

"No Longer a 'Private Trouble:' A Community Fights Back to End Domestic Violence"

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*DATELINE-- March 1, 1999, San Jose: Police officers, attempting to serve a domestic violence restraining order, shot and killed the suspect after he first fired at them through his bedroom door.**

This represents the 80th death due to domestic violence in Santa Clara County since 1994, the first year such data began to be collected. Yet this is one of the success stories: even though it ended with the death of the perpetrator, it saved the life of a woman and her child. We usually only hear about domestic violence when a death is reported in the paper or on the nightly news. It is most often covered as an unalterable tragedy that families must suffer in silence and that their respective communities must endure. Rarely if ever do we hear or read that anything is being done to stop the epidemic of violence in our homes-- yet in the high-tech landscape of Silicon Valley, systemic changes are occurring to end this scourge on our society.

Long considered a "private trouble," domestic violence was viewed until recently as a relatively uncommon occurrence. It was given little credence and virtually no concern on the part of law enforcement, the courts, social services or the schools (see sidebar,

"Common Myths about Domestic Violence"). It was not until the famed O.J. trial that domestic violence came to be viewed as the tremendously important but often ignored public issue that it truly is. In fact, according to the *Juvenile and Family Court Journal*, it was "not until 1988 that all 50 states had enacted laws to provide civil and criminal remedies for victims of family violence."

Domestic violence is characterized as a continuing and escalating pattern of abuse where one partner in a relationship controls another through force, intimidation, threats, or actual violence.

It takes many forms and cuts across all lines, including age, gender, race, socioeconomic and educational attainment, as well as sexual orientation. The prevalence of domestic violence is shocking: the FBI reports that a woman is beaten by her husband or boyfriend every 12 seconds, and that it is under-reported by a factor greater than 10 to 1. It is estimated that as many as one-third to one-half of all women in the US will be in an abusive relationship at some point within their lifetime. Locally, 6,884 domestic violence calls were made in 1998 to the various law enforcement jurisdictions in Santa Clara County.

Historically, though, police response and legal protection to victims of domestic violence were negligible. *Law & Order* reports the former typical police response: "The officers would attempt to mediate the situation, usually by asking the batterer to leave and cool off for the night. Even with the physical evidence of the victim's blackened eye, an arrest was seldom made." Victims were blamed for what had occurred, and the batterer's assumed right of entitlement to exercise violence due to male privilege was reinforced.

Yet all this is changing now, in light of recent legislation. Since the passage of the Violence Against Women Act of 1994, a flood of legal provisions have been strengthened to afford battered women protection from those who seek to harm them and their children; moreover, their tormentors are now being held accountable for the atrocities they inflict upon those they claim to love (see sidebar, "Recent Legislation on Domestic Violence"). However, the drafting of tougher legislation is only part of the answer. In order for the laws to work, they must be implemented consistently by law enforcement, social service agencies, and courts. In many areas of the country, there is still a long way to go, but in Santa Clara County, a number of local coalitions have banded together to end domestic violence in their community.

The Domestic Violence Council of Santa Clara County

Developed in 1991 by order of the Board of Supervisors, it is comprised of domestic violence service providers, probation and social service agencies, law enforcement, medical providers, and top level political and administrative officials, as well as survivors of domestic violence.

According to Judge Len Edwards (a Family Court Judge), who is credited with being the visionary who, along with George Kennedy (District Attorney), and Suzi Wilson (Chair

of the Board of the United Way) spearheaded the effort to establish the DV Council, it is "a group of people that meet regularly to talk about issues of reducing domestic violence in our community, preventing domestic violence, intervening effectively, treating victims of domestic violence, and holding those responsible accountable. In order to do that—it's such a complex societal behavior—we really need a lot of people involved, and so one person or two persons or even a hundred persons who are all doing individual things help, but they don't help as much as an organized effort."

The DV Council is recognized nationally as a model organization and has hosted a national conference to provide information on how similar councils could be started in other jurisdictions. The council has evolved over the last 6 or 7 years since its inception, so that there have been several committees set up to focus on specific areas. The council started off with 5 or 6 committees, and have now gone on to have about 13 who meet regularly, devise a workplan, and accomplish their activities on their various projects. "The projects that have been accomplished by this are too numerable to count, and indeed no one person knows all that this council has done: it's in the hundreds," says Judge Edwards. "But one way you can make a judgement about it is to talk about the products which the council has produced, and there are many products which are protocols for best practices.... Training is offered to people who should be using those protocols, and practices are changed consistent with the protocol." This has been true for law enforcement, for medical providers, for employers, probation, and social services.

The law enforcement protocol itself was a massive undertaking, requiring that representatives from each of the 14 jurisdictional areas in the county come to an agreement on how domestic violence cases would be responded to, charged, investigated, and restraining orders would be enforced throughout the county. It was in the proper application of this protocol that the case mentioned at the beginning of this article came to be defined as a "success story:"

*A 311 (non-life threatening emergency) call was taken by the dispatcher, reporting vandalism on a car belonging to the boyfriend of a woman whose former partner had been stalking her. The call taker recognized the potential seriousness of the situation, and asked more questions of the caller and discovered that the former boyfriend had recently kidnapped both the woman and her 2-year-old child and threatened their lives before releasing them. Police were dispatched to the victim's address to check on her welfare, and she was issued an Emergency Protective Order (EPRO). When the police arrived at the suspect's residence to serve the EPRO, family members let the officers in, and as they knocked on the suspect's door, he fired at them through the bedroom door. The suspect then walked out of the room, pointing the firearm at the officers, and an exchange of gunfire ensued, leaving the suspect dead.**

"I think she [the call taker] saved that gal's life," says Adonna Amoroso, Deputy Police Chief of San Jose Police Department. Therein lies the success of the work of the Police/Victims Relations Committee, the committee of the DV Council that drafted the

Law Enforcement Protocol, of which Amoroso is currently the chair. The protocol, in effect since 1991, is one of the first developed.

These protocols are available for public viewing through one of the council's most popular "products:" the DV Council's comprehensive website. Located by way of its hope-inspiring web address, www.growing.com/nonviolent, it lists all active committees, their meeting times, and best practices publications. Moreover, it boasts listings of over 1200 links to domestic violence internet resources and over 4,000 books on violence, gender relations, child support, welfare reform, and other related topics. "From the outset, my idea was that the site should be attractive enough, and informative and complete enough, to be able to provide services to victims, local workers, and international or national researchers," says Douglas Dailey, designer of the website.

The Death Review committee, also a subgroup of the DV Council, is one of the first of the nation, undertaken in Sept of 1994, at the request of the Dept of Justice. According to Rolanda Pierre Dixon, Deputy District Attorney, it is the first on-going Death Review team in the country. "What we try to do is look at every single case where the person died and it was domestic violence-related, so we not only look at murders, we also look at murder-suicide cases and suicide of the perpetrator. And we do look at some accident cases. We have two accident cases where in one case, he was harassing his wife, ran away from the police, and ended up getting into a car accident and died. What we're trying to do in Death Review is try to figure out where in the system we could make some changes and perhaps save somebody else's life next time around."

One of the first changes that occurred as a result of the Death Review is in the Asian community, which was over-represented in the fatality statistics. After analyzing the racial prevalence data, members of the Asian community were invited to get involved. Then, several domestic violence forums were held in the Asian communities in the native languages, and the Asian Law Alliance committed their entire year to outreach on domestic violence—and the result is that the numbers of deaths in the Asian community has gone down. Another related change that was made is the translation of domestic violence information available in the Family Court available in different languages.

Another area of focused outreach was the various faith communities. In a recent survey of domestic violence survivors, respondents said they had looked to the church to provide support and advice when they were in their abusive relationships, but that often "many churches and religious organizations are not sympathetic to victims." The Interfaith Committee of the DV Council, hosted a Bay-area wide conference in September of 1998, a collaboration of faith communities, public health departments and local domestic violence agencies. Over 280 clergy and lay leaders in the faith communities joined domestic violence advocates at the "Power to Change: Interfaith Conference on Domestic Violence" to explore the ways in which churches and religious leaders could provide support and not blame to victims of domestic violence.

The Family/Domestic Violence Task Force of the City of San Jose

Formed in 1997 by former mayor Susan Hammer, the Task Force collaborates with the county's DV Council to ensure that there is no duplicated effort, but has its own unique projects to end domestic violence in Silicon Valley's capital. For example, the Elder Abuse committee is collaborating with the Council on Aging and Adult Protective Services and related organizations to increase knowledge of not only domestic violence among the elderly, but also elder abuse in their homes by their caretakers, as well as in skilled nursing facilities.

The Education committee of the Task Force has as its goal the education of all school administrators, faculty, and students from kindergarten to community college on domestic violence issues. This prevention effort differs from the traditional domestic violence service delivery model of emergency shelter, counseling, and medical treatment for traumatized victims, coupled with police and judicial interventions. "This year we realized that over half our victims that end up losing their lives met and began dating as teenagers," says Rolanda Pierre-Dixon, speaking of the most recent Death Review Report. "So that then tells us that we have to start committing some time to younger people, getting them to understand what is happening in these relationships, hopefully avoiding them, and getting to these young men before things turn deadly." Moreover, the Grand Jury of Santa Clara County reached this conclusion on the need for instruction on domestic violence in the schools in a 1997 published report:

"Children need to be considered in dealing with domestic violence. We believe that domestic violence is learned behavior. The children in these homes are being trained to be the batterers of the future. They are also learning that violence is an acceptable way to solve problems. We see that violence played out on the street between youth. If children report domestic violence at school, it should not be just considered 'a family problem'. Effort should be made to help the children and their mothers. Programs on Domestic Violence Prevention should be provided in the schools at an early age. Pre-teens and teens should be engaged in discussions of what is and what is not appropriate in dating relationships, for this is the beginning of domestic violence."

Last fall, the Public Relations committee of the Task Force organized a "Public Officials Walk Against Domestic Violence," attended by almost 400 city and county officials, domestic violence agencies and interested individuals, gathering at the City Hall and marching in solidarity to the Family Violence Center. This event, followed by the nationally-renown domestic violence conference hosted by the DV Council, sparked several days of media coverage on domestic violence issues.

The Violence Prevention Council

Formed by the Board of Supervisors in 1997, the VPC focuses not only on domestic violence, but violence in all its aspects, and looks at the nexus of violence and drugs, gangs, poverty, and ready accessibility to alcohol and firearms. One of the goals of the

VPC is a county-wide media campaign promoting violence-free relationships; another is that of training all social service agencies in the county whose employees provide direct services to children and families in the numerous programs scattered throughout the area. Another goal is fostering broad support for Peacebuilders, a nonviolence program utilized in elementary and secondary schools to train children and hopefully, reach their parents as well. This powerful collaboration of numerous social service agencies, county and city departments, school districts, and organizations has been charged with developing systematic integration of community, private and public entities in the development of solutions to reducing and preventing violence in all its forms, thus providing a safer community.

Silicon Valley -- a leader in the Domestic Violence Movement

Recently, the City announced a Domestic Violence Response Team (DVRT) that offers the services of a victim advocate immediately when the police respond to a domestic violence call. The brainchild of San Jose City Councilmember Alice Woody, the Chair of the Task Force, the DVRT is "reaching women at a time that we know is critical," says Sarah Lively, Executive Director of Next Door, Solutions to Domestic Violence (the contract agency providing the service). This is a time "when the victim is most in need of help and is least likely to be caught up in what is often called the honeymoon stage--what we call the 'period of manipulation'." At this time, there is an "openness to services that does not necessarily occur a little bit later in the cycle of violence."

"This program delivers services in a very unique way, [different from] the traditional service delivery in the battered women's movement. Up to this point, we've had to wait for women to overcome huge barriers of safety, resources, time and space away from the batterers in order to make the call to the hotline. That takes more courage and resources than many battered women have. This program, on the other hand, provides service to the victim without her having to find us; it's simply offered."

"It's going to make a big difference," says Adonna Amoroso, Deputy Chief of SJPD. "We're waiting for the data [on DVRT], and what we're really looking for is how many return calls are we going to get? Once we provide the service [of an advocate] to somebody, are we going to have to keep coming back? We think the answer is no." The DVRT is a pilot program, beginning initially in one specific patrol district within San Jose; the City plans to expand the project in the future. Its sister program, Violence Intervention Program (VIP), takes the DVRT into the medical setting.

VIP, a unique program instituted at the Valley Medical Center (VMC) for victims of domestic assault, as a result of combined City and County efforts. Financially supported by the Board of Supervisors, it is the first of its kind in the nation. It also utilizes the services of an on-call advocate for victims of domestic violence. However, this is coupled with a model program that reviews the charts of every emergency room visit for possible domestic violence. Moreover, VMC, the county hospital, has trained all medical personnel to screen all patients regardless of diagnosis. Many medical providers are aware of their obligation to report suspected domestic violence, under the mandatory

reporting law of 1995; however, "we're not mandated to ask the questions to screen," says Meghan Denzel, Director of the VIP Program, but there is an ethical obligation to do so. Screening can be reviewing a chart where a woman has an arm broken in three places and a perforated eardrum on the other side, and recognizing it as probably not just a simple fall—that is when the question must be asked.

Yet there has been a historical reticence on the part of physicians to ask such questions, because they often fear that they won't know what to do when they get a positive answer. "Physicians are not used to dealing with social issues," Denzel explains, "their view of the world is different: 'Fix 'em up, send 'em home, don't ask questions'. That's why we tend to use forensic nurses, rather than bedside nurses or physicians." The VIP program is designed to circumvent that uneasiness, in that when a patient is identified as having been abused, the VIP team—utilizing specifically-trained nurses skilled in forensics and evidence collection—is called immediately. An advocate is then called as well, to provide confidential services, such as information about Emergency Protective Orders and sheltering options; but every patient is informed that the VIP nurses are legally bound to report instances of abuse. Follow-up calls are made by the DVRT team coordinator to victims 48 hours after the visit, then on a weekly basis, and at regular intervals afterward.

The demand has been tremendous. Since the VIP program began less than 6 months ago, 173 domestic violence patients have been seen in the medical setting—yet previously, only about 25-30 cases would have been expected in a six-month period. In the two months the DVRT has been operational, there have been 19 clients served. Yet this is just the tip of the iceberg. The DVRT is, once again, in only one patrol district within the City of San Jose proper; and VMC is only one of 11 hospitals in the county—yet the other hospitals don't offer the special services for victims of domestic violence that VMC has—nor do they routinely screen patients, either.

"If we normalize the experience of abuse--If we can ask women a question about abuse just as routinely as we ask women questions about their periods—and present it as something that is very common among women, we're doing victims a great service. It's in not asking and not addressing this issue that we're doing a greater disservice," says Lively. "Every patient needs to leave a clinical situation with the information that 'this is not your fault. You don't deserve this. I care about you.' But this is the opposite of what she's been hearing," says Denzel. "By your not asking, you're sending the same message to her that nobody cares, instead of saying, 'I'm worried for your safety'."

"In 1980 when AIDS came around, we never asked about risk factors—but we do now," says Denzel. What will happen slowly—probably as the result of a hospital or physician being sued—is that a new gold standard will emerge where all patients will be screened for domestic violence. "It could be routine screening questions asked on a physical exam checklist where patients will self-identify, or by asking [directly]. Soon it will be the norm to ask."

Denzel says that people assume that the victim is telling a story when she discloses the abuse. Her message to medical providers: "Believe her. Investigate it," remember also: "false reports are few and far between."

Other model programs include the Family Violence Center, a special domestic violence unit of San Jose Police Department. Formerly, domestic violence victims were being interviewed at the local police department, and a battered victim might be sitting with her frightened children in the same room where suspects were being brought in for questioning in handcuffs. The Family Violence Center, established in 1997, is physically separated—a few miles from the police department, with comfortable, living-room style interview rooms and a children's play center. Victim advocates, social workers, and probation officers, as well as police officers, are all centrally located within the Family Violence Center to provide a cohesive team that is sensitive to victim's needs. Also, San Jose Police Department offers a special program called AWARE that makes available a silent alarm pendant for the domestic violence victims at most serious risk. One touch of the pendant sends a silent alarm to the police department—which is crucial if the batterer has returned, and cut the phone lines, or if the victim is otherwise unable to call 911.

Other areas where Santa Clara County has played a leadership role is in its mandatory arrest policies and its aggressive prosecution of domestic violence cases. Moreover, the county instituted a Domestic Violence unit of the Family Court, with two judges dedicated to such cases, and is establishing a domestic violence unit in the Juvenile Court system as well—the first in the nation. This ensures that all family court proceedings—whether they are restraining orders or petitions for custody—are heard by the same judge, who knows that particular family's violent history. Yet within the maze of prosecution, probation, family court, and social services, a victim may often find herself "the most ignored and least listened to," says Pam Butler, a victim advocate. Therefore, the services of an objective victim advocate are provided through the Department of Social Services to be her ally throughout the process.

An exciting collaborative effort of four domestic violence agencies is embarking on an ambitious five-year plan to build 96 units of transitional housing for battered women and their children. HomeSafe, as the project is called, seeks to provide service-enriched housing options for victims who have left their batterer, but whose time has expired at the shelter (the average length of stay is limited to 4-6 weeks). WATCH (Women and Their Children's Housing), the only transitional housing provider in the county, currently has only 19 units in which to house battered women and their children. Yet in 1996, 64 families applied for 8 vacancies; and, in 1997, 54 families applied for the 7 vacancies available at that time. Given the high cost of housing and the less than 1% vacancy rate in Silicon Valley, many battered women are in the unenviable position of having to go back to their batterer simply because they cannot find affordable housing. The HomeSafe plan is developing four sites within the next five years to expand their options. Still, says Lisa Breen, Chair of the Housing Committee of the DV Council, "we'll never be able to build enough to satisfy the need."

Sarah Buel, Director of the Domestic Violence Clinic at the University of Texas School of Law, says of Santa Clara County's efforts, "I'm certainly extremely impressed with a lot of the work that you are doing, and a lot of the people that you have there that just stay so fired up and motivated, willing to keep asking, 'how can I do this better?' which is so critical." There are a number of communities that might begin to start something good—they set up a DV unit in a police department or a prosecutor's office, and then think, 'Okay, we're done. Things are just fine the way they are.' "But as long as any one victim is getting harmed—not just killed—homicides don't need to be our standard of whether or not we need to improve our practices—if anybody is getting harmed, then we've got to keep asking, 'how do we get better at this?'" And here in Silicon Valley, that is exactly what is done. "There's very much a spirit of re-examining practices and experimenting with new practices to make them better. This is a never-ending process," says Judge Edwards, "But where we were and where we are now is dramatically different."

Often, there is a resistance to doing anything—as an individual, or collectively, as a community—out of denial of the extent of the problem. "People don't want to believe it's happening. In our hearts, we don't want to think that someone could do this to another person," says Denzel. But "to tolerate family violence is to allow the seeds of violence to be sown in the next generation," according to the Attorney General's Task Force on Family Violence.

Silicon Valley has emerged once again as a national leader, not only in technology, but also in the fight against domestic violence. The secret to their success? "Getting the right people to the table—those with a serious agenda about doing things," says Paula Gann, Chair of the DV Council. In Santa Clara County, it seems, they had the right people. "Our board of supervisors, our San Jose mayor's office, and the city council, our leading law enforcement people, our District Attorney, our Chiefs of Police...all of these people have lined up on this one, and in many communities they don't. So we've been very lucky," says Judge Edwards on the success of the DV Council. "We are looked upon by groups outside the county as a model, and we deserve that, because we've done so much...There are many strategies. This is just one. It's turned out to be a very effective strategy for us, so we try to export it. It's very replicatable in other communities."

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