he used an instrument no greater in circumference than his thumb. Such laws persisted into this century.

Privatization of what between strangers would have been considered criminal behavior has created a system ill equipped to deal with the consequences of such violent behavior, and communities ill prepared to confront the issue head-on. Only recently have our law enforcement officials been willing to proclaim that domestic violence is and should be treated as a crime. Only recently have we as neighbors, friends, and relatives been willing to believe that such violence exists around us.

But even with these shades of change, the situation is grim. Julia tells of her family's reaction to her situation. "They asked me what I did to make him hit me," she says. "I don't know what I did; he just hit me." We are still unwilling to believe that a woman doesn't somehow cause the violence. And we have told this to women for so long that they have a hard time believing they are not to blame for their abuse.

In pronouncing a lenient sentence on a longtime abusive husband who had killed his wife by shooting her in the face, a midwestern judge stated that, in his view, the woman had contributed to her own death by filing divorce papers. In Rhode Island, which has among the most progressive domestic abuse statutes in the country, women must swear that they were abused with "no provocation" on their part in order to obtain restraining orders against their violent partners.

This tendency to blame the victim places a heavy burden on battered women. Our society already places much of the responsibility for a successful relationship on women. We teach our daughters that it is up to them to say no when they are out on a date. It is up to them to determine "how far things go." At the same time, we often absolve our sons from any of that kind of responsibility. "Boys will go for what they can get," we say with resignation. The message is all too clear. What happens to a woman in a relationship is her fault. She should be able to prevent bad situations since men can't be expected to control themselves. This attitude is demeaning and dangerous not only to women, but to men as well.

Added to this dynamic is the emotional basis of intimate relationships. As Julia explains, "I love him. I don't want him to go away, I just want him to stop hitting me!" It is very hard to believe that someone you love wants to hurt you. The tendency to forgive, to believe an episode of violence is an isolated incident, is strong even in the light of contrary evidence. And as Sylvia adds, "You don't want anyone to know about it. You're ashamed, like you did something wrong. And besides, you don't want people to not like him. Because when things get better, you want people to still be okay with him."

A nine-month-pregnant staff member at Sojourner House, a shelter for battered women in Rhode Island, was talking with a high school class about domestic violence. A student asked what she would do if she went home that night and her husband beat her up. The question left her struggling for an answer. Returning to the office, she was still struggling. "I wanted to say I wouldn't put up with it, that I would leave immediately. But I couldn't. We've been together a long time and I'm about to have a baby and I love him. I would want to believe it would never happen again. I don't know what I'd do."

It is not an easy question to answer, and our expectation that women whose energy is devoted to survival for themselves and their children will be able to answer it quickly and easily is unreasonable. The level of danger in domestic violence situations and the concomitant fear it produces are often overlooked by the general community and the service providers outside the battered women's network.

FBI statistics indicate that, every twenty-two days, a woman is killed by her abusive husband or boyfriend, many times after having obtained a restraining order barring the abuser from approaching her. Three thousand women are killed each year as a result of domestic violence. Thousands more visit emergency rooms and doctors' offices for serious injuries every year. Many have been told by their abusers that should they dare try to leave them, they will track them down and kill them or perhaps harm the children. The women who live with these men know what they are capable of, and newspapers tell them weekly that such threats are often carried out.

Under such circumstances, the concept of home as a place where one is safe is shattered. Home is a prison, a place that becomes more dangerous than anywhere else. This reality, perhaps more than any other, distinguishes battered women and their children from other homeless families and makes resolution of their situations even more complex. The issue is not one of finding a home, it is one of finding a home that offers safety. The fear of being found and harmed keeps many battered women on the move. It keeps many of them homeless. The harshness of this state of affairs is difficult to comprehend, but it is very real. It underlies every action, every solution that battered women undertake.

These women and their children are not in jeopardy merely because they are homeless but because, for many of them, someone is actively looking for them, someone who is likely to escalate the level of violence when he finds them, who will threaten and intimidate them at best and take their lives at worst. This is the context in which battered women and their children find themselves without a home. The issues it raises are myriad, and in searching for a solution to the problem, its implications must be addressed.

Homeless Battered Women: Unique Issues and Implications

Within the context detailed above, the difficulties faced by homeless battered women and their children come into clearer focus. In addition to their primary need to be safe from further violence, the immediate crisis component of leaving a violent home, the double stigma of being battered and homeless, the child custody issues that inevitably arise, and the sexism within the homeless shelter systems all contribute to the unique challenges faced by homeless victims of domestic violence.

Battered women rarely address the concept of homelessness until an acute episode of violence or abuse has resulted in the “straw that broke the camel’s back,” as many women explain it. Since, as noted above, many women believe that each abusive incident is a single episode — one which won’t happen again — they rarely formulate a plan of action that includes abandoning their home. It is rare for a woman, like the character in the movie *Sleeping with the Enemy*, to carefully plan an escape and prepare herself emotionally for a potential impact.

A battered woman who has left her home without having planned to do so is usually confronted with the problem of identifying herself as homeless for the first time. Unlike a family or individual who may know that an eviction notice is imminent or a person whose substance abuse or difficult behavior has led to cohabitants taking progressively more drastic action, culminating in forcing him or her from the residence, the battered woman has generally never anticipated homelessness.

Such a crisis situation is compounded by the trauma of the violence from which the woman has escaped. Many battered women need time to gather their thoughts once they leave their homes, because they hadn’t planned their next step. Where they go and what they find there will play a critical part in their working through of the situation.

“I didn’t have any idea where to go,” said Carol. “I packed a garbage bag full of clothes for my kids, grabbed the car keys, and left the house without thinking what I’d do next.” When Carol arrived at the Women’s Resource Center of South County, a Rhode Island shelter program, she told the staff, “I never thought I would have to leave my own home.”

The place a battered woman goes, whether it is a shelter, a relative’s house, or some other location, must first provide her with safety from the abuser. It must also offer a supportive environment for the woman so that she can assess her situation, consider her options, and gather strength to begin making choices and setting goals for her life. The environment, and the people around her, must be sensitive to the double crisis she is experiencing: the violent danger she has fled and the fact of being homeless for what is probably the first time.

Another issue with which a battered woman must deal in coping with the psychological impact of the life-and-death nature of her escape is not only having to leave her home to find safety, but forfeiting that home to the person who caused her danger in the first place. The violation she feels, knowing her abuser is still living in her home, adds further trauma. Despite the grim situation in which she finds herself, a battered woman may also find it difficult to identify her family as homeless. She may not feel “homeless,” because in some cases she may feel that her current circumstance is simply a temporary displacement from her home. She may anticipate returning to her home if she is able to retain child custody or to obtain a temporary restraining order, or if her abuser is convicted.

Most battered women live in a world of denial for many months or even years, believing that the abuse will go away, or that the abuser will change. Denial can become the easiest way for them to deal with the concept of being homeless, a coping mechanism that often prevents them from dealing with issues of homelessness. Many battered women introduce themselves, as Kathy did, by saying, "I am not really a battered woman, it's just that my husband [boyfriend, lover] hits me." In the same way, many displaced battered women introduce themselves with: "I'm not really homeless, it's just that I left my home."

Child custody issues inevitably complicate the situation for a battered woman who has left her home. If she takes the children with her, she can be challenged in court for placing them in an "unstable environment," that is, a shelter. If, for safety reasons, she decides to leave the children with her parents or a friend, she could be attacked in court for abandoning them. If she leaves them with the abuser, she could jeopardize their safety — and be charged with abandonment as well. In searching for the best solution, some women take drastic steps. One well-publicized Rhode Island case involving domestic violence concerned a battered woman who fled, "kidnapping" her children from the abuser-father to protect herself and them. Risking criminal charges, she was driven by an overriding need for safety, for freedom from danger for herself and her children. Her thoughts of what homelessness or underground living might involve were secondary to her desire for a safe haven.

Once battered women have fled their violent homes, the sexism they face in the homeless shelter system is no different from that in the culture at large. It does, however, have an impact on their experience of homelessness and makes their struggle toward independence more difficult than that of a male's within the same system. Most notably, the majority of homeless shelters are not equipped to handle infants or children. A woman who has two or three children is often asked to split them up or have male children sleep in a different area from the females. Most shelters are unable to provide child care, so if a woman needs to leave her children for an hour to obtain a restraining order, to keep a social services appointment, or to look for an apartment, she is forced to take all her children with her or make her own arrangements. In addition, many shelters do not have the capacity to take into account the nutritional requirements or medical needs of children or pregnant women.

Again, child care issues loom paramount when a woman attempts to find work to support herself and her children. A battered woman who has been out of the work force may find herself eligible only for jobs that do not pay enough to cover day care costs. Even if she has been employed, these costs place a tremendous drain on her resources.

The development of affordable housing opportunities has disproportionately favored single men. Landlords often discriminate against women with children, because our culture views them as unstable or problematic families. In truth, a number of these "unstable" families are victims of domestic abuse seeking safety and stability on their own.

Many of these problems are obviated by women taking refuge in a battered women's shelter — if room is available. But even in making this choice, a woman must deal with another form of discrimination — homophobia. Some women are afraid to approach a battered women's shelter because they believe the rumors that such shelters are filled with lesbians and the stereotypes of what lesbians are like. These false fears are planted in their minds by a misogynistic culture, which puts

down women's initiatives toward self-reliance. A batterer, fearful that his partner will flee to a women's shelter, frequently threatens her by making such statements as, "If you think you'll be safe there, you should see what those lesbians will do to you." Society has done nothing to counter women's fears.

If a woman is being beaten in a lesbian relationship, homophobia also acts to keep her from seeking help. She may be afraid that she will not be accepted at a women's shelter — a "straight women's" organization, that if she is open about her lifestyle, she will lose her job, her family, and her children, and she may fear that no one will believe that she is being beaten by another woman.

Although the support for all victims of domestic violence has developed tremendously during the past fifteen years, largely through the efforts of the battered women's movement, this dramatic double jeopardy still faces homeless battered women. With the stigma, the sexism, and the crisis dynamic of escaping from a violent situation, it is remarkable that so many women are able to find the strength to leave their abusers and forge ahead on their own despite the dangers and the risk, or in the midst, of homelessness.

Confronting the Jeopardy: Taking Action

The existence of a network of battered women's shelter programs throughout the country is a testament to the efforts and accomplishments of advocates in developing essential services for victims of domestic violence. However, the presence of a roof over a woman's head and meals for her children does not address the cause of her homelessness nor does it provide a solution for preventing an ongoing cycle of victimization and homelessness for her and her children. Much work remains to be done to prevent women from having to leave their homes in search of safety.

The legal situation with regard to domestic violence varies greatly from state to state. In Rhode Island, there have been, on one hand, significant improvements in addressing domestic assault as a crime. On the other hand, there is still a need for continued improvement and change, both in statute and in attitude.

Prior to 1988, if a Rhode Island woman called the police to respond to a domestic assault, the police, on arriving, would be most likely to defuse the immediate crisis by walking the assailant around the block to "cool him down" and then ask the woman if she wished to press charges. Few women, in assessing the protections — or the lack thereof — available to her if she had her abuser arrested, did so. The police would then depart, leaving the woman to face an angry abuser and a situation that was likely to escalate.

In 1988, the Rhode Island legislature passed a statute referred to as the mandatory arrest law. Thirteen states now have similar legislation requiring an arrest with probable cause.² This law requires police officers to make an arrest when, in response to a domestic assault call, they have probable cause to suspect that an assault has occurred. The police officer, not the victim, makes the decision to arrest. As a result, women are more likely to receive immediate protection from the police at the time of an assault, and they are also reassured that the abuser will be removed from the home at that time. While he is likely to be held only a short time prior to being released on bail or his own recognizance, the victim is provided with an opportunity to plan her next action, whether to go to a shelter for safety, move in with family, or go to court to get a temporary restraining order against the abuser.

Although the legal system has become more responsive to the needs of battered women with the passage of this law, it is still not a panacea for the problems and threats they face. Women are still beaten, abused, and killed by their husbands, boyfriends, or lovers. Temporary restraining orders are regularly violated, and battered women often say they feel safer in a shelter than in their own homes. Early reviews of recidivism rates among batterers show that offenders are likely to be brought to court repeatedly for offenses against the same or other victims.

The battered woman's syndrome is still poorly understood by the community and the courts. A woman who doesn't leave her abuser is blamed for staying. We fail to recognize the terror with which battered women live daily, the constant level of energy that must go into keeping themselves and their children safe, and the paralysis that results from coping with these issues in the face of no external support and the knowledge that safety is unattainable no matter what steps they take. We understand this behavior when it is displayed by hostages. What we must recognize is that battered women are no less hostages in their own homes than those more publicized individuals.

In the same way, the magnitude of the problem of domestic violence remains to be acknowledged by society at large. The United States lost 39,000 soldiers in the Vietnam War between 1967 and 1973. During that time, 17,500 American women and children were killed by members of their own families. In the United States, a woman is more likely to be assaulted, injured, raped, or killed by a male partner than by any other type of assailant.³ Yet the true nature and scope of domestic violence remains obfuscated by national policymakers. The only real solution to the problems of homelessness, disenfranchisement, and victimization experienced by battered women rests in a national shift in our culture's attitude toward them, which must take place in every community, in every individual.

This will involve acknowledging the problem's magnitude, allocating adequate national resources to address the problem, and establishing cultural norms that do not accept violence in interpersonal relationships. It will also involve acknowledging that nothing deserves a beating. One person can do nothing to cause another to be violent toward her or him. It involves placing the blame for the violence where it belongs — with the abuser.

Attempts to develop intervention strategies, prevention programs, and support services have proved effective in making progress on these issues. With adequate resources, shelter programs will be able to address the victims' immediate problem of homelessness and jeopardized safety, and provide prevention and intervention services to reduce the risk of future victimization. Crisis hotlines, group support services, psychoeducational programs, advocacy and case management services, as well as shelter services, remain underfunded in each of the battered women's shelter programs in Rhode Island as well as throughout the country.

While there is no simple short-term solution to make the problem of domestic violence and the homelessness that accompanies it disappear, researchers, front-line staff, and battered women agree that the critical step is ensuring that these women have access to necessary services and resources. Cris Sullivan concluded that battered women need assistance in the following areas: obtaining material goods and services, education, transportation, finances, legal assistance, health care, social support, housing, employment, and children's issues, including child care.⁴ To prevent the cycle of violence, homelessness, and victimization for abused women, advocacy

programs focusing on accessing available resources need to be expanded. Crisis hot-lines need to continue to provide a confidential support for women. Shelters must continue to provide support services as part of a basic shelter stay.

In closing, we must, even at the risk of redundancy, return to the larger picture. Shelter programs can do a lot, but they can't do it all. Instead of shifting the burden of solving the problems posed by domestic violence onto the shelter programs, society as a whole must take responsibility for accepting the violent and abusive behaviors that created the problem in the first place. As Mary, a shelter resident, told the other women in her shelter, "It's time for the world to wake up to what's really happening, read the writing on the wall, and see the damage that's been done before it's too late."

Still, every fifteen seconds, in every community, in every neighborhood, a woman is beaten! 🙏

Notes

1. K. Daniel O'Leary and Ileana Arias, "Assessing Agreement of Reports of Spouse Abuse," *Family Abuse and Its Consequences*, edited by Gerald Hotaling et al. (Newbury Park, Calif.: Sage Publications, 1988), 218-41.
2. Rhode Island Coalitions Against Domestic Violence, from the National Center for Women and Family Law (New York, 1991). The thirteen states with mandatory arrest legislation include Delaware, Maine, Connecticut, Washington, Massachusetts, Minnesota, Nevada, Oregon, Utah, Virginia, Wisconsin, New Jersey, and Rhode Island.
3. National Woman Abuse Prevention Project, "Understanding Domestic Violence: Fact Sheets" (Washington, D.C.: National Woman Abuse Prevention Project, 1990).
4. Cris Sullivan, "The Provision of Advocacy Services to Women Leaving Abusive Partners," *Journal of Interpersonal Violence* 6, no. 1 (March 1991): 41-54.