

Domestic Violence

Legal Research in the United States

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“Throughout my whole marriage, people would say to me, ‘that’s enough, you’ve just had enough.’ But when is enough enough? I never knew . . .”

Karla Fischer & Mary Rose, *When “Enough is Enough”*

Introduction

Domestic violence, also known as domestic abuse, spousal abuse, battering, family violence, and intimate partner violence (IPV), is defined as a pattern of abusive behaviors by one partner against another in an intimate relationship such as marriage, dating, family, or cohabitation.^[1] Domestic violence, so defined, has many forms, including physical aggression or assault (hitting, kicking, biting, shoving, restraining, slapping, throwing objects), or threats thereof; sexual abuse; emotional abuse; controlling or domineering; intimidation; stalking; passive/covert abuse (e.g., neglect); and economic deprivation. Alcohol consumption and mental illness can be co-morbid with abuse, and present additional challenges in eliminating domestic violence. Awareness, perception, definition and documentation of domestic violence differs widely from country to country, and from era to era. [2]

Domestic violence and abuse is not limited to obvious physical violence. Domestic violence can also mean endangerment, criminal coercion, kidnapping, unlawful imprisonment, trespassing, harassment, and stalking.^[3]

Violence against women is a substantial public health problem in the United States. According to data from the criminal justice system, hospital and medical records, mental health records, social services, and surveys, thousands of women are injured or killed each year as a result of violence, many by someone they are involved with or were involved with intimately. Nearly one-third of female homicide victims reported in police records are killed by an intimate partner. [4]

History

For much of history and throughout the world, social and legal traditions have tolerated or even promoted the physical assault of women by men. In ancient Rome, a husband could legally divorce, physically punish, or even kill his wife for behaviors that were permitted for men. Punishment of wives was called chastisement, a term that emphasized the corrective purpose of the action and minimized the violent nature of the behavior. Under medieval English common law, a husband could not be prosecuted for raping his wife because the law provided that a wife could not refuse consent for sex to her husband. Because much of U.S. law was modeled on English common law, this definition of rape remained in effect in the United States until the 1970s, when many (but not all) states modified their rape statutes.

Although laws in the United States have always prohibited wife beating, these laws often were not enforced. Furthermore, laws prohibiting assault and battery set different standards for guilt if the victim was the wife of the assailant. That is, to be found guilty of a crime for hitting his wife, a husband had to more severely strike and more

seriously injure her than if he had hit a stranger. Courts treated victims of assault differently because the husband had a legal right to chastise his wife. The right to chastise wives was first overruled by courts in Alabama and Massachusetts in 1871. Since the 19th century, women have acquired greater legal and political rights, such as the right to vote. As the status of women has improved, attitudes toward domestic violence have shifted and laws have been changed. The National Organization for Women (NOW) and other women's rights organizations in the United States have sponsored campaigns to raise public awareness of intimate violence. Whereas 30 years ago spouse abuse occurred behind closed doors and was largely considered a private matter, today it is widely recognized as an important, dangerous, and harmful social problem.

Domestic Violence Statistic

One in every four women will experience domestic violence in her lifetime.¹ An estimated 1.3 million women are victims of physical assault by an intimate partner each year.² 85% of domestic violence victims are women.³

Historically, females have been most often victimized by someone they knew.⁴ Females who are 20-24 years of age are at the greatest risk of nonfatal intimate partner violence.⁵ Most cases of domestic violence are never reported to the police.⁶ Almost one-third of female homicide victims that are reported in police records are killed by an intimate partner.¹⁴ In 70-80% of intimate partner homicides, no matter which partner was killed, the man physically abused the woman before the murder.¹² Less than one-fifth of victims reporting an injury from intimate partner violence sought medical treatment following the injury.¹⁵ Intimate partner violence results in more than 18.5 million mental health care visits each year. One in 6 women and 1 in 33 men have experienced an attempted or completed rape.¹⁰ Nearly 7.8 million women have been raped by an intimate partner at some point in their lives.¹¹ Sexual assault or forced sex occurs in approximately 40-45% of battering relationships.¹² 1 in 12 women and 1 in 45 men have been stalked in their lifetime.¹³ 81% of women stalked by a current or former intimate partner are also physically assaulted by that partner; 31% are also sexually assaulted by that partner.¹³

Economic Impact

The cost of intimate partner violence exceeds \$5.8 billion each year, \$4.1 billion of which is for direct medical and mental health services.¹⁷

Victims of intimate partner violence lost almost 8 million days of paid work because of the violence perpetrated against them by current or former husbands, boyfriends and dates. This loss is the equivalent of more than 32,000 full-time jobs and almost 5.6 million days of household productivity as a result of violence.¹⁷

There are 16,800 homicides and \$2.2 million (medically treated) injuries due to intimate partner violence annually, which costs \$37 billion.¹⁸

Domestic violence overview

Domestic violence is one of the most chronically underreported crimes.²⁰ Only approximately one-quarter of all physical assaults, one-fifth of all rapes, and one-half of all stalkings perpetrated against females by intimate partners are reported to the police.¹

Approximately 20% of the 1.5 million people who experience intimate partner violence annually obtain civil protection orders.¹ Approximately one-half of the orders obtained by women against intimate partners who physically assaulted them were violated.¹ More than two-thirds of the restraining orders against intimate partners who raped or stalked the victim were violated.

Law Acts

The court may order two forms of injunctions: a non-molestation order restrains the defendant from interfering with the plaintiff; and an ouster order requires one party to vacate the home and not to return to it.

Part IV of the Family Law Act 1996 relates to domestic violence and occupation of the matrimonial home. It came into force in 1997 to remedy defects in the old law. The Act provides a single comprehensive scheme for protection against violence and disputes concerning the occupation of the matrimonial home. Section 33 deals with applicants with estate or interest or matrimonial home rights; Section 35 deals with former spouses with no existing rights to occupy the dwelling house; Section 37 deals with spouses whereby both of them do not have the right to occupy a dwelling house which is or was the matrimonial home; Section 36 provides for cohabitants or former cohabitants with no existing rights to occupy whilst Section 38 provides for cohabitants whereby they do not have the right to occupy.

There is also now the Domestic Violence, Crime and Victims Act 2004 which seeks to give greater protection to victims of domestic violence. However, at the same time, the Human Rights Act 1998 will be relevant to the law on domestic violence. Particularly relevant provisions of the ECHR are Articles 1, 3, 6, 8, and 14. [5]

Safety and Accountability

Until relatively recently, domestic violence was perceived as a private affair - a personal matter between disputants. Courts did not handle domestic violence cases because domestic violence often was not illegal. It took decades of hard work from advocates -- both within and outside the courts -- to change this. Perhaps the most significant reform efforts occurred in the 1990s, with the passage of the federal Violence Against Women Act (VAWA). Along with VAWA came the passage of mandatory arrest laws, increased funding for services for victims, and the creation of special domestic violence prosecution and police units.

After statutes and case law had made it clear that domestic violence was against the law, cases involving domestic violence did indeed begin to flood into state courts in record numbers. Domestic violence cases come into courts in a variety of ways based on individual state laws -- including through the criminal courts, family courts and matrimonial courts. In addition, domestic violence may also be the underlying problem in cases that are seemingly not family-related, such as housing, bankruptcy and fraud. In total, the National Center for State Courts reports that from 1984 to 1997, the number of domestic violence cases in state courts increased by 77 percent. [6]

How have state courts responded to the massive influx of domestic violence cases?

Initially, they handled them like all other cases. However, it has become increasingly obvious that domestic violence matters present unique and complex challenges to judges, attorneys, court administrators and other front-line justice professionals. New York's Chief Judge, Judith S. Kaye, frames the issue this way: "Not surprisingly, in many of today's cases, the traditional approach yields unsatisfying results. The battered wife obtains a protective order, goes home and is beaten again. Every legal right of the litigants is protected, all procedures followed, yet we aren't making a dent in the underlying problem."

The problems with applying a conventional case processing approach to domestic violence cases are multifaceted. The sheer volume of cases makes it difficult for courts to provide the kind of intensive focus that domestic violence so clearly demands. In all too many instances, perpetrators leave court without any meaningful sanction for their criminal behavior. At the same time, many victims do not receive access to the kinds of services -- shelter, counseling, advocacy, etc. -- they so desperately need. Many victims choose not to pursue their cases because of the financial and emotional impact of leaving, and return, seemingly voluntarily, to the arms of the accused batterers. Perhaps unsurprisingly, many within the state courts become frustrated and complain that they see a lot of repeat business -- the same litigants returning to court again and again. [7]

Criminal proceedings

Legal and social attitudes to domestic violence have changed significantly over the past 150 years or so. At the beginning of Queen Victoria's reign it was considered quite acceptable for a husband to beat his wife for misbehaviour (just as he beat his children), though traditionally only with a stick no thicker than his little finger. Nowadays the law takes a different view, and a man who assaults his wife (or his children, except by way of reasonable correction) is liable to prosecution as for any other assault.

R v Kowalski (1988) 86 Cr App R 339, CA [8]

After W had petitioned for divorce, but before the case had been heard, H threatened her with a knife and forced her to perform oral sex on him before submitting to vaginal

intercourse. H was charged with rape and indecent assault: the judge directed an acquittal on the former charge but ruled that the latter should go ahead. H pled guilty and appealed on the point of law. The Court of Appeal, affirming H's conviction but reducing his sentence from four to two years' imprisonment, said a wife's presumed irreversible consent to sexual intercourse does not extend to other sexual activities such as fellatio.

Remedies in tort

It is only a few years ago that the courts began to develop a tort of harassment against which relief might be granted by way of injunction, but the gradual and uncertain common law developments have now been overtaken by statute.

Burnett v George [1992] 1 FLR 525, CA [9]

Many of the gaps in the statutory scheme were filled by the new scheme introduced by Part IV of the Family Law Act 1996. Some of them had already been filled by the cases decided before then. In **Burnett v George** [1992] 1 FLR 525, CA, the plaintiff complained of a series of molestations and assaults by a former cohabitant. An injunction was granted in the then standard form restraining him from assaulting, molesting or otherwise interfering with her. On appeal it was argued that molestation and interference were not actionable wrongs.

The Protection from Harassment Act 1997 extends both civil and criminal law. Under s.1 of the Act, a person is prohibited from pursuing any "course of conduct" (including speech) which he knows or ought to know amounts to harassment of another person: the test of what amounts to harassment (which is not defined, but includes causing alarm or distress) is the opinion of the reasonable man. A defence is provided if the defendant can show the course of conduct was pursued to prevent or detect crime, or to comply with any rule of law, or that it was reasonable in all the circumstances. [10]

There are no fully reported cases so far on the application of this Act. Its application to domestic violence is limited in any case, since it cannot effectively be used to keep a man out of his own house, which is what is often needed to secure the safety of his wife (or cohabitant) and/or their children. Injunctions in tort are still potentially important in some cases, however, because most of the "matrimonial" remedies below are available only to spouses, former spouses and opposite-sex cohabitants.

Family Law Act 1996

The most important remedies for domestic violence are therefore those to be found in Part IV of the Family Law Act 1996, which comes into force in October 1997. It repeals and replaces the earlier remedies provided in the Domestic Violence and Matrimonial Proceedings Act 1976, ss.16-18 of the Domestic Proceedings and Magistrates' Courts Act 1978, and the Matrimonial Homes Act 1983, providing two specific types of order and extending the categories of persons entitled to apply for an order. The county court and the High Court retain their existing powers to grant injunctions, but only in support of some existing right. [11]

Lucas v Lucas [1992] 2 FLR 53, Times 1/5/91, CA [12]

H and W lived in a council house of which W was the formal tenant. After two years in which they had lived in the one house but in separate households, they were granted a divorce by consent. W now applied for and was granted an ouster order against H, and H's appeal failed. His rights to occupy the house by virtue of the 1983 Act had ceased when the decree was made absolute, so W could use any appropriate means to enforce her right of possession.

Domestic violence is a pattern of abuse that is perpetrated against a targeted victim. While it is the nature of courts to focus on discrete incidents, experience indicates that domestic violence cases typically emerge out of a long history of abuse, much of which may have gone unreported. This prior history of abuse is an important predictor for both the likelihood and the severity of re-offending. While it is not possible for judges to know about every incidence of unreported violence in a household, judges should have access to complete and regularly updated background information (with emphasis on prior orders of protection) in order to make informed decisions. [13]

Implications for Prosecutors

Especially in light of Crawford v. Washington, 541 U.S. 36 (2004), prosecutors must work with law enforcement to gather as much evidence as possible and accurately identify all potential witnesses and ways to contact them, or identify third parties who will remain in touch with them. Vital witnesses may include third parties whom victims spoke to at the time of the incident. Statements that victims make to third parties are generally nontestimonial and therefore admissible at trial. Children may also be potential witnesses. The presence of children may also allow prosecutors to file additional charges against abusers for endangering the welfare of the child or allow them to file a similar charge that can go forward, even if the original charges cannot. (Research basis: Few studies review domestic violence evidence as a separate issue; these studies suggest that evidence collection can be dramatically improved.)

Consequently, prosecutors must rely on victims. In the Ohio court study, victim testimony was the evidence most frequently relied upon by prosecutors, available in 48 percent of the 2,952 domestic violence cases studied. [15] In Rhode Island, victims provided signed statements in 53 percent of the incident reports. A Canadian study of a Toronto Domestic Violence Court found that, although having witnesses or corroborating evidence does not increase the likelihood of prosecution, if the victim cooperates, the odds of prosecution increase by a factor of 8, compared to cases in which the victim does not cooperate. In Chicago, prosecutors achieved a 73-percent conviction rate for domestic violence cases when the victim showed up in court, and significantly less (only 23 percent) when they did not show. [16]

Generally, lack of cooperative or available victims is cited as the prime reason prosecutors drop or dismiss domestic violence cases. In the Quincy, Mass., arrest study, a quarter of the arrested abusers were not prosecuted by the district attorney's office. When

indicated in the court file, the most common reason given was "victim denies abuse" (18.8 percent), married victims invoked their marital privilege not to testify against their husband suspects (12.9 percent), or the victim could not be located (10.6 percent). [17] In the large Ohio study, 70.5 percent of cases were dismissed because of victim "unavailability/failure to attend." In another Ohio study, in Toledo, analysis of a sample derived from 1,982 misdemeanor domestic violence cases before the municipal court found that 70 percent of dismissed cases were dismissed because the "victim failed to appear." In North Carolina, victim opposition was reported as the key factor in reducing the likelihood of prosecution. [18]

New Law Changes the Rules for Domestic Violence Cases

A new provision for domestic violence laws had been proposed by several groups interested in protecting abuse victims. It will allow previous interviews with the victim, like 911 calls, to be used in the proceedings, even if the victim refuses to testify. Bradenton State Senator Mike Bennett was among the interested parties who helped pass the law. He said that the new law allows cases of domestic violence to proceed. "Too many times on domestic violence, the victim is absolutely afraid to testify, for one reason or another," he says.

Before the law, cases like these would need to be thrown out, often allowing the defendant to get away with their crime.

Defense attorneys say that this may infringe upon their client's rights. Heather Doyle, chief of the State Attorney's Office's misdemeanor division, says that if a defendant has knowingly silenced a witness or victim, then he or she forfeits their constitutional right to cross-examine them.

The law takes effect on May 2012. [19]

Effects of Domestic Violence on Children and Teenagers

Children:

Estimates are that more than 3.3 million children are exposed to physical and verbal spousal abuse each year. 14 Exposure means seeing or hearing the actual abuse or dealing with the aftermath of the abuse.

When describing the effects of domestic violence on children, it is important to note that domestic violence and child abuse are often present in the same families. "In homes where domestic violence occurs, children are physically abused and neglected at a rate 15 times higher than the national average. Several studies have shown that in 60% to 75% of families in which a woman is battered, children are also battered." In addition, children living in households where domestic violence is occurring are at a higher risk for sexual abuse.

Many children in families where domestic violence has occurred appeared to be "parentified." They are forced to grow up faster than their peers, often taking on the responsibility of cooking, cleaning and caring for younger children. Laura Gillberg, MSW, is the child and adolescent program director at Sarah's Inn, an agency in Oak Park, Illinois. She stated, "Many of these children were not allowed to have a real childhood. They don't trust their fathers because of his role as an abuser and they may have been worried about what to expect when coming home. They learned at a young age to be prepared for anything."

Children may feel rage, guilt, or a sense of responsibility for the violence, which can stifle emotional and social development. To learn and grow into a healthy adult, children must feel confident in the world and in themselves. Domestic violence can wipe out a child's confidence and leave them shocked.

Teens:

Being a teenager and living in a house infected with domestic violence can have devastating, life-long effects. Teens living with domestic violence face the unique problem of trying to fit in with their peers while keeping their home life a secret. Teens in shelters often face the problem of having to move and begin school in a new place, having to make new friends while feeling the shame of living in a shelter. Needless to say, their family relationships can be strained to the breaking point. The result can be teens who never learn to form trusting, lasting relationships, or teens who end up in violent relationships themselves.

In addition, teens face the same issues as younger children in an abusive family, namely feeling lonely and isolated, growing up too fast, behavior problems, stress related medical and mental health problems, and school problems. Teenagers are also faced with entering into the dating world for the first time. They are formulating their own theories about relationships, and some may not have the best models on which to base a healthy relationship. They have witnessed the cycle of violence with the abuse, apologies from the perpetrator, tensions building and more abuse. Unfortunately, some teenagers may be faced with a higher risk of being victims of dating violence and as mentioned earlier, ending up in violent relationships as adults either as victims or abusers. [20]

The Facts on Immigrant Women and Domestic Violence

Like all women, immigrant women are at high risk for domestic violence, but due to their immigration status, they may face a more difficult time escaping abuse. Immigrant women often feel trapped in abusive relationships because of immigration laws, language barriers, social isolation, and lack of financial resources. Despite recent federal legislation that has opened new and safe routes to immigration status for some immigrant women who are victims of domestic violence, abuse is still a significant problem for immigrant women, as it is for all women in the United States. [21]

- A recent study in New York City found that 51 percent of intimate partner homicide

victims were foreign-born, while 45 percent were born in the United States.

- Forty-eight percent of Latinas in one study reported that their partner's violence against them had increased since they immigrated to the United States.
- A survey of immigrant Korean women found that 60 percent had been battered by their husbands.
- Married immigrant women experience higher levels of physical and sexual abuse than unmarried immigrant women, 59.5 percent compared to 49.8 percent, respectively. [22]
- Abusers often use their partners' immigration status as a tool of control. In such situations, it is common for a batterer to exert control over his partner's immigration status in order to force her to remain in the relationship.
- Immigrant women often suffer higher rates of battering than U.S. citizens because they may come from cultures that accept domestic violence or because they have less access to legal and social services than U.S. citizens. Additionally, immigrant batterers and victims may believe that the penalties and protections of the U.S. legal system do not apply to them.
- Battered immigrant women who attempt to flee may not have access to bilingual shelters, financial assistance, or food. It is also unlikely that they will have the assistance of a certified interpreter in court, when reporting complaints to the police or a 911 operator, or even in acquiring information about their rights and the legal system. [23]

Chapter 49: No Jail for Victims of Domestic Violence in California

In 2007, California law enforcement received 174,649 domestic violence calls. Because domestic violence is one of “the most common yet least reported crimes in our nation,” the actual number of domestic violence incidents in 2007 was likely much higher.² Unfortunately, some domestic violence cases result in the victim's incarceration. When law enforcement intervenes and makes an arrest, a criminal trial against the perpetrator usually ensues. In some cases, the domestic violence victim is called to testify at trial. If the victim continually refuses to testify—a not too infrequent possibility—courts have the discretion to incarcerate the victim for contempt. Domestic violence victims incarcerated for refusing to testify are revictimized by the very institutions responsible for protecting them. Incarcerating the victim may also dissuade other victims from reporting these crimes. As domestic violence is already an under-reported crime, the harmful effects of incarceration most likely outweigh any positive gains. Chapter 49 eliminates the court's discretion to incarcerate a domestic violence victim for contempt when the victim refuses to testify concerning that specific instance of domestic violence. As a result, Chapter 49 ensures a victim's safety and well-being.

Incarceration jeopardizes domestic violence victims' safety and well-being. Chapter 49 will not take away the court's power to find a domestic violence victim in contempt. However, Chapter 49 does eliminate the possibility of further endangering domestic violence victims through incarceration. This law is a necessary step that places both domestic violence victims and sexual assault victims under the same protections, and ensures that neither will be revictimized. [24]

Conclusion

There is no easy solution to the problem of domestic violence as its elimination requires changes in the very nature of society. Until people develop a sense of respect for others and recognition of the worth of each individual, violence will continue. and the weaker members of the community will largely be the victims. It is the family, which is principally responsible for building the character of individuals, and it is in functioning families that feelings of self worth, respect for others and conflict resolution skills are developed. It is thus vital that support is given to families to enable them to nurture these qualities that, if not developed in the early, formative years, are very hard to instill later. All too often women find themselves in an abusive, violent relationship. They can be left devastated by their partners who have abused them sexually or inflicted violent acts of mental abuse and/or battering. It can be very confusing when their partner apologizes and promises not to do it again. If a partner has abused once he will do it again and again. I know exactly that the only way to stop domestic violence is to get out and stay out. As article 21 of the Constitution confers protection of life and personal liberty, here it means right to live with dignity and free of violence. So, Domestic Violence Act promotes the rights of women which are guaranteed under Article 14 and 15 of the Constitution. But there is a lack of sensitiveness and proper implementation of this act. So, it must be taken as "speedy trial". Empowerment of women in the real sense is the need of the hour. It is high time that women are allowed into the political mainstream. If the women are given their due status in personal, family and social spheres, it would be a positive step benefiting all sections of the society.

I think about Islam religion kind of skeptically but I like one phrase from Qur'an: "Do not let the woman cry, be afraid of her tears, because Allah counts each of her tear."

References:

1. http://en.wikipedia.org/wiki/Domestic_violence#cite_note-Shipway-0
2. Causes of Family Violence". In Green MR. *Violence and the Family*. Westview. ISBN 0-385-14259-5. OCLC 5725780
3. *Crimes*". National Network to End Domestic Violence, Inc.. 2008. http://womenslaw.org/laws_state_type.php?statelaw_name=Crimes&state_code=GE. Retrieved 2 December 2011
4. Federal Bureau of Investigation 2001
5. [Laws & Regulations - Domestic Violence Law - LibraryGuides at Pace University School of Law](#)
6. Rottman, David and Casey, Pamela. ATherapeutic Jurisprudence and the Emergence of Problem-Solving Courts,@ National Institute of Justice Journal (July): 12-20. <http://cosca.ncsc.dni.us/WhitePapers/SafetyAccountability-DomesticViolence-Nov-04.pdf>
7. Kaye, Judith S. AMaking the Case for Hands-On Courts,@ Newsweek. October 11, 1999. <http://cosca.ncsc.dni.us/WhitePapers/SafetyAccountability-DomesticViolence-Nov-04.pdf>
8. R v Kowalski (1988) 86 Cr App R 339, CA
9. Burnett v George [1992] 1 FLR 525, CA
10. Harassment Act 1997
11. Family Law Act 1996
12. Lucas v Lucas [1992] 2 FLR 53, Times 1/5/91, CA
13. <http://www.lawteacher.net/family-law-resources/domestic-violence.php>
14. Crawford v. Washington, 541 U.S. 36 (2004)
15. Bersani, C., and H. Chen. "Sociological Perspectives in Family Violence." In *Handbook on Family Violence*, ed. V. Van Hasselt, R. Morrison, A. Bellack, and M. Hersen. New York: Plenum Press, 1988: 57-84
16. Hirschel, D., E. Buzawa, A. Pattavina, D. Faggiana, and M. Ruelan. "Explaining the Prevalence, Context, and Consequences of Dual Arrest in Intimate Partner Cases." Final report for National Institute of Justice, grant number 2001-WT-BX-0501. Washington, DC: U.S. Department of Justice, National Institute of Justice, April 2007, NCJ 218355. <http://www.ncjrs.gov/App/Publications>
17. Buzawa, E., G. Hotaling, A. Klein, and J. Byrnes. "Response to Domestic Violence in a Pro-Active Court Setting." Final report for National Institute of Justice, grant number 95-IJ-CX-0027. Washington, DC: U.S. Department of Justice, National Institute of Justice, July 1999, NCJ 181427. <http://www.ncjrs.gov/App/Publications/abstract.aspx?ID=181427>
18. <http://www.ncjrs.gov/App/Publications/abstract.aspx?ID=186664>
19. Law & Order <http://wusfnews.wusf.usf.edu/post/new-law-changes-rules-domestic-violence-cases>
20. American Psychological Association. Facts About Family Violence. American Psychological Association Web Site.
21. <http://www.ci.nyc.ny.us/html/doh/html/public/press04/pr145-1022.html>
22. Dutton, Mary; Leslye Orloff, and Giselle Aguilar Hass. 2000. "Characteristics of Help-Seeking Behaviors, Resources, and Services Needs of Battered Immigrant

Latinas: Legal and Policy Implications.” *Georgetown Journal on Poverty Law and Policy*. 7(2).

23. Orloff et al., 1995. “With No Place to Turn: Improving Advocacy for Battered Immigrant Women.” *Family Law Quarterly*. 29(2):313.

24. SafeState, Domestic Violence: Facts, <http://safestate.org/index.cfm?navId=42> (last visited Jan. 28, 2009) (on file with the *McGeorge Law Review*). CAL. CIV. PROC. CODE § 1219(c)(West 2007)

<http://www.mcgeorge.edu/Documents/publications/mlr/Chapter%2049.pdf>