

# VIOLENCE AGAINST NATIVE WOMEN

## *Battering: Statistics and Implications*

Violence against women is not natural. The occurrence of violence against women of indigenous communities is a fairly recent phenomena, resulting from the colonization and oppression of native nations. Statistics specific to battering in Indian communities are difficult to find. There is confusion about how "domestic violence" is defined. Neither the Bureau of Indian Affairs, Indian Health Service nor any other tribal agency counts acts of violence crimes against women. Additionally, lack of sufficient funding in Native communities often prevent more than a crisis-oriented response to the battering of women and their children.

Advocates in Indian Country generally agree that the dynamics of battering of Native women is similar to that of other women. However, frequency of battering in Indian Country is believed to be much higher than the national norm in keeping with the higher statistical trend of other social problems, i.e., alcoholism and suicide.

Lack of "Indian-specific" statistics points to the need to learn more about battering within each Tribal Nation to create culturally appropriate approaches that effectively stop violence against native women and support the renewal of traditional culture that honors women and their children.

The following statistics and their implications outline a picture of violence against women and indicate the direction our work should take.

**STATISTIC: 50% of women in America will be battered in their lifetime; one out of three are battered repeatedly every year. (NCADV, '91)**

**IMPLICATION:** In sharp contrast to violence by strangers, at least one half of all women in America will be assaulted by an intimate male partner. Public education, resources and training of key responders, i.e., law enforcement, judicial and health systems, do not match this reality. This leads to victim-blaming, ineffective response by service providers and reinforcement and continuation of violence against women.

**STATISTIC: 95% of all domestic violence victims are female. (FBI, '83)**

**IMPLICATION:** Domestic Violence is violence against women. Other studies cite up to 98% of domestic violence victims are female. Cross-cultural studies prove that this is not a natural occurrence. This indicates root causes of violence against women are found in cultural belief systems and resulting socialization. Responses to the battering of women should incorporate social change efforts that connect individual experiences to cultural belief systems, in addition to direct services.

**STATISTIC: 42% of murdered women are murdered by their intimate partner. (FBI, '88-'91)**

**STATISTIC: In the US, 9 out of 10 women are murdered by men, half at the hands of a male partner. It is more likely for a female to be murdered by a spouse than it is for a police officer to be killed in the line of duty. (National Victim Center)**

**IMPLICATION:** Domestic violence is not “a communication problem,” a “private family matter” or “just a family squabble.” Every time a woman is hit, it’s possible that she will die. Responses to every call from a woman being battered should reflect that a potentially fatal, violent crime is occurring. What is not stated is that most of these women were murdered after they tried or did leave their batterer.

**STATISTIC: Every six hours in the United States, there are 1.3 forcible rapes of adult women; 78 women are forcibly raped each hour. (National Victim Center)**

**IMPLICATION:** The importance of this statistic is in what it doesn’t state. “Forcible rape” does not include date rape, marital rape or assaults where intercourse was attempted but penetration was not completed. “Forcible rape” occurs less frequently than any other types of rape.

The fact that rape is a major part of battering is rarely talked about even in shelters, batterer’s program or the legal system. This reflects the on-going, high degree of victim-blaming, sharing of women and collusion with rapists that happens throughout American society. The “loud” veil of silence serves to revictimize women, reinforcing the violence done to them.

**STATISTIC: The FBI estimates that only 10% of domestic violence is reported to police. (NVC)**

**IMPLICATION:** the battering of women is under-reported for many reasons. Opposite of native cultures, Euro-American social and legal systems only relatively recently deemed husband’s assaults on their wives as a “social problem.” Previously, battering was a socially approved man’s legal right. Many people still believe there is no crime to report. Or there’s no one to report to. Or the batterer is so violent, reporting increases the violence. Or she has reported before and got a response that didn’t make her feel safe.

Battering and rape are the only crimes that put the burden of safety on the woman. She’s the one who must leave home, hide and give up freedom to escape the violence.

**STATISTIC: Among victims of violence committed by an intimate, the victimization rate of women separated from their husbands was about 3 times higher than that of divorced women and about 25 times higher than married women. (DOJ, ‘97)**

**IMPLICATION:** Ironically, society tells women in many ways that they should end the violence by leaving their batterer, stand up for themselves, get on with their lives. On it’s face this statistic shows that women are safer if they stay married. On another level it says that society has not found ways to make the woman safe and hold the batterer accountable for his criminal behavior.

**STATISTIC: Between 22 and 35% of women visiting emergency rooms are there due to domestic violence. (National Violence Center)**

**IMPLICATION:** The training of health care providers need to include an understanding of the dynamics and a tactics of battering and the effects on women and their survival skills. Policies, procedures and protocols should emphasize provision of safety and coordination with advocacy/shelter programs and law enforcement agencies. Nurses may be the first and only safe contact a woman has. Non-judgmental, supportive and confidential care is integral to a woman being able to tell her story without fear of being revictimized and further endangered.

**STATISTIC: Up to 26% of pregnant women have been battered. (NVC)**

**IMPLICATION:** Battering often begins or increases during pregnancy. Public education efforts need to dispel the myth that having a baby will end the violence or make the relationship better.

Health service providers' awareness of battering, supported by appropriate policy, procedure and protocol is important to assuring the safety of women.

**STATISTIC: Sixty percent of women reported ongoing psychological abuse (threats and intimidation) after legal intervention and counseling. (Shephard, 1987)**

**IMPLICATION:** Women are often told to get protection orders, call police, testify and get counseling for themselves and sometimes with their batterer. This statistic shows that those "remedies" cannot stop the violence from occurring. Judicial systems, legal codes, law enforcement and other service providers must develop strategies that directly address each tactic of battering in a way that holds the batterer accountable for all forms of violence, not just the physical.

Beyond a systems approach, responsibility to end violence against women rests within the community itself. Individual community members must renew their role as relatives and create the social change which re-establishes traditional life ways that reflect the values of non-violence, respect, compassion and honors women and children.

**STATISTIC: In the US, there are three times as many shelters for animals as there are for women. (National Victim Center)**

**IMPLICATION:** With the advent of the Violence Against Women Act of 1994, this statistic may now differ slightly. However, it still reflects that America values and provides more resources and safety to four-leggeds, than women and their children. Violence against women calls for self-examination on personal, political and cultural levels.

**STATISTIC: In 1989, the San Diego Police Department analyzed the 60 family violence homicides between 1985-99; the average number of police calls before the murder was eight.**

**IMPLICATION:** This statistic reflects society's current inability to consistently end violence against women using existing strategies. Women die even when they've done "everything right."

In order to create comprehensive, effective strategies that provide safety to women, hold batterers accountable and end the violence, a coordinated community response is necessary. This community response, led by advocates, must include not only "systems," i.e., law enforcement, judicial systems, shelters, but all members of the community. Violence against women and children was a rare occurrence in Native communities, because it was not tolerated at any level.

**STATISTIC: 63% of all boys, ages 11-20 arrested for murder, killed the man assaulting their mother.**

**IMPLICATION:** When systems fail to provide safety to women and their children, this responsibility falls to those victimized by violence. This statistic and those of women who kill their batterers show that this is too often the case.

Battering of mothers is child abuse. American communities and systems have failed to protect either the women or her children. The horror of this statistic is magnified by the fact that the most mandatory arrest, domestic violence and child custody and abuse codes ignore the direct connection between mother and child abuse. To not provide safety for women, leaving a child (and mother) to defend him/herself is abusive and neglectful.

Mothers are being prosecuted for "failure to protect" and losing custody of their children when returning to their batterer having been unable to find safety, housing, etc. Mothers are losing custody of their children in divorce cases, because violence done to the mother is still seen in many jurisdictions as a separate issue. Male ownership of women and children, i.e., "father's rights" are valued over those of child or mother. When systems fail, vigilante justice may prevail.

**STATISTICS: Many men who batter do not drink heavily and many alcoholics do not beat their wives. Walker's (1984) study of 400 battered women found that 67% of batterers frequently abused alcohol; however, only 1/5 had abused alcohol during all 4 battering incidents on which data were collected. The study revealed a high rate of alcohol among non-batterers. (NWAP)**

**IMPLICATION:** Battering is a socially learned behavior, and is not the result of substance abuse or mental illness, although they will increase the frequency and intensity of violence. Men who batter frequently use alcohol as an excuse for their violence. Note: This study counts incidents of physical violence, not the use of other power and control tactics.

Service providers who collude with batterers by buying into alcohol as an excuse further endanger women and fail to assist batterers to become non-violent and respectful of women.

**STATISTICS: A small percent (1-4%) of battered women have alcohol abuse problems which is no more than that found in the general population. (NWAPP)**

**IMPLICATIONS:** A woman's substance abuse problem does not relate to the cause of her abuse, although many women may turn to alcohol and drugs in response to violence. Provision of safety needs to be a priority by all service providers. Accurate diagnosis of a substance abuse problem relies on this factor. Also, chemical dependency counselors need to be cross-trained with advocates to provide appropriate services to battered women.

Treatment facilities need to be aware that family programs that do not account for battering, will further endanger women. Policy, procedure and protocols that respond to the use of all tactics of battering including intimidation and stalking are essential.

**STATISTICS: A study of risk factors for men who batter and women who are battered showed that the only consistent factor was gender: being born male in America is the essential risk factor for men becoming batterers, and being born female in America is the essential factor for being battered. (American Psychiatric Association)**

**IMPLICATION:** Violence against women is a matter of being socialized into a belief system that teaches women are the property of men, who have the right to be violent, particularly against women. All other factors may contribute to the violence, but within a belief system that honors women and does not tolerate violence, those factors either would not exist, or, at least not result in violence against women.

The theory of “inter-generational transmission” of violence, alcohol, etc., does not take into account the countless children who learned from witnessing violence and drunkenness to not live that way. It also does not take into account that the way families function is dependent upon the values and beliefs of the surrounding community. If community members act immediately, directly and clearly when violence occurs, the violence does not happen again.

**STATISTIC: American Indian women are at particularly high risk of homicide, including domestic violence homicide.** (*College of Emergency Physicians, '95*)

**IMPLICATION:** The reason for these rates are not fully understood, indicating a need for further study. However, this underscores the fact that domestic violence is a criminal justice and law enforcement issue that demands greater resources and focus.

**STATISTIC: Firearms are over-represented in domestic violence homicides of Native women, suggesting that removal of firearms from homes of previous DV perpetrators would be a useful public health strategy.** (*College of Emergency Physicians, '95*)

**IMPLICATION:** As suggested, firearms removal is integral to women’s safety. Although VAWA addresses this issue, Tribes have the ability as sovereign nations to close many of the loopholes in this legislation. Those loopholes include not removing firearms until a protection order is permanent and does not include certain types of guns or other lethal weapons. Many women attempt to leave having obtained a temporary/ex parte protection order; this is the time she is most at risk for being murdered.

**STATISTIC: A comparison of stalking prevalence among minority women showed that Native American women were at significantly greater risk of being stalked.** (*DOJ, '97*)

**STATISTIC: Seventeen percent of Native American/Alaskan women have been stalked, compared to 8.1 percent of all women.** (*DOJ, '97*)

**IMPLICATION:** Stalking behavior is an indicator of increased risk to women who are battered. There is not a clear understanding of this particular dynamic in Indian Country. The major implication is that without increased law enforcement, judicial and advocacy/shelter resources that work together to hold batterers accountable for all forms of violence, Native women will continue to be denied safety, personal freedom and the ability to move through the world without fear.

## *Excerpts from American Indians and Crime*

By Lawrence A. Greenfeld and Steven Smith, BJS Statisticians

This report represents a compilation and new analysis of data on the effects and consequences of violent crime among American Indians. The report uses data from a wide variety of sources, including statistical series maintained by the Bureau of Justice Statistics (BJS), the FBI, and the Bureau of the Census. Data are reported from American Indian crime victims on how they were affected by the victimization and about who victimized them. The report also includes the first BJS estimates of the total number of American Indians under the custody or supervision of the justice system.

The findings reveal a disturbing picture of American Indian involvement in crime as both victims and offenders. The rate of violent victimization estimated from responses by American Indians is well above that of other U.S. racial or ethnic subgroups and is more than twice as high as the national average. This disparity in the rates of violence affecting American Indians occurs across age groups, housing locations, income groups, and sexes.

With respect to the offender, two findings are perhaps most notable: American Indians are more likely than people of other races to experience violence at the hands of someone of a different race, and the criminal victimizer is more likely to have consumed alcohol preceding the offense. However, the victim/offender relationships of American Indians parallel that of all victims of violence.

On a given day, an estimated 1 in 25 American Indians age 18 or older is under the jurisdiction of the criminal justice system – 2.4 times the per capita rate of whites and 9.3 times the per capita rate of Asians. But black Americans, with a per capita rate nearly double that of American Indians, are more likely to be under the care or custody of correctional authorities.

This report is the first step in a vigorous BJS effort to document issues of crime and justice affecting American Indians. Statistical programs have been instituted to learn more about tribal criminal justice agencies, such as law enforcement and confinement facilities, and these will complement data available from other BJS series covering the justice system.

This study was prepared as a resource to respond to frequent inquiries. Since the number of American Indians in our annual samples are inadequate to provide definitive statistics, this report cumulates data from over a 5-year period. I hope that this report will serve as a foundation for other reports and discussions about how best to address the problem of crime affecting this segment of our population.

BJS has undertaken improvements in the National Crime Victimization Survey (NCVS), designed to improve future data collection on crime and its consequences for American Indians. This year BJS enhanced the NCVS to permit future analyses to report statistics on victimizations occurring on tribal lands. In addition, victim descriptions of the offender were modified to permit greater precision in future statistics about the victim's perceptions of the offender's race. Together, these NCVS upgrades will result in much greater detail about both locations of crime incidents and perpetrators.

Valuable contributions to the report were made by Norena Henry, Director of the American Indian/Alaska Native Affairs in the Office of Justice Programs, and Melvinda Pete, a BJS university student intern. In the development of the report, they helped to provide context for the statistical findings.

### Violent Victimitizations, 1992-96

American Indians experience per capita rates of violence which are more than twice those of the U.S. resident population.

### Murder, 1992-1996

The murder rate among American Indians is 7 per 100,000, a rate similar to that found among the general population. The rate of murder among blacks is more than 5 times that among American Indians.

### Rates of violence in every age group are higher among American Indians than that of all races.

Nearly a third of all American Indian victims of violence are between ages 18 and 24. This group of American Indians experienced the highest per capita rate of violence of any racial group considered by age—about 1 violence crime for every 4 persons of this age.

### Sex of Victim, 1992-96

**Rates of violent victimization for both males and females are higher among American Indians than for all races. The rate of violence crime experienced by American Indian women is nearly 50% higher than that reported by black males.**

### Offender Race, 1992-96

At least 70% of the violence victimizations experienced by American Indians are committed by persons not of the same race – a substantially higher rate of interracial violence than experienced by white or black victims.

### Measuring Criminal Victimization among American Indians

American Indians have higher per capita rates of violent criminal victimization than whites, blacks, or Asians in the United States, according to data from the National Crime Victimization Survey (NCVS).

Population estimates from the Bureau of the Census for July 1, 1998, indicate that American Indians account for just under 1% of the U.S. population.

### Types of Violent Crime

The Nation's population of American Indians age 12 or older experienced an annual average of 126,400 simple and aggravated assaults, 14,800 robberies, and 8,400 rapes or sexual assaults during 1992-96.

The types of violent crimes experienced by American Indians were generally similar to that found across the Nation (table 4). The most common type of violent crime experienced by American Indian victims was simple assault (56%).

### Sex, Age, and Location of Residence of Victims of Violent Crime

The violent crime rate among American Indian males was 153 per 1,000 males age 12 or older, more than double that found among all males (60 per 1,000 age 12 or older) (table 5). The violent crime rate for American Indian females during this period was 98 per 1,000 females, a rate higher than that found among white females (40 per 1,000) or black females (56 per 1,000).

### Box on Victim-Offender Relationship

More than half the violent victimizations that American Indians experienced involved victims and offenders who had a prior relationship, about the same percentage as for all violent victimizations.

### Violent Victimizations of American Indians, by Victim-Offender Relationship and Type of Victimization, 1992-96

More than half of the violent victimizations of American Indians involved offenders with whom the victim had a prior relationship. About 1 in 6 violent victimizations among American Indians involved an offender who was an intimate or family member to the victim, about the same as for victims of all races.

### Percent of Violent Victimizations, by Race of Victim and Race of Offender, 1992-96

The majority (60%) of American Indian victims of violent crime described the offender as white, and nearly 30% of the offenders were likely to have been other American Indians. An estimated 10% of offenders were described as black.

### Location of Violent Crime

Just over 40% of American Indian victims of violence reported that the incident occurred in or around their own home or that of a friend, relative, or neighbor (table 13). This is higher than the approximately one-third of violent victimizations reported by victims of all races to have occurred at or near a home.

### Violent Victimizations in which the Victims Sustained Physical Injury or Received Medical Care, by Race

As a result of their victimizations, an estimated 18% of American Indian victims of violence sustained bruises, the most commonly reported injury. Among those injured, about half received some kind of medical treatment – a third at the hospital.

### Average Dollar Loss per Victim of Violence, by Race of Victim, 1992-96

The total annual loss for American Indians arising from violent criminal victimization translates into more than \$35 million (table 20). The losses reported by American Indian victims of violence largely resulted from medical expenses that accounted for more than \$21 million.

### Victim-Offender Relationship in Murder Cases

In American Indian murder cases in which the victim offender-relationship was known, strangers accounted for approximately 16% of the murders (table 29). Acquaintances accounted for about half the murders. Victim-offender relations in American Indian murder cases were similar to those found among all murders.