

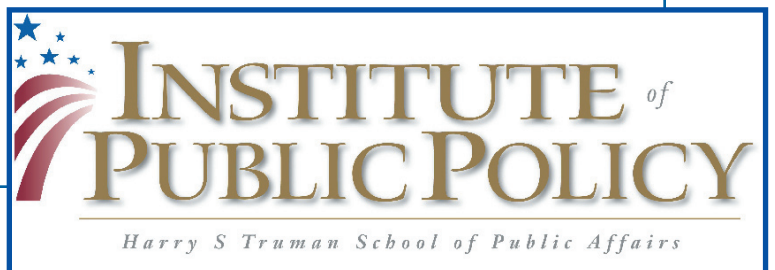
Domestic Violence Victim's Services — A Preliminary Analysis

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Domestic Violence Victim's Services — A Preliminary Analysis¹

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Domestic violence was first recognized as a serious social problem in the 1960s when the first battered women's shelters were built. It was not until 1994 that Congress decided to address the problem on a national level with the adoption of the Violence Against Women Act (VAWA). VAWA established a national hotline, provides grants for battered women's shelters, provides training for judges and court personnel, gives grants to police departments to encourage arrests and enforcement of protective orders, and gives grants to subsidize legal services for victims of domestic violence. Missouri has also established laws to protect citizens from domestic violence. For example, because of Missouri's statute on protective orders, the petitioner is not required to pay any filing fees, court costs or bond for filing.²

While education on domestic violence is becoming more widely available, the topic is still considered taboo by many victims. According to a survey conducted by the Bureau of Justice Statistics, the most common reason people gave for not reporting domestic violence to the police was that it was a private/personal matter.³ Even when the police are called, less than half of all domestic violence crimes result in an arrest.⁴ Furthermore, only 45% of those convicted for assault of a family member are sent to prison for more than two years compared to 77% of those convicted of assaulting someone other than a family member. Despite greater awareness and education on domestic violence, those convicted of domestic violence crimes are not punished as harshly as other violent crimes.

The purpose of this brief is to provide an overview of domestic violence in Missouri and discuss how well domestic violence records are tracked in the justice system. This note compares how Missouri's records on domestic violence police reports, orders of protection and crime victim's compensation compare to that of other states. Making interstate comparison is difficult for several reasons to be described below.

Domestic Violence in Missouri

Data on domestic abuse for the years 2001 – 2005 are presented in figure 1. The number of reports filed in 2001 – 2003 remained relatively constant at slightly more than 30,000.⁵ In 2004, police recorded 32,807 incidents of domestic violence throughout the state.⁶ The number of reports filed in 2001 through 2003 remained relatively constant. As Figure 1 shows, however, 2005 saw a dramatic drop in the number of police reports made for domestic violence. In 2005, police recorded 26,181 domestic violence incidents throughout the state, a 20% decrease from the previous year. There is no apparent reason for this drop in the number of domestic violence reports.

FIGURE 1: Missouri Domestic Violence Police Reports, 2001 – 2005

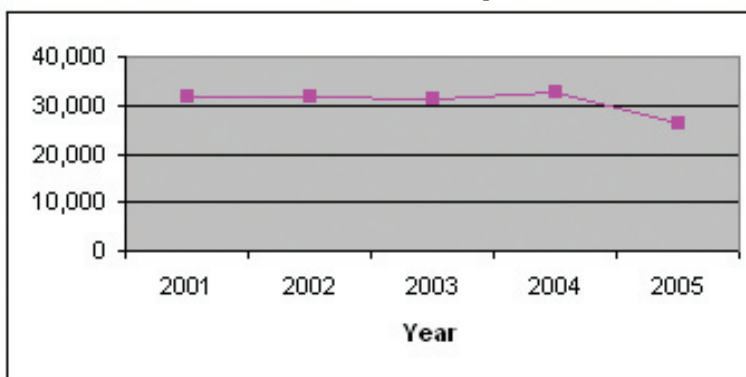
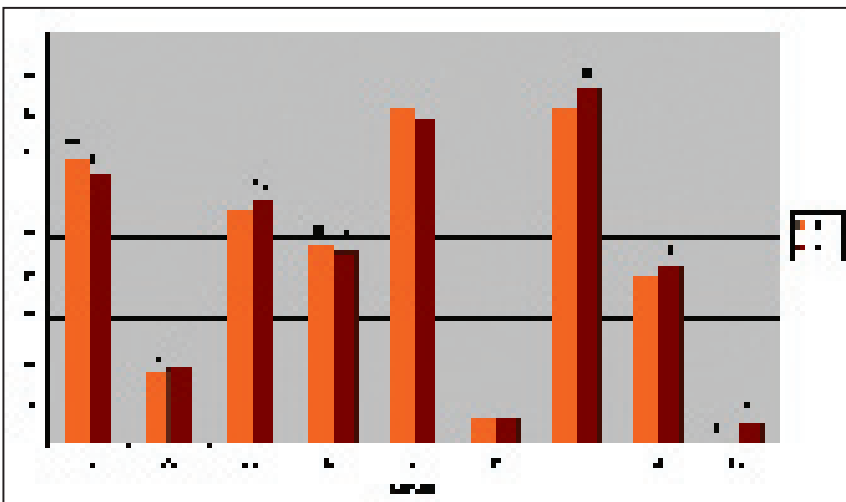


FIGURE 2: Domestic Violence Police Reports per 10,000 residents



Police Reports: State-by-State Comparison

It is difficult to assess whether the number of domestic abuse police reports in Missouri is normal without comparing it to other states. Domestic violence police records are available for several states, including: Alabama, Colorado, Idaho, Illinois, Minnesota, Tennessee, Michigan and South Carolina.⁷ As Figure 2 shows, police departments in Tennessee and Illinois record the most incidents of domestic violence per capita. For every 10,000 residents, Tennessee police recorded 86 incidents of domestic violence in 2004. Missouri has the fourth highest rate of police reports with 59 incidents filed per 10,000 residents in 2004. Out of the nine states with available statistics, Missouri is slightly above average on the amount of police reports filed for domestic violence.

Interpreting the information in Figure 2, however, proves difficult. A low rate of reported domestic abuse may or may not accurately reflect abuse, depending on state law, police enforcement strategies, and even police record keeping. If we were to assume that every state kept perfect records, then we could conclude that Tennessee and Illinois have higher rates of domestic violence than do Minnesota or South Carolina. However, this is highly unlikely, in part because many officers are not trained on the proper procedures in dealing with domestic violence victims. A survey by the Washington, DC police department found that only 17% of domestic abuse victims were asked about a restraining order by the responding officer.⁸ Eighty-three percent of victims were provided no printed materials with contact information or resources. This illustrates that some police departments are not prepared to help victims of domestic violence find the resources they need to end an abusive relationship.

Interpreting the data in Figure 2 can also be difficult due to different domestic violence reporting requirements in each state. For example, when an abuser is arrested for violating an order of protection most states, including Missouri, require that the perpetrator be charged with civil contempt.⁹ A few states, however, charge the abuser with criminal contempt. Different classifications can cause confusion when it comes to reporting the rate of domestic violence in a state.

Police discretion is another factor that varies from state to state and influences the rate of domestic abuse reports. Officers use their best judgment when writing incident reports. Some officers prefer not to make an arrest in domestic abuse situations unless they feel it is absolutely necessary. Other officers are more likely to file a report and make an arrest for all domestic violence calls.¹⁰ The attitudes of law enforcement about the need for police intervention in domestic abuse cases vary by location.

Orders of Protection

In 2004, Missouri domestic violence hotlines received nearly 74,000 calls from people seeking assistance in response to domestic abuse,¹¹ including help filing an *ex parte*, also known as a temporary order of protection or a temporary restraining order. Orders of protection are meant to defend the petitioner from a violent partner. Batterers must remain a safe distance from the victim and cannot contact them in any way. If the abuser violates this order, he can be arrested.

The Missouri Office of State Courts Administrator has been collecting data on the number of adult abuse protective orders filed in the state for several years.¹² Information on protective orders is also available for Oklahoma and Kansas. Unfortunately, information on Kansas is only available through 2002, and Oklahoma has data only for 1998 and 2003. The number of protective orders in Oklahoma only increased 0.06% from 1998 to 2003.¹³ Therefore, it is reasonable to assume that the number of protective orders remained relatively constant over time.

As Table 1 shows, Missourians have by far filed more orders of protection per capita in 1998 and 2002 than residents of Oklahoma and Kansas. Missouri more than doubles the rate of Kansas in both years and exceeds Oklahoma's rate by 40%.

Table 1. Protective orders filed per 10,000 residents

	<i>Missouri</i>	<i>Kansas</i>	<i>Oklahoma</i>
1998	70*	27	42
2002	70	31	42**

*The number of protective orders is not explicitly identified prior to 2000 in Missouri. Instead, OSCA only lists the number of domestic relations court cases filed each year. In order to find the approximate number of protective orders, I found that in 2002, adult protective orders made up 39% of all domestic relations court cases in Missouri. I then took 39% of the total domestic relations cases in 1998 and found the estimated number of protective orders was 39,156, or 70 cases per 10,000 residents in 1998.

**This number represents 2003 for Oklahoma.

Economic Impact of Domestic Violence

Domestic abuse has serious economic effects, apart from the psychological impact on the victim. According to a study conducted in Tennessee, almost \$34 million is spent annually on known domestic violence related healthcare in the state.¹⁴ The same study found that the average cost for treating domestic violence victims is \$6,200 per year. A 2005 study by the Centers for Disease Control (CDC) found that battered women pay an average of \$948 for health care per incident.¹⁵ A Minnesota study found that victims pay \$1,775 more annually on healthcare than those in healthy relationships.¹⁶ Of course, the public absorbs much of these treatment costs.



Frequently, abuse also prevents the victim from going to work after an incident. According to the Tennessee study, victims of domestic violence lose an average of seven days of work after an attack.¹⁷ The Workplace Violence Institute estimates that 96% of battered women experience problems at work. According to the institute, companies lose \$36 billion annually due to workplace violence, including domestic abuse.¹⁸ Furthermore, half of all homelessness of women and children can be attributed to domestic violence.¹⁹

Helping Victims

Almost all victims of domestic abuse are completely dependent on their abuser for financial support to the extent that, without external assistance, even those victims who are able to break the emotional link to their abuser are unable to free themselves from him because of the lack of financial resources.

Missouri has taken a small step to support victims by exempting those filing an order of protection from any of the related costs. This proves beneficial due to the tremendous economic hardship many victims of domestic violence face. If victims were responsible for the court costs associated with filing an *ex parte*, it is likely that fewer women in Missouri would file.

Another way to help victims of domestic violence handle the financial toll is through Crime Victim's Compensation (CVC). This program is designed to compensate victims for expenses resulting from the crime. In general, in order to qualify for these funds, victims must report the incident to police, cooperate with law enforcement, and file for CVC funds within a certain period of time. Victims must also prove that they did not contribute to the crime in any way.²⁰

CVC programs are designed to specifically target underserved crime victims. Although state Victims of Crime Advocate administrators recognize domestic violence victims as an underserved group, few battered women receive CVC funds.²¹ In Missouri, only 5% of the state's total CVC money went to domestic violence victims in 1999. Figure 4 shows how Missouri compares to six border states.

Missouri has the second lowest level of CVC funds paid to domestic violence victims in the region. The most frequent reason for denial of CVC funding is contributory misconduct, which accounts for 28% of denials across states.²² An applicant can be denied for CVC funds due to contributory misconduct if she was involved in illegal behavior at the time of the crime, and if that illegal behavior was causally connected to the crime.²³ It is not clear, however, if contributory misconduct is the primary reason that only 5% of domestic violence victims receive CVC funds in Missouri. More information is still needed on the total number of claims submitted by domestic violence victims in Missouri, the number of applications denied and reasons for the denials.²⁴

Conclusion

Throughout the country, states are becoming more uniform in their data collection methods for certain types of crime such as murder, assault and rape. This is due to the FBI mandate that states collect certain data on the number of arrests and incidents of particular types of crime included in the Uniform Crime Reports. However, data on domestic violence incidents still lacks consistency through time and state-by-state. Perhaps the difficulty in tracking this type of crime is that it can often be categorized under multiple offenses. For example, an abusive husband could be guilty of assault and kidnapping. Despite the possible difficulty cataloging domestic violence, it is important

that law enforcement, courts and other government programs develop a uniform method of reporting and tracking incidents of domestic violence. A standard recording system would allow analysts to accurately assess the true problem of domestic violence in each state, permitting policy to more effectively address the dilemma in each state.

TABLE 2.* Crime Victim's Compensation Payments in Missouri & Surrounding States

<i>State</i>	<i>Total Claims Paid</i>	<i>DV Claims Paid</i>	<i>% DV Claims Paid**</i>
Illinois	3,665	101	2.76%
Missouri	1,040	49	4.71%
Kansas	926	141	15.23%
Tennessee	1,539	268	17.41%
Arkansas	682	120	17.6%
Kentucky	237	57	24.05%
Iowa	1,952	573	29.35%

*Information on the total number of domestic violence claims filed is not available.

**This column represents the number of domestic violence CVC claims funded by the state governments as a percent of all CVC claims that are paid.



Endnotes

¹ This report was written to meet the requirements of PA8410 — Public Policy Workshop, taught by Dr. Lilliard Richardson.

² Missouri's domestic abuse law, can be found in Chapter 455, RSMO. In 1982, Missouri authorized cities and counties to establish shelters and to fund them with fees imposed on the issuance of marriage licenses and on civil court filings.

³ Durose, Mathew, et al. (2005). "Family Violence Statistics." U.S. Department of Justice, Bureau of Justice Statistics. Pg 6.

⁴ Durose, Mathew, et al. According to BJS, 49% of domestic violence crimes reported to police result in an arrest.

⁵ Missouri Coalition Against Domestic Violence, 2004 Statistics.

⁶ Missouri State Highway Patrol, Uniform Crime Reports.

⁷ South Carolina only has data for 2004.

⁸ Cassidy, Michael, Nicholl, Caroline G., & Ross, Carmen R. (2001). Results of a Survey Conducted by the Metropolitan Police Department of Victims who reported Violence Against Women.

⁹ Author unknown. (1993). "Developments in the Law: Legal Responses to Domestic Violence." *Harvard Law Review*. 106:7.

¹⁰ Worden, Robert, and Politz, Alissa. (1984). "Police Arrests in Domestic Disturbances: A Further Look." *Law & Society Review*. 106:7.

¹¹ Missouri Coalition Against Domestic Violence, 2004 Annual Statistics.

¹² OSCA changed its data collection methods in 2003. A comparison of protective orders filed in previous years cannot adequately be compared to later years. However, the statistics in 2002 can be compared to other states.

¹³ Oklahoma Domestic Violence Fatality Review Board, Annual Report (2003-2004). Accessed online at <http://www.ocjrc.net/pubFiles/DVFRB/Newsletter.pdf>.

¹⁴ Berz, Carol, and Howard, Lauren. (2005). "The Impact of Domestic Violence on Tennessee's Economy." *Tennessee's Business*. 4:14.

⁵ Arias, Ileana, and Corso, Phaedra. (2005). "Average Cost per Person Victimized by an Intimate Partner of the Opposite Gender: A Comparison of Men & Women." *Violence & Victims*. 20:4. Authors determined total cost by calculating physical and mental treatment and lost productivity resulting from each incident.

¹⁶ Blume, L.T., et al. (1992). *Current Concepts in Women's Health*.

¹⁷ Berz, Carol. (10, 2005).

¹⁸ Berz, Carol. (10, 2005).

¹⁹ American Federation of State, County & Municipal Employees Women's Rights Department, et al. (1998). *Domestic Violence: What Unions Can Do*. Accessed online at <http://www.afsme.org/wrkplace/domvio.htm>.

²⁰ Danis, Fran. (2003). "Domestic Violence & Crime Victim's Compensation." *Violence Against Women*. 9:3.

²¹ Danis, Fran. (2003).

²² Newmark, Lisa, et al. (2003). "The National Evaluation of State Victims of Crime Act Assistance & Compensation Programs: Trends & Strategies for the Future." *Urban Institute/SANGDAG Project Team*.

²³ Newmark, Lisa. (2003). For more information on what constitutes contributory misconduct, please see the Institute's full report at http://www.urban.org/UploadedPDF/410924_VOCA_Full_Report.pdf.

²⁴ Danis, Fran. (383, 2003).

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Jenny Jones recently graduated from the Harry S Truman School of Public Affairs at the University of Missouri — Columbia with a degree in Public Policy and Public Management. She earned her bachelor's degree in Broadcast Journalism from MU. She now works for the City of Kansas City as a Cookingham Management Intern.

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