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Surviving a Batterer:

An Ideal Policy Approach to Combating Intimate Partner Violence (IPV)

Abstract: Gender violence has plagued developed and developing societies for centuries, embedded in culture, structures, and ways of life. Women have been seen as pieces of property with no autonomy or individualism, just as extensions of their husbands. My research centers around finding an ideal policy solution to diminish rates of intimate partner violence (IPV) in the case of California. Interviews and data collection with legislators concerning education, rehabilitation or batterer intervention programs (BIP), and care providers in emergency shelters regarding victims' services provided insight on a three-pronged approach targeted at curbing rates of IPV in California. My findings yielded that although these variables are present in California, there must be an allocation of more resources and funding in order for ideal policy to be effective in California and across the nation.

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Introduction

Gender violence occurs at alarming rates worldwide, with preventative measures available, yet not adequately implemented. Gender violence is embedded in societal structures, cultures, and ways of life especially in countries with a culture of machismo. Since antiquity, and currently in some countries, women were (are) merely seen as pieces of property and as extensions of their husbands. These beliefs did not grant women rights to property, equality, and individual autonomy. Individual, communal, and societal actions can all greatly contribute to gender violence. Countries that have the highest reported rates of spousal abuse include India, the Democratic Republic of the Congo (DRC), and Sierra Leone¹; however, gender violence does not discriminate based on race, ethnicity, country, gender, or marital status and is exclusive to no one. Panda and Agarwal even connect women's property ownership to higher levels of marital violence in India. Their case study revealed marital violence is especially high due to the reflection of non-existent women's rights and low autonomy, as many people believe women merely should be extensions of their husbands.² Moreover, some countries in the Middle East and Africa have yet to criminalize marital rape. What is more, Dr. Gunilla Krantz, from the Nordic School of Public Health, surveyed communities around the globe and found that "24 countries on four continents revealed that between 20% and 50% of women interviewed reported that they had suffered physical violence from their male partner."³ Because gender violence is a tragic, global occurrence, citizens, policymakers,

¹ Geraldine Terry, *Gender-based Violence* (Cowley: Oxfam GB, 2007), xiii.

² Pradeep Panda and Bina Agarwal, "Marital Violence, Human Development and Women's Property Status in India," *World Development* 33, no. 5 (2005), 847.

³ Gunilla Krantz, "Violence Against Women: A Global Public Health Issue!," (2002): 242

physicians, and key actors across the globe should concern themselves with solutions to gender violence.

In this thesis, I ask what is the ideal public policy for the reduction of intimate partner violence (IPV)? Before proceeding, I establish the definitions of gender violence and intimate partner violence. The first article of UN Draft Declaration on the Elimination of Violence Against Women (1993) defines gender violence or violence against women to include but not be limited to, the following:

Physical, sexual, and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence, and violence related to exploitation.⁴

Intimate partner violence is physical violence, sexual violence, stalking, or psychological harm by a current or former partner or spouse that does not require sexual intimacy.⁵

This thesis's objective is to identify the key features of policies aimed at reducing/eliminating intimate partner violence, to analyze to what extent a political system can be effective in developing said policies, and to gauge what variables lead to ideal policies. I use California as a case to develop my model of ideal policy and the hypothesized variables that lead to legislative effectiveness. The ideal policies I identify are education, rehabilitation, and victims' services. The hypothesized variables that lead to the effective implementation of these policies include women's representation in legislatures and/or individuals as key actors in developing

⁴ Kanchan Mathur, *Countering Gender Violence: Initiatives Towards Collective Action in Rajasthan* (Thousand Oaks: Sage Publications, 2004), 23.

⁵ "Intimate Partner Violence, Violence Prevention, Injury Center," Centers for Disease Control and Prevention, last modified October 23, 2018, <https://www.cdc.gov/violenceprevention/intimatepartnerviolence/index.html>.

policies; women-friendly states which facilitate an inclusive, convenient, and safe place where women can grow, prosper, and participate effectively in developing their city; and the presence of women's movements acting on issues of gender violence. The thesis uses the method of hypothesis-generating case studies, which means “starting out with a more or less vague notion of possible hypotheses and attempting to formulate definite hypotheses to be tested subsequently among a large number of cases.”⁶ That is, I explore hypotheses connecting variables related to ideal policies in the state of California in an attempt to understand what hypotheses should be tested in other states across the United States.

Working with the State Board of Education in Nevada my senior year of high school, I got the opportunity to see the impact I can have on children and educators when I bring forward issues that matter to me. Among these issues were domestic violence and sexual assault on college campuses. These issues resonate with me not only as a woman, but as a product of a household characterized by domestic violence. My father, an alcoholic and substance abuser, repeatedly verbally and physically abused my mother. The abuse was not just one sided as my mother consistently retaliated. Into my adolescence, witnessing healthy relationships around me allowed me to escape a vicious cycle of abuse. I know that policy had little to no effect on my familial relations, and for that reason I seek normative conclusions about ideal policies. This is an example of my reflexivity⁷ as a researcher, giving me critical insight, perspective into my own biases, and

⁶ Arend Lijphart, “Comparative Politics and the Comparative Method,” *American Political Science Review* 65, no. 3 (1971): 682.

⁷ Esha Patnaik, "Reflexivity: Situating the Researcher in Qualitative Research," *Humanities and Social Science Studies* 2, no. 2 (2013): 98.

transparency about my results. I seek to be an ally to sexual assault survivors, and, if my activism and research can change the life of at least one young man or woman who find themselves in the same situation I did, it will all have been worth it.

The case of California herein demonstrates that education, batterers' intervention programs, and victims' services are essential in reducing rates of IPV. Critical actors, California as a women-friendly state, and women's movements played a crucial role in helping pass legislation concerning education, implementing BIP programs, and creating community resources for victims' services. However, we are still lacking in allocating the proper resources to the key aspects of ideal policy. We can see from interviews and data in the research that there is more to be done in terms of community resources and funding that are essential to making my ideal policy model effective. I have found that there are both personal and societal consequences to IPV. Government solutions have not been efficient in curbing or diminishing rates of IPV. Therefore, we must look to local-level solutions in state governments to find ideal policy reform in coalition with women's movements, activists, and critical actors to lobby for the resources needed. My case study alters the current models to include these resources.

Literature Review

The review of scholarly literature will be as follows: personal consequences of IPV for women, societal consequences of IPV, current government solutions that are ineffective, local-level solutions, preventative measures, and responsive measures.

It is important to recognize the personal consequences that IPV victims face. The apparent effects of IPV include physical and emotional repercussions. In a study done by Campbell and Lewandowski they identify that women who face IPV have suffered from sexually transmitted

diseases, broken bones, facial trauma, vaginal bleeding, depression, post-traumatic stress disorder, the list goes on.⁸ IPV is a violation of bodily integrity/autonomy. However, personal consequences are not limited to physical and emotional abuse but can have serious repercussions on a woman's economic security as well. Panda and Agarwal, in studying India, established a link between marital violence and employment status. Women who are unemployed and have no financial means face a difficult decision when leaving their abusive partners, not to mention those who lack property.

Security provided by property is relatively certain, unlike employment, which is subject to the vagaries of the labor market. A house or land also visibly signals the strength of a woman's fallback position and her tangible exit option abuse. Should she face violence, owning (or otherwise having access to) a house or land can give a woman an immediate escape option. A house would be especially important in this respect since it can provide a ready roof over the head.⁹

Studies done in Southern India¹⁰ and Northern India¹¹ yield the same findings. Without access to employment and property, women become vulnerable to spousal abuse and have no feasible escape options. These patterns of abuse also generate cyclical abuse for children in households where IPV is present and learned. Researcher Lois Weithorn identifies the negative effects of domestic violence exposure on children. Children growing up in a household of domestic abuse are as much at risk from violence itself as they are from adopting unhealthy habits from witnessing the violence.

⁸ Jacquelyn C. Campbell and Linda A. Lewandowski, "Mental and Physical Health Effects of Intimate Partner Violence on Women and Children," *Psychiatric Clinics of North America* 20, no. 2 (1997): 353-354.

⁹ Panda and Agarwal, "Marital Violence, Human Development and Women's Property Status in India," 825.

¹⁰ Suneeta Krishnan, "Gender, Caste, and Economic Inequalities and Marital Violence in Rural South India," *Health Care for Women International* 26, no. 1 (2005): 97.

¹¹ Manasi Bhattacharyya, Arjun S. Bedi, and Amrita Chhachhi, "Marital Violence and Women's Employment and Property Status: Evidence from North Indian Villages," *World Development* 39, no. 9 (2011): 1687.

Although several states in the US have implemented interventions such as child protective services and judicial intervention like restraining orders, the results are weak, at best, as they are not targeting the core of preventing abuse.¹² Furthermore, children exposed to intimate partner violence at a young age experience emotional distress that impedes developmental growth. Children influenced by IPV are more likely to abuse substances, have juvenile pregnancy, and exhibit criminal behavior and suicidal tendencies.¹³ Personal consequences then translate into familial consequences, then societal consequences.

Societal consequences are extensive and should prompt change from policymakers. Social structures and political institutions can be at risk from the consequences of IPV. Gender violence is deeply embedded in most societies with high levels of traditional machismo, which translates into the way societies function. Sally Engle Merry, professor at New York University, highlights gender violence in relation to traditional culture by explaining the deeply embedded machismo in systems of kinship, religion, warfare, nationalism and notes that there must be major social and structural change to eradicate the violence.¹⁴ The inherent divide in gender relations and cultural aggression towards women have clear societal repercussions that flow into political and social spheres. Mary Caprioli and Mark Boyer study the effect of gender violence in global political offices. Scholarly literature paints women as cooperative and men as conflictual hence why this

¹² Lois A. Weinthorn, "Protecting Children from Exposure to Domestic Violence: The Use and Abuse of Child Maltreatment Statutes," *Hastings LJ* 53 (2001): 1.

¹³ Vincent J. Felitti, "The Relationship of Adult Health Status to Childhood Abuse and Household Dysfunction," *American Journal of Preventive Medicine* 14 (1998): 245-248.

¹⁴ Sally Engle Merry, *Gender Violence: A Cultural Perspective* (Chicester: John Wiley & Sons, Incorporated, 2008): 17.

pair of scholars focused on the relationships between domestic gender equality/violence to predict the way a head of state will react in international crisis. The pair analyzed female heads of state all over Europe, finding that those who came to power in a male-dominated political sphere with inherently unequal domestic gender relations felt the need to be more aggressive in crisis situations in order to prove themselves in male-dominated fields.¹⁵ This equality disparity can cause a harmful ripple effect for societies in terms of not only interpersonal relations among men and women, but international conflict situations.

A macro-level analysis of the international community translates back into a micro-level analysis of public violence in the US. A study done by the Washington State Institute for Public Policy concluded that of 308,423 observations, those individuals convicted of domestic violence were more likely than other offenders to commit another violent felony and had a higher level of recidivism.¹⁶ Intimate partner violence is not just a problem for the criminal justice system. It affects public health, policy, and social reform. Alafair Burke did a study on an alternative reconceptualization of domestic violence. Burke argues for separate criminal repercussions for IPV offenders because motivation and recidivism is completely different from any other violent crime. "Outside the realm of criminal law, social scientists almost universally describe domestic violence as an ongoing pattern of conduct motivated by the batterer's desire for power and control

¹⁵ Mary Caprioli and Mark A. Boyer, "Gender, Violence, and International Crisis," *The Journal of Conflict Resolution* 45, no. 4 (2001): 503-18.

¹⁶ Robert P. Barnoski and Elizabeth K. Drake, "Washington's Offender Accountability Act: Department of Corrections' Static Risk Instrument," *Washington State Institute for Public Policy*, (2007): 4.

over the victim.”¹⁷ Failing to realize we need reform when it comes to handling IPV and hoping for solutions from individual governments can be detrimental to not only current victims, future victims, and children, but the communities surrounding them plagued with foreseeable consequences. This failure reflects in both international communities and systems in the United States. Celeste Montoya, professor in women’s studies, highlights that government measures like anti-violence legislation and policing systems used to protect women from violence are ineffective. Although anti-violence legislation in countries like Mexico, South Africa, Italy, and several others have passed into legislation, women are still facing brutal murder, rape, sexual assault, and kidnapping at alarming rates. There are transnational movements and widespread information readily available, but the problem remains the same.¹⁸ We can pass as many laws as we would like that criminalize gender violence. However, legislation would be ineffective without preventive measures that teach individuals to recognize signs of abuse. Scholars in the field of gender studies provide local-level solutions from public health options to prevention techniques done by the community and education through appropriate venues.

Local-level solutions such as intervention, education, and raising communal awareness have shown to be key in combating high levels of IPV. After looking at all local-level solutions, I have established two categories of responses: preventative measures and responsive measures. Preventive measures include education and media campaigns, whereas responsive measures are

¹⁷ Alafair S. Burke, "Domestic Violence as a Crime of Pattern and Intent: An Alternative Reconceptualization," *Geo. Wash. L. Rev.* 75 (2006): 552.

¹⁸ Celeste Montoya, *From Global to Grassroots: the European Union, Transnational Advocacy, and Combating Violence Against Women* (New York: Oxford University Press, 2015): 1.

women's shelters, rehabilitation, and victims' services. Among these two categories, scholars identify what leads to the ideal outcome of reduced intimate partner violence, the avenues we can take to get there, and the key actors involved. My understanding of ideal response includes one preventive measure of education and two responsive measures of rehabilitation services for perpetrators and victim services.

Media campaigns and women's movements stand at the core of an alternative approach to combating IPV. Media campaigns all across the globe have proven to be an effective way of breaking the silence surrounding violence against women. Geraldine Terry describes the innovative ways women's organizations have used to shine light on the issue like that of global rallies and media campaigns. Today, we see annual rallies dedicated to speaking out for survivors. The Take Back the Night campaign is a global awareness movement targeted at creating awareness surrounding sexual assault and domestic violence. Established in 2001 and in partnership with women's movements all over the globe, the Take Back the Night Foundation hold events in 36 countries each year, educating and creating community surrounding issues of IPV.¹⁹ Rallies like these happen frequently in all different cities, states, and countries, giving survivors a platform to be heard, and to help others understand how to target it. However, it is not just women who speak out against violence anymore. Organizations like the Gender Advocacy Project focus on all genders speaking out against IPV and targeting men to become advocates on non-violence.²⁰

Specifically, the best avenue in targeting reduced levels of IPV is through preventative measures, eliminating violence at its roots. In examining California, Weinbaum et al. identified

¹⁹ "What Is Take Back the Night," Take Back the Night, accessed March 20, 2020,

<https://takebackthenight.org/about-us/>.

²⁰ Terry, *Gender-based Violence*, 6.

policy recommendations for domestic violence prevention programs. They concluded the best way to prevent IPV is to identify venues that can model healthy and unhealthy relationships, such as childcare settings, schools, parenting classes, social service, healthcare settings, and through agencies offering public assistance. For instance, examples from these venues include monitoring its negative effects on young children, modeling appropriate relationship behavior, highlighting skills for resolving conflict, and the availability of community resources are some of the initiatives we can focus on outside of policy. Studies show that modeling healthy behaviors and education on intimate partner violence is the best way for intervention at the core.²¹

From the literature on preventative measures, education is the most effective model for prevention when creating ideal policy response. Moira Carmody, gender studies researcher, analyzes preventing sexual violence through education as an alternative to policy and legislation approaches for reducing domestic violence. Schools in Australia implemented a program in sex education teaching a healthy relationship curriculum and saw dramatic results, including reduced rates of IPV. However, the limitation is children still want access to more knowledge on the subject that cannot be provided solely through health education courses. This includes access to on-site trained counselors and effective partnership with social services workers. Proper education needs to be provided to our children in order to address that education can display an alternative to violence elimination legislation, or an additional factor to what legislators can be doing to help with prevention. Jane Ellis reviews different prevention measures in her book *Preventing Violence*

²¹ Zipora Weinbaum, Terri Lee Stratton, Gilberto Chavez, Carol Motylewski-Link, Nancy

Barrera, and Joseph G. Courtney, "Female Victims of Intimate Partner Physical Domestic Violence (IPP-DV),"

American Journal of Preventive Medicine 21, no. 4 (2001): 313-319..

against Women and Girls through Education: Dilemmas and Challenges that can be looked at in combination with education approaches. Too often, research and policy focusing on violence against women falls short of a good solution because policy makers are convinced that answer lies in legislation, and it very well may, as long as policy efforts are legislating mandatory education of IPV in schools. Although we look to prevention as the smart and sensible approach through programs and policy, this cannot be the only means of preventing violence against women. Without formal education on healthy relationships and boundaries in order to prevent violence, there is a large amount of risk that we place on young girls. In addition to ineffective legislation measures, Ellis highlights the deficit between the public health model and what actual effectual education can do, which is essential to my ideal policy solution.²²

Responsive measures, including women's shelters, rehabilitation, and victims' services, are equally as important as preventative measures if we cannot eliminate the violence. Engle, in focusing on eradicating deeply embedded values concerning violence, discusses how enforcing rehabilitation for batterers and creating shelters for women was much more proactive than pure punishment statutes. While the US originally sought a method of punishing perpetrators and creating reform programs, Engle advocates for a change in policy that steers away from simply punishing the batterer such as creating safe spaces like shelters and administering restraining orders. Moreover, batterer intervention programs that are targeted at changing masculine beliefs of entitlement and violence were proven effective in Engle's case study in Hilo, Hawaii.²³ Shortly after the success stories in Duluth, Minnesota, states across the country began implementing BIP

²² Jane Ellis, "Preventing Violence Against Women and Girls Through Education:

Dilemmas and Challenges," *Educational Work with Children and Young People* (2014): 24-28.

²³ Engle, *Gender Violence*, 123-126.

programs, including California. By re-educating batterers, states provide an alternative to punishment and instead, rehabilitate batterers to ensure future violence does not occur. This responsive measure is crucial to ideal policy response.

Throughout the United States, non-profit organizations help fund shelters for victims of spousal abuse. Most commonly these shelters provide access to food, resources, employment, counseling, etc. Research shows that a critical reason many battered women do not leave an abusive partnership is due to a lack of access to community resources much like the resources that shelters provide. A study done on the needs assessment of women after leaving a domestic violence shelter highlights that women require “numerous resources upon their exit from a domestic violence shelter. Sixty-two percent of the women needed legal assistance, and over half needed jobs, further education, transportation, material goods, social support, health care, financial assistance, childcare, and/or resources for their children.”²⁴

After a review of the literature, I determined the ideal policy solution is a combination of education, rehabilitation, and victims’ services, as these factors produced the most effective results in diminishing violence.¹ Scholars propose variables that could influence implementing ideal outcomes: women’s representation and the work of critical actors who advocate for ideal solutions, women-friendly states, and presence of women's movements on issues of gender violence. To operationalize these variables, I give definitions for each independent variable that contributes to idea policy outcomes and analyze how I identify them.

In *State Feminism and Political Representation*, Lovenduski identifies independent variables for the success of women’s movement to affect feminist policy in legislatures, and these

²⁴ Cris M. Sullivan, Joanna Basta, Cheribeth Tan, and William S. Davidson II, "After the Crisis: A Needs Assessment of Women Leaving a Domestic Violence Shelter," *Violence and Victims* 7, no. 3 (Fall 1992): 273.

include representation in the legislature, women's liberation movements, and inclusion of women, children, and family interests in policymaking.²⁵ Lovenduski labels this the RINGS model which is the model I will be using to identify if my ideal policy outcome will be successful. Many scholars argue a critical mass of women in the legislature is important, which I acknowledge. For clarification purposes, adequate women's representation in the legislature is seen as 30% or more of the legislature being composed of women. Drude Dahlerup, critical mass and critical actor theorist, conducted a study behind the theory of critical mass, the percentage of women in a legislature to make difference for women's political representation. His findings established, "... research has shown that it takes a certain minimum representation, ... 30%, before the minority, here women, are able to make a substantial difference in politics."²⁶ States with more than 30% of women legislators like that of Arizona, Vermont, Washington, and California at the time prioritized bills pertaining to women, children, and the family and have higher success in passing these bills. Although scholars debate the exact percentage for effectiveness, their numbers range from 20% to 30%, making Dahlerup's projection an adequate target percentage. Although critical mass is important to effective change, I argue that critical actors also could be crucial to implementing ideal policy. Therefore, I recognize the critical mass in the legislature but will analyze effectiveness of ideal policy by looking to critical actors.

Dahlerup claims change comes about from "critical acts" which heavily contributes to policy influence. Dahlerup defines critical actors as "legislators who initiate policy proposals on

²⁵ Joni Lovenduski, *State Feminism and Political Representation* (Cambridge: Cambridge University Press, 2005), 12.

²⁶ Drude Dahlerup, "The Story of the Theory of Critical Mass," *Politics & Gender* 2, no. 4 (2006): 511.

their own and/or embolden others to take steps to promote policies for women, regardless of the numbers of female representatives.”²⁷ Critical actors are individuals who take steps to promote policies for women that do not necessarily need to be women as “men may play a crucial role in advancing women’s policy concerns.”²⁸ Therefore, I note herein the significance of a high representation of women in the legislature but will primarily focus on those critical legislators who promote policy for women and influence others to take those steps as well.

I define the women-friendly state as Nora Abada does in her study on women-friendly cities. It is important to recognize that although Abada targets cities, I believe the same criteria can be achieved at the state level as well.

A women-friendly city facilitates the daily activities of women and makes their lives easier within their built environment. A women-friendly city is important for both working and non-working women. Therefore, the development of new policies and revisions of the policy making process are crucial to meet women’s needs and ensure their full participation in the process of built development as a complete citizen, regardless of their age, race, or income...Women-friendly cities are defined as: An inclusion, convenience, and safety place where women can grow, prosper, and participate effectively in developing their city.²⁹

When the state legislature or government leads in a women-friendly state, I predict the entities will pass policy that is women-friendly. Women-friendly policies are commonly identified by scholars as policy that will advance women's social, economic, or political equality in combination with policy that deals with issues of women, children, and families. Reingold identifies that prevailing

²⁷ Drude Dahlerup, "From a Small to a Large Minority: Women in Scandinavian politics," *Scandinavian Political Studies* 11, no. 4 (1988): 278.

²⁸ Dahlerup, "From a Small to a Large Minority," 278.

²⁹ Nora Abada, "Understanding Women-Friendly Cities: Distilling Elements from United Nations Designated Cities," (Graduate Research Paper, Ball State University, 2013), 8.

attitudes toward feminism and masculine norms contribute more than the sex-gender difference when it comes to passing women-friendly legislation. In her 1990 analysis of the political atmosphere in California, liberalism reigned true which aligns with conventional definitions of women's policy interests like that of "anti-discrimination measures, issues of reproductive rights and health, and childcare measures,"³⁰ making California policies the third most liberal in the country. This, as Reingold acknowledges, provides the most conducive ideological atmosphere for the advocacy of women's issues, which is why ideal policy will be implemented.

As seen in the literature review, women's movements have launched media campaigns and awareness rallies as well as lobbied for change in legislation. I define effective women's movements as movements that can be observed as collective groups lobbying state officials about pro-women's policy and/or meeting with state officials that engage legislators to change policy. Scholarship shows that when organizations lobby the state, even if they are not successful in securing a direct policy outcome, they are known to promote women's goals in the legislative realm and actively contribute to preparing legislation and giving political statements.³¹

Methods

Based on the above-mentioned literature, I propose an ideal model for reducing intimate partner violence that advocates education, rehabilitation, and victim services. I argue that the factors that contribute to these measures are critical actors, the existence of women-friendly states,

³⁰ Beth Reingold, *Representing Women: Sex, Gender, and Legislative Behavior in Arizona and California* (Chapel Hill: The University of North Carolina Press, 2003), 70.

³¹ Lovenduski, *State Feminism and Political Representation*, 80.

and active women’s movements campaigning on IPV. To evaluate the model, I am conducting a hypothesis generating case study. The model I review below will be used to explore the case of California and can later be used to test hypotheses in other cases. In the conclusion, I will present the most viable hypothesis that can be explored for other case studies. The one case of California cannot prove or disprove my model, but I can use it to build theory and hypotheses that can be tested in other cases. Specifically, I explore the following hypotheses in the case of California.

Hypothesis 1: Critical actors present in state legislatures will positively impact the implementation of ideal policy.

Hypothesis 2: Because California can be considered a women-friendly state as seen in Table 1, it is likely to implement ideal policy.

Hypothesis 3: The numerous women’s groups in California that lobby and advocate for changes in policy regarding gender and domestic violence will engage policy makers in implementing the ideal policy solution presented.

Table 1 (California as a Women-friendly State)

	Overall	Political Empowerment	Reproductive Rights	Employment and Earnings	Health and Safety	Work and Family
Ranking	5th	10th	9th	8th	9th	2nd

Source: <https://statusofwomendata.org>

Case: California, due its prioritization of women's rights and interests, is a suitable case for exploring the hypotheses at hand. It is among the top five most women-friendly states, factoring in political participation, reproductive rights, employment and earnings, and more from statusofwomendata.org, a project of the Institute for Women's Policy Research. Not only has California pushed above the national average for electing women to the state Senate, according to Reingold, researcher in gender studies, women who hold public office are more likely to value abortion rights, child support enforcement, harsher penalties for sexual assault, and violence against women. Women in public office tend to prioritize issues pertaining to women, children, and families more than that of their male counterparts.³² California is a leader in progressive policy regarding women's rights and interests. Using Lovenduski's RNGS model, California would be one of the best candidate states to test my ideal model due to the rapid increase in women in the legislature prioritizing women's rights.³³

I conceptualize my dependent variable as an ideal intimate partner violence response as a three-pronged approach: education, rehabilitation, and services to victims. Whether this ideal model is developed likely depends on the following factors: a high level of women's representation in the legislature or critical actors, the existence of women-friendly cities, and active and effective women's movements working on domestic violence. The operationalization of these variables is included in Table 2.

I rely on one interview with a previous legislator, six interviews with shelter directors as care providers as well as publicly available data about legislation passed on education, penal codes regarding batterer intervention programs, and victims services across the state of California.

³² Reingold, *Representing Women*, 6.

³³ *Ibid.*

Table 2 (Operationalizing Variables)

Variable	Operationalization of Variable and Available Data
Education	Bills promoting healthy relationships and educating on gender violence, data includes interviews with assembly people
Rehabilitation	Batterers Intervention Programs (BIP)
Victim Services	Fully equipped shelters and community resources, data includes interviews with care providers
Critical Actors	Leadership regarding recent California legislation who make change for women regardless of gender
Women-Friendly State	inclusion, convenience, and safety place where women can grow, prosper, and participate effectively in developing their city
Women's Movements	Collective groups lobbying state officials about pro-women's policy and/or meeting with state officials that engage legislators to change policy or have raised awareness

Data Collection

In order to collect my findings, I composed different methods of data collection for each group. There was a combination of phone interviews and online data collection. Because I included human subjects in my study, I completed the Pepperdine Institutional Review Board CITI Program for minimal risk research. When studying the effect of education and legislation, I researched California state legislation regarding healthy relationships and preventing IPV in schools. I then chose the top four most recent bills passed in either the California House and Senate and reached out to the authors of the bill. Of the four congresspeople: Paul Fong, Dr. Shirley Weber, Connie Leyva, and Kevin DeLeon, I acquired an interview with only one individual, Paul Fong. Due to

the current national circumstances, it was difficult to get in touch with those in the state legislature as they are dealing with extenuating circumstances of COVID-19. I compiled a list of six questions regarding prior experience with IPV, the origins of the bill they authored, and women's organizations involved in the lobbying process (see Appendix A and B).

To study the effect of batterers intervention programs (BIP) in California, I researched California programs and penal codes associated with introductions of BIP programs.

In order to assess victim's services, I determined the best contact was emergency shelters located across California. There are 176 domestic violence organizations, ranging from city to city. I compiled a list of all the cities that have domestic violence services and placed them in a Microsoft Excel spreadsheet. In order to get substantial feedback on shelter practices on victims' services, I chose to contact 15 shelters as I was aware some may not be willing to participate. I used a random number generator (RNG) to choose from all cities in which there was a shelter located. From there, if the city had more than one emergency shelter, I used the RNG to determine which shelter I contacted. After choosing a shelter, I asked to be connected with the shelter director to interview them on their experiences with victim's services as care providers. Although I contacted 15 shelters, I only received interviews with 6 shelter directors. Understanding confidentiality of victims is a crucial part of protecting IPV victims, I ensured shelter directors I would never ask them to disclose any personal information about victims.

Limitations

Due to a current national pandemic, I did not get in contact with as many politicians and care providers as I hoped. Answers from their interviews could have provided valuable insight that

I may have missed in my personal research. Because of the intricacies of the ideal policy I was looking for, I decided using one case (California) was going to best narrow down my research from a state level. For future research, I hope this model can be used to test cases outside of California on a state, national, and even global level. With a limitation on the length of my research, I did not get to include all audiences facing IPV including women who are currently incarcerated, male victims, and members of the LGBTQ community. These victims are just as important and deserving of justice when it comes to IPV and I want to ensure they are acknowledged when it comes to finding a solution, however dominant literature on the subject predominantly represents women with male spouses.

Findings

Education is at the forefront of gender violence prevention reform. Introducing gender and domestic violence curriculum in health education can be found in other states besides California. California began discussing intimate partner violence and teen dating abuse in 2012 when Assemblyman Paul Fong from the district 28 introduced AB 1857. In the year previous, Fong attempted to pass AB 1373 with the help of the California Partnership to End Domestic Violence. After convening a conversation among both youth and adults in Oakland, it became clear there was a need for promoting healthy relationships and providing education in schools on preventing teen dating violence. The bill died in the appropriations committee after members found it too costly despite it being backed by 25 local, state, and national domestic violence advocacy organizations and women's organizations.³⁴ However, Assemblyman Fong did not stop here. In

³⁴ "What Happened to AB 1373 (Fong)?," California Partnership to End Domestic Violence, accessed April 8, 2020, <https://www.cpedv.org/blog-post/what-happened-ab-137>

the next legislative session, Fong introduced AB 1857 promoting healthy relationships and preventing teen dating abuse which passed in the Assembly 7-3. Fong is a long-time civil rights activist and supporter of eliminating domestic violence. In an interview with Fong, he shared his views as a feminist and progressive whose goals are tackling violence against women. His work associate at Evergreen College, Marjorie Clark, who is head of the women's center on campus, consistently educates Fong on not only domestic violence, but sexual assault on their campus where Fong serves out his new position as the Evergreen Federation of Teachers president. Working closely with organizations like the Democratic Actors for Women Now (DAWN) and the California Partnership to End Domestic Violence (CPEDV), Fong was able to pass AB 1857 to create curriculum addressing healthy relationships and teen dating violence prevention.³⁵ Although Paul Fong is not a woman, he played a critical role in passing legislation to promote the safety of young women. Fong is considered a critical actor for his contributions in passing legislation for education on healthy relationships. Active women's movements in California played a significant role in working closely with Fong to lobby this legislation.

Paul Fong paved the way to addressing gender violence in education through legislative measure. Policymakers did not stop with AB 1857. In February of 2015, the California State Assembly introduced AB-329 authored by Dr. Shirley Weber, amending the current health education curriculum to highlight LGBT issues, HIV, and healthy relationships. This newly amended bill modified current California sex education instructions by introducing the California Healthy Youth Act. This bill covers knowledge on healthy relationships, intimate partner violence, and consent. There has been an outcry by educators, women's activists, and individuals wanting to see change when it comes to how we arm our children with the knowledge it takes to protect

³⁵ Paul Fong, telephone conversation with author, March 20, 2020.

themselves. As the ACLU in Northern California stated, “It won’t come as a surprise to anyone that our society provides confusing, at times contradictory, messages to young people about sex and relationships. The media is saturated with negative stereotypes, and teens trade misinformation about preventing pregnancy and sexually transmitted infections that can end up putting their health at risk.”³⁶ The chapter amendment labeled the California Healthy Youth Act included in this bill came about because of the ill-equipped ways children have to protect themselves. The legislation was introduced to the assembly by Dr. Shirley Weber who has been a member of the California State Assembly in 2012 and is known to prioritize women’s and family issues. She previously sat on the board of the Battered Women’s Services committee and is known to work closely with women’s organizations to pass policy protecting women and family. Dr. Weber is not the only politician acknowledging that education is a crucial part of the solution to IPV. From 2010 to 2014, Senator DeLeon served as the President pro Tempore; he was elected by his colleagues for his innate leadership skills. In October of 2015, DeLeon passed SB 695 that requires a section in health education teaching students about sexual harassment and violence. DeLeon has been a longtime advocate and partner of women’s group Planned Parenthood and has fought for women’s choice when it comes to family planning, alongside sponsoring bills to prevent sexual assault on college campuses and funding subsidized healthcare. Although DeLeon is not a female legislator, he is seen as a critical actor for advocating on women's issues. These legislators are who we consider critical actors and partners of women organizations all over California, serving as advocates in presenting education legislation to combat IPV at its roots. (See Table 3)

³⁶ Phyllida Burlingame, “New Bill Will Strengthen Sex Education in California: ACLU of Northern CA,” ACLU of Northern California, May 29, 2015, <https://www.aclunc.org/blog/new-bill-will-strengthen-sex-education-california>.

As discussed in my literature review, Engle explains batterer training programs in Hilo, Hawaii as a rehabilitation response instead of convictions for batterers. These programs, including the Alternatives to Violence (ATV) program, were created by women's groups through independent grants and eventually, by state funding. The program follows a feminist approach developed by battered women in Duluth, Minnesota that focuses on exploring men's feelings which encourages them to analyze their own behavior when they feel the need to batter women. Group discussions center around changing beliefs about male entitlement to make authoritative decisions and back them up with violence. Men who were convicted of spousal abuse in Hilo were required to attend these programs that reinforced skills like maximizing relationships with their spouse by creating a foundation of love and respect. In her research, Engle outlines Melanie Shepard's independent evaluation of the Duluth method in which Shepard identifies that from a sample size of 100 men, only 40 percent of the men were labeled as recidivists which can be interpreted as the other 60 percent successfully completing the program. However, she is cautious to draw that conclusion due to characteristics of the batterer being more important in predicting recidivism than the form of intervention.³⁷

Shortly after being introduced in Duluth in the 1990s, batterer intervention programs following that model became a dominant approach to treating batterers as a rehabilitation approach. Following suit in 1994, California created a section in the California Penal Code (CPC) mandating these batterer intervention programs be implemented. Section 1203.097 of the CPC mandates a 52-week batterer intervention program with weekly two-hour sessions. The program uses a teaching method of small, positive changes in attitudes and beliefs in personal management, anger management, and how their abuse affects others. Independent analysis of the programs

³⁷ Ibid.

shows the success of these programs in California. “Even after controlling for individual characteristics, two jurisdictions showed statistically significant differences in outcomes for offenders. Using Los Angeles as the base for comparison, offenders in Solano County had a likelihood of re-arrest at 12 months after intake that is one-third the likelihood of offenders in Los Angeles County, while offenders in Santa Clara County were 1.6 times as likely to be arrested as offenders in Los Angeles.”³⁸ It is worthy to note these programs have not been removed from California penal code and still stand as the program used post-conviction. Today, there are both state provided batterer intervention programs and those run by nonprofits like the Daz Foundation in Los Angeles. However, due to an improper allocation of funds, many individuals cannot afford the yearlong program that is paid for out of pocket and instead opt for traditional probation. Therefore, the next step is to provide state funding in order for these programs to prosper.

The third component to a compounded IPV solution is an analysis of victims’ services. As discussed in the literature review, a large aspect of safety for IPV victims’ centers around emergency shelters. With over 117 domestic violence programs in California providing emergency services, the victims’ services prong of my solution should be adequate. However, emergency services are not the only resources IPV victims are in need of. After interviewing several care providers, directors shared that many of the shelters in California are still lacking in critical resources. Emergency shelter is typically the first step after leaving a batterer. Stays in an emergency shelter can range anywhere from one night to a year depending on the capacity and availability of beds. All shelter directors made it clear that safety is the number one need of victims

³⁸ G. MacLeod, Ron Pi, David Smith, and Leah Rose-Goodwin, "Batterer Intervention Systems in California," *California Judicial Council of California/Administrative Office of the Courts*, (2009), ii.

seeking emergency services. However, Perla Flores, Division Director for Community Solutions Non-Profit, explained that Santa Clara county only has 62 beds available, leaving approximately 2,000 unanswered requests annually for victims seeking shelter due to a lack of availability, leaving these victims without the safety and shelter they are seeking.³⁹ Under CPC 13823.15, a standard shelter must be equipped with fourteen core services for operating an emergency shelter: 24 hour crisis line, counseling for both individuals and peers, business center, emergency shelter for survivors and their children, emergency food and clothing, emergency response to calls from law enforcement and emergency medical services, transportation, counseling for children, social services advocates, legal assistance, court accompaniment, creating a community network, and permanent housing assistance. For most shelters, these basic services are all that is covered in their annual funding from federal and state government stipends. This does not include overnight staff, childcare services in shelters, educational support groups, case managers, support staff, and the list goes on. Shelter directors estimate these much-needed additions could cost another \$250,000-\$300,000 that the state and federal government will not allocate.

While some shelters are lucky enough to have 30% of their budget from private donors and nonprofits who provide unrestricted funds, other shelters operate on 100% government funding, making it very restrictive on what those funds can be used for. There is a significant resource gap. Victims need access to services now more than ever. In 2017, Governor Jerry Brown passed a series of laws including AB 557, authored by Assemblywoman Blanca Rubio, to benefit women, children, and families. The bill was advocated for by the California Partnership to End Domestic Violence. “AB 557 provides additional CalWORKs protections for survivors impacted by poverty as a result of domestic violence and includes immediate temporary housing assistance while a

³⁹ Perla Flores, telephone conversation with author, March 7, 2020.

victim's application is in-process, required good cause waivers for children's immunization and school attendance, and information about local support services."⁴⁰ It is efforts like these that will contribute to expanding victims' services. Politicians like Susan Rubio, who extended the statute of limitations on IPV charges, and all legislators who are prioritizing victims' rights and services are at the forefront of the solution alongside care providers. In order to create ideal policy to fit the needs of victims', there must be prioritization of allocating funding for emergency services/post shelter success and creating a communal network to support those exiting shelters and re-entering the work force.

Conclusion

Based on previous scholarly literature, scholars have concluded local-level solutions include raising awareness through women's movements for access to victims' services, formal education, rehabilitation vs prosecution, and removal of ineffective government measures. In my findings on these ideal policy solutions, I have learned they are indeed effective in reducing rates of intimate partner violence. Education reform passed by critical legislators has taught students in California about IPV and healthy relationships, equipping them the tools to prevent future violence and educate others. Rehabilitation programs have proven to rehabilitate batterers through changing beliefs, therefore eliminating violence at its core, reducing recidivism rates. Emergency shelters and communal resources provide victims with services to leave their batterers and provide skills to take back their lives. The implementation of these core solutions would not have been possible

⁴⁰ "CalWORKs Bill Supporting Survivors of Domestic Violence Signed into Law," California Partnership to End Domestic Violence, accessed April 9, 2020, <https://www.cpedv.org/press-release/calworks-bill-supporting-survivors-domestic-violence-signed-law>.

without critical actors in both the community and the legislature, California as a women-friendly state, and active women's movements participating in lobbying for change. I believe these answers lie in education, rehabilitation, and victims' services. As shown in my findings, there is still much more to be done. We are lacking in access to resources and funding initiatives. In my use of a hypothesis generating case study from empirical knowledge, I formed another hypothesis in my research which is the available resources and these resources need to be examined. The reason we have not seen ideal policy go further in California is due to this lack of resources, which is our next challenge.

From my hypothesis generating case study, I propose hypotheses for other states. States with critical actors and critical mass in the legislature, active women's movements lobbying state officials, and women-friendly, progressive political atmospheres lead to ideal policy response on IPV, including education, rehabilitation, and victims' services. This will only be possible if there is a collective agreement to allocate proper funding and resources to both rehabilitation programs and victims' services, which will include communal awareness and resources. Comparatively, the implementation of ideal policy in other states will teach us how to target and reduce levels of IPV, in an effort to eradicate violence at its core from a three-pronged approach or preventative and responsive measures. Once we have tackled how to identify IPV and create ideal policy, we must ask questions like are we breaking the vicious cycles of abuse for children who grow up witnessing these events or will they become offenders themselves? This is a sociological problem that plagues our current society. I believe ideal policy will also act to diminish this cyclical abuse in households where IPV is present.

A crucial aspect of discovering ideal policy will work in California is by looking to our situation of federalism in the United States. Progressive measures were initiated in states outside

of California like Hawaii and Minnesota. In turn, other states see progression from these models and other states fall in to test them as well. The system of federalism in the US allows for states to try other things which allows other states to follow. I believe the same can be said about this ideal policy model. When we increase our resources and funding for the ideal policy model and we see positive outcomes in my case in California, other states will follow suit, reducing rates of IPV across the nation.

Scholarly literature discusses personal and societal consequences, local-level solutions, and preventative/responsive measures. From my research, we can gauge how a combination of these local-level, preventative, and responsive measures can be used to create ideal policy. Although California has education measures, BIP programs, and victims service resources in place, we are still lacking in allocating the proper resources to make IPV rates significantly diminish. In order for ideal policy models to be effective in both California and across the globe, steps must be taken by local and state governments to allocate the proper funding and resources.

As I started this research, my goal was to be an advocate for women and children across the globe. In identifying this solution and placing it into implementation, the scholarly literature and my findings prove we will save lives and change ideologies when it comes to intimate partner violence. I want to live in a society where women's rights and gender equality are prioritized so all women have an opportunity to thrive in society and democracy. My hope is now that one day we live in a society where a woman never has to fear she will face violence at the hands of her partner.

TABLES AND APPENDICES

Table 3 (Legislation in Education)

AB 329 October 2015	SB 695 October 2015	AB 1857 November 2012	SB 592 April 2015
Introduced by Shirley Weber (District 79)	Introduced by Kevin DeLeon (District 24)	Introduced by Paul Fong (District 28)	Introduced by Connie Leyva (District 20)
Instruction and materials shall provide pupils with knowledge and skills they need to form healthy relationships that are based on mutual respect and affection, and are free from violence, coercion, and intimidation.	Requires school district completion of a course in health education as a condition of high school graduation to include instruction in sexual harassment and violence, and to consider including a distinct category for grades 9 through 12 on sexual harassment and violence.	Authorizes school districts to provide education programs that promote healthy relationships and prevent teen dating violence (TDV) through curricular, extracurricular, and school climate improvement activities	Requires school districts to provide educational programs that promote healthy relationships and prevent adolescent relationship abuse to students in grades 6 through 12 and requires school safety plans to include procedures and policies to prevent and respond to adolescent relationship abuse.

Source: http://www.legislature.ca.gov/bill_information.html

Table 4 (Findings)

	Education	Batterer Intervention Programs	Victims' Services
Women representation (percentage and Key Actors)	There were 30.8% of female legislators, the four congresspeople, both men and women, were critical actors essential to passing legislation educating on IPV. Working closely with critical actors in women's movements and feminists allowed for the passage of these bills.	Key actors like those involved in the Duluth BIP programs paved the way for programs across the nation. Those in Minnesota and Hawaii passing legislation to require BIP programs and California legislators introducing them into penal codes allowed for systemic change.	Legislators are advocating for resources and victims' services through policy to provide for victims and victims' needs. Care providers are a key inclusion in creating programs that are essential in transitional and emergency shelters, but they need the funding to do so.
Women's Movements	Working closely with both legislators passing these bills and lobbying for other bills concerning the gender violence curriculum, women's movements played a critical role in advocating for education.	Collective groups lobbying for the implementation of this program as an alternative to punishment in order to eliminate violence at its core and educate others on how it is valuable are essential to ideal policy.	Women's movements are lobbying legislators to provide funding and resources for IPV victims, pushing through the legislative process to pressure policy makers into allocating funding and resources.
Women-Friendly State	As California became a more progressive environment, legislatures were more likely to pass legislation concerning healthy relationships and IPV. As Fong stated, this was not possible in early 2010s because of the political environment, acknowledgment of the #MeToo and #I'mWithHer movements.	Because of the federalist system across the country, change comes from following the lead of other states. Progressive states like Hawaii and Minnesota motivated California, another women-friendly state, to take an alternative approach to rehabilitation vs punishment.	Having those in positions of power and leadership in the state provides legitimacy to access to resources to victims and allows for legislation to be passed on behalf of these victims. This legislation is providing the ability for women to be safe and prosper in their environment.

Additional factors: Following the lead of other states

Appendix A Interview Questions for Politicians

1. What are the origins of this bill (insert specific bill)?
2. What is your prior experience with policy advocacy concerning gender violence/ domestic violence?
3. Why did you feel it was necessary to add Domestic/gender violence to the new curriculum established by (insert specific bill)?
4. What other women's groups were interested in Gender Violence issues presented in bill and how did they participate in the policy making process?
5. Were there any dissenting arguments made in relation to the Gender Violence portions of the bill? Who made these arguments?
6. Are there any other lobbying efforts on gender violence curriculum in education in California?

Appendix B Interview Questions for Care Providers

1. What shelter practices best equip women for post shelter success?
2. What shelter practices can be modified to have better outcomes for victims?
3. What is the number one necessity women need when entering shelters?
4. How much funding are you allocated from the government and is there guidelines for how it can be used?
5. What portion of the victim population have had previous interactions/stays at the shelter?
6. What is a fully equipped shelter in your opinion? How much funding would you need to run a shelter that is fully equipped?
7. Are there any private sources/non-profit organizations that sustain/fund the work of the shelters?

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ⁱ All of these solutions give us insight into what does work. Although touched upon only briefly, the solutions that do not work, outside of government solutions, are mandatory reporting, current police response/assistance, and a lack of access to community resources. We must get there by straying away from current implemented measures that are ineffective like that of mandatory reporting and policy regarding child protective services/court intervention. Researchers at the psychology department of Michigan State University developed a brief report on the needs assessment of women leaving domestic violence shelters finding that women in abusive situations actively sought assistance from their community including calling police, obtaining restraining orders, and contacting social workers. Although some community resources have a positive effect for women leaving their abuser, many of these arenas fall short in meeting the women's needs.