

THE BATTERED MAN:
AN EVALUATION OF EQUAL JUSTICE UNDER THE LAW

by

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ABSTRACT

Within the last few decades, many of the efforts aimed at preventing domestic violence and helping victims have focused on violence against women. In fact, in social and legal venues, domestic violence is often exclusively considered a women's issue. However, domestic violence, particularly intimate partner violence, does not discriminate on any basis, including gender. This research focuses on male victims of domestic violence in order to show that domestic violence is a human issue, not a gender issue. Only when all victims of violent crime are acknowledged and treated fairly can society begin to solve the problem of domestic violence victimization.

The intent of this thesis is to explore the incidence of victimization, the legal and societal representations, and legal treatment of male victims of intimate partner violence. Through the analysis of case law and statutes, quantitative statistics, domestic violence resources, popular culture, and anecdotal evidence, this thesis evaluates the treatment of male victims of intimate partner violence in the legal system. Evidence shows that gender bias exists and can affect battered men in numerous ways. Male petitioners seeking protective injunctions, prosecution of their violent partners, and resources, such as treatment, counseling, or shelter, often face discrimination against men. By raising awareness to domestic violence committed against men, this thesis aims to contribute not only to the legal discipline but also to solving the domestic violence epidemic in society—against all people.

DEDICATION

For victims of domestic violence, especially those without a voice,

For my mentors, Kathy Cook, Kelly Astro, and Cindy Schmidt, for pushing me to achieve my
highest goals,

And especially, for my mother, Melanie Egan, my role model and best friend.
You have made me the woman I am today.

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TABLE OF CONTENTS

INTRODUCTION	1
BACKGROUND	5
Domestic Violence.....	5
Domestic Abuse	6
Intimate Partner Violence	6
Dating Violence	7
Battered Partner	8
Orders of Protection.....	8
Domestic Violence Shelters.....	9
Mandatory Arrest Laws	10
Batterers' Intervention Programs.....	10
HISTORY OF INTIMATE PARTNER VIOLENCE.....	12
Ancient History	12
Early Europe	13
18 th and 19 th Century United States	15
20 th Century.....	16
Modern Day	17

PREVALENCE AND CHARACTERISTICS OF MALE DOMESTIC VICTIMIZATION	18
Prevalence of Male Domestic Violence Victimization.....	18
Characteristics of Male Domestic Violence Victimization	23
Characteristics of Victims.....	24
Perpetrator Characteristics	25
Types of Abuse	26
Injury	32
Victim Reporting and Requests for Help.....	35
REPRESENTATIONS OF DOMESTIC VIOLENCE	38
News Media	38
Popular Culture	41
Domestic Violence Resources	46
Publications.....	54
FLORIDA STATUTORY ANALYSIS.....	65
Domestic and Dating Violence	65
Crimes	66
Assault and Aggravated Assault	66
Battery, Felony Battery, and Aggravated Battery	67
Stalking and Aggravated Stalking	69

Kidnapping and False Imprisonment	70
Law Enforcement Response	71
Prosecution.....	74
Sentencing.....	76
Rights of Victims	77
Batterers’ Intervention	78
Judge’s Role.....	80
Orders for Protection.....	82
Law Suits	88
Domestic Violence Shelters.....	88
Funding for Research and Programs.....	89
CALIFORNIA DOMESTIC VIOLENCE STATUTES.....	91
FEDERAL STATUTES.....	94
Violence Against Women Act	94
Other Relevant Statutes.....	95
CASE LAW AND COURT DECISIONS	97
Gender Bias Claims in Domestic Violence Cases	97
In Law Enforcement	97
In Domestic Violence Shelter and Counseling	98

Regarding Federal Law	101
LEGAL STATISTICAL ANALYSIS	103
Orders of Protection.....	103
Background.....	103
Methodology.....	103
Results.....	105
Observations	109
Florida Shelters	114
Arrests	116
Criminal Court Cases.....	117
CONCLUSION AND RECOMMENDATIONS	121
APPENDIX A: QUESTIONNAIRE USED IN “HISTORY OF DOMESTIC VIOLENCE AMONG MALE PATIENTS PRESENTING TO AN URBAN EMERGENCY DEPARTMENT.”	126
APPENDIX B: CHARTS AND DATA FROM “CHARACTERISTIC OF CALLERS TO THE DOMESTIC VIOLENCE ABUSE HOTLINE FOR MEN.”	128
REFERENCES	130

LIST OF FIGURES

Figure 1: Chart illustrating the results of the CDC Study.....	21
Figure 2: Hagar the Horrible (Property of Dik Browne, 2010)	42
Figure 3: Hagar the Horrible (Property of Chris Browne, 2007).....	43
Figure 4: Hagar the Horrible (Property of Chris Browne, 2006).....	44
Figure 5: Screen Shot from "Tiger Woods' accident," Saturday Night Live digital short by NBC Studios, Inc.	45
Figure 6: Power and Control Wheel (National Center on Domestic and Sexual Violence, n.d.b)55	
Figure 7: Teen Power and Control Wheel (National Center on Domestic and Sexual Violence, n.d.c.)	60
Figure 8: Lesbian and Gay Power and Control Wheel (National Center on Domestic and Sexual Violence, n.d.a.)	62
Figure 9: Results in of the Sample of Petitions for Orders of Protection Against Domestic and Dating Violence from Brevard County.....	107
Figure 10: Number of Men Given Emergency Shelter in Florida by year, from 1999-2009	116

INTRODUCTION

The term “domestic violence” often conjures the image of a frail, abused woman who has been victimized at the hands of her burly, violent husband. When the problems of domestic violence are discussed in sociological, psychological, and even legal venues, the terms “violence against women” and “battered wife” are frequently applied, as if to suggest that this societal problem only affects women. Society often frames the issue of domestic violence, more specifically intimate partner violence, in the context of female victimization.

Although discriminatory, the basis for these assumptions is well-founded; domestic violence against women is a serious epidemic in society. During the past thirty years, feminist groups and grassroots organizations have raised awareness of violence against women and have helped to transform domestic violence from a personal problem to a societal issue that the government has a responsibility to prevent. Without this original focus on women, the work of the federal and state governments and national and local organizations may not have been as effective at raising awareness of domestic violence and assisting those women who have been victimized.

But what happens when the roles are reversed? The pages that follow will address the issues that result when men are victims of intimate partner violence and will advocate for the prevention of domestic violence against all people. Because women have been the main focus of domestic violence legislation, minority victims, including homosexuals, men, and the elderly, have not been given proper legal consideration. Raising awareness about minority victim types

is not meant to detract from the problem of violence against women, but rather to work towards ending domestic violence in every way possible.

Research conducted about male victims of domestic violence, although controversial, is important for a variety of reasons. The government has strong public policy considerations in the unbiased creation and application of domestic violence laws and programs. In taking a stance against all violence, the government can create stronger programs for the treatment of domestic violence perpetrators, including women, and the assistance of domestic violence victims, including men. The government has a social and financial interest in preventing violence of all kinds.

Many opposed to research on male victims of domestic violence fail to consider the effect that witnessing such violence has on children. Children who see violence in the home are at risk for social and psychological disorders. They may also be abused by the violent parent, as well. In addition, children who witness domestic violence are at risk to eventually become abusers or accept violence in their future relationships. Thus, to claim that violence against men is trivial detracts from the effects of violence on children.

Violence perpetrated by women and the reaction of male victims can also give broader understanding to domestic abuse. Furthermore, if heterosexual male victims of intimate partner violence are being ignored, then so are their female perpetrators, who are left without resources for batterers' intervention. The system not only fails the victim but also the perpetrator. Women who perpetrate violence are at a greater risk of being abused; violence often begets violence. Rehabilitating and deterring female perpetrators helps to prevent future victimization.

Finally, this research is important because it will assist victims of domestic violence who have been largely neglected by society, in studies, domestic violence prevention efforts, assistance programs for victims, and the legal system. As the ensuing research illustrates, not only are male victims of violence prevalent, but they also face violent abuse and injury. Understanding the response of male victims of domestic violence to abuse can help develop programs for these victims.

Because of the gender stereotypes associated with domestic violence, this thesis will center primarily on heterosexual male victims of intimate partner violence in the United States, when the distinction is possible. In addition, this thesis will focus on non-lethal intimate partner violence, including dating violence, with the exclusion of issues relating to sexual violence. Domestic homicide will not be discussed.

Throughout this thesis, various aspects of male victimization will be explored, including the prevalence and characteristics of such abuse. Representations of male victims in news media, popular culture, and domestic violence websites and resources will be evaluated for bias and its possible effects on male domestic violence victims. In addition, this thesis will look at relevant Florida, California, and federal domestic violence statutes and their possible effects on male victims. The opinions of state and federal courts will be examined in the few cases available involving allegations of male victimization. Finally, the treatment of male intimate partner violence victims and their female perpetrators in the legal system will be evaluated through the use of statistical studies.

The intent of this thesis is not to create a competition between male and female victims of domestic violence, to show that men are victimized more than women, or to remove resources for battered women. Rather, it aims to illustrate that domestic violence is also a legitimate problem for men and to determine whether men receive equal treatment in the legal system. In order for domestic violence to be resolved, these issues must be explored. Now that specific domestic violence laws have been in effect, with modifications, for more than fifteen years, it is time to finally view domestic violence as a human issue, not a gender issue. This change in the perception of domestic violence can only begin once all victims, including men, are treated equally.

BACKGROUND

The following section consists of background information relating to domestic violence, including definitions and explanations of common civil and criminal remedies for domestic violence. Although some states and disciplines vary in the definition of what constitutes domestic violence, the following is a discussion on the definitions used in this paper on domestic, dating, and intimate partner violence. This section will also establish abbreviations for common terms to be used throughout this thesis and sets the stage for the research that follows.

Domestic Violence

Domestic violence in its broadest sense is violence within the family. It can include child abuse and elder abuse, as well as other forms of violence between family members, not just those in an intimate relationship. With the exception of intimate partner and dating violence, domestic violence must be between those who are residing or have in the past resided in the same household (making it “domestic”).

Violence, also known as physical abuse, refers to the “use of force or threat of force that may result in bodily injury, physical pain, or impairment” (Gosselin, 2007, p. 414). Examples of physical abuse include beating, biting, hitting, kicking, hair-pulling, striking, punching, slapping, shoving, strangulation, and throwing objects (p. 414).

Florida’s laws broadly define domestic violence. According to Florida Statute section 741.28 (2009), domestic violence is “any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by

another family or household member.” The statute further explains family or household member as “spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married.”

Domestic Abuse

Domestic violence is also sometimes used interchangeably with the term domestic abuse. However, domestic abuse encompasses more than just physical violence and includes emotional, psychological, and verbal abuse. Domestic abuse is more difficult to criminalize than violence, as it typically involves legal behavior used in a manipulative manner. The distinction between domestic violence and abuse will be pertinent in discussing male victims, since one of the issues that will be investigated is the type of abuse perpetrated by women, including verbal and psychological threats.

Intimate Partner Violence

Intimate partner violence, also known as IPV, is not as well known as the term domestic violence; nevertheless, the actions represented by IPV are what most people tend to think about when hearing the term “domestic violence.” Many sources use the terms interchangeably, although domestic violence can incorporate the larger area of family violence, as discussed earlier in this chapter. The simplest definition for IPV is domestic violence between spouses, cohabitating couples, couples with a child in common, or others in intimate relationships. In many abusive intimate relationships, the perpetrators use violence, psychological abuse, and verbal abuse as tools to maintain power and control over their partners. Because Florida’s laws

have a broad definition of domestic violence, for the purposes of this thesis, the term intimate partner violence is preferable when speaking of domestic violence between spouses, former spouses, and intimates.

Dating Violence

The term “dating violence” refers to violence and abuse in relationships without children, cohabitation, or marriage. It is not restricted to young adults. “Dating” can refer to “heterosexual and homosexual dyadic romantic relationships and applies to individuals of all ages” (Yick & Patrick, 2007, p. 232).

Some dynamics of dating violence are distinct from those of domestic violence. For example, dating but non-cohabitating couples may not be financially dependent on another, like many intimate partners. As a result, many dating partners do not have a strong “economic relationship that binds the couple” (Yick & Patrick, 2007, p. 233). In addition, dating violence does not include partners with a child in common, and thus, having to provide for children is not typically an element of this type of relationship (p. 233).

In many states, dating violence is not recognized as a legal category (Jackson & Oates, 1998, p. 91), making legal options much more limited for victims of dating violence (Yick & Patrick, 2007, p. 233). However, Florida enacted dating violence laws in 2008 similar to the domestic violence laws already in place, in an effort to expand domestic violence protections.

Florida Statute section 784.046 (2009) defines dating violence as “violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature.” The statute also explains how the existence of this type of relationship must be

determined, listing several factors that must be considered. These factors include that “a dating relationship must have existed within the past 6 months,” “the nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties,” and “the frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.” “Violence” in this statute includes the actions in the statutory definition of domestic violence. This statute also notes that violence in casual acquaintanceships or between individuals who have ordinary business or social relationships are excluded from the definition of dating violence.

Battered Partner

A battered partner is a person who undergoes a series of systematic abuse at the hands of his/her partner. Battered partner is also more commonly phrased as “battered wife.” However, as this thesis will illustrate, domestic violence does not discriminate on the basis of gender, and thus, the gender-neutral “partner” is acknowledged and encouraged throughout this thesis.

Orders of Protection

Orders of protection, also known as injunctions, “impose restrictions on a person’s future behavior” including ordering “no contact between the parties,” ordering the respondent to “relinquish firearms, grant[ing] possession of a shared residence to the petitioner, and address[ing] . . . child custody, visitation, and support” (Erickson, 2007, p. 262). Orders of protection are generally granted through civil court.

The effectiveness of injunctions is frequently studied and debated. They are not always effective at preventing an abusive partner from violating the order, “sometimes with tragic results, such as . . . murder” (Erickson, 2007, p. 262). Judges also have the discretion to deny or grant orders of protection against domestic violence, based on the evidence and testimony of the petitioner (the one requesting the injunction) and the respondent (the person against whom the petition is filed). Because of this discretion, the potential for bias, even unintentional, is present against all victims, including men.

Domestic Violence Shelters

Sometimes called battered women’s shelters, domestic violence shelters are temporary and usually confidential residences where victims of domestic violence and their children can live to escape abuse while working toward gaining an independent and violent-free life (Garcia, 2007, p. 632). In addition to shelter, other services typically offered include “legal assistance, health care, child care, and social support” (p. 634). Domestic violence shelters may receive state or federal funding, and most shelters are also funded through private donations and fundraising efforts (p. 634).

Because the original purpose of domestic violence shelters was to house battered women, it can be difficult for male victims of domestic violence to find emergency shelter, when needed. Some domestic violence shelters will supply male victims of domestic violence with temporary funds to stay at a hotel to escape violent home situations.

Mandatory Arrest Laws

Mandatory arrest, also known as nondiscretionary, statutes require law enforcement officers to arrest a suspect “if there is probable cause that domestic violence has occurred” (Nored & McMullan, 2007, p. 461) or that violence will ensue after their departure. Many states, including Florida, also have warrantless domestic violence provisions, where an officer may make an arrest in misdemeanor cases without personally witnessing the alleged domestic violence (p. 460). Mandatory arrest laws remove an officer’s discretion to make an arrest, as well as that of the victim to press charges (p. 462).

These laws can focus on the primary aggressor or on dual arrests. In primary aggressor policies, the officer has the discretion to determine which party is the primary aggressor in the situation and must arrest that person (Nored & McMullan, 2007, p. 462). In dual arrest cases, both parties are arrested and the judge is required to determine the aggressor and victim (p. 462). The dual arrest policy is often criticized for treating victims like criminals, rather than offering assistance (p. 462). Florida has a primary aggressor policy and discourages dual arrests (2009 Fla. Stat. § 741.29).

Batterers’ Intervention Programs

Although the types of approaches to treating intimate partner violence vary, one of the most common techniques is through “psychoeducational” groups that focus on intervening with the attitudes that fuel domestic violence (Dutton, 2007, p. 92). This type of batterers’ intervention program is what is legally required in many states. It stresses the “power and control” model of violence, including the commonly used “Power and Control Wheel” (pp.92-

93). These programs were designed primarily for male perpetrators in heterosexual relationships (pp. 92), and thus exclude the characteristics of other groups of perpetrators of domestic violence, including women.

HISTORY OF INTIMATE PARTNER VIOLENCE

Before looking at the current patterns and applications of domestic violence laws today, it is important to review the history of domestic violence in intimate relationships, around the world and in the United States. From Babylon to modern America, domestic violence has been documented for centuries. In addition to its recorded prevalence, domestic abuse throughout history worldwide has been condoned in legal systems through society (Rubenser, 2007, p. 734). Although men may have been victims of abuse, many of the recorded instances and laws centered on male domination of wives in patriarchal societies. Nevertheless, exploring the history of domestic violence as a whole can open doors of understanding into the implications of this research on male victims of domestic violence.

Ancient History

The oldest codified laws, The Code of Hammurabi, required the execution of an unfaithful wife, except on the pardon of her husband, as well as the execution of her lover (*Code of Hammurabi*, n.d.). A husband was also able to sell his wife to satisfy his debts (Rubenser, 2007, p. 734). Under the Code, if a woman wanted to leave her husband, she was required to prove his transgressions; however, a woman who was “not innocent” who left and neglected her husband, would be “cast into the water” (*Code of Hammurabi*, n.d.). Although these penalties were cruel, many Babylonian rules also required the execution of men for various deeds, including sexual transgressions (*Code of Hammurabi*, n.d.).

Babylon was not the only society to settle marital disputes through violence. The Hebrew Mosaic Codes were more exacting in the punishment of women, according to Lorie

Rubenser (2007) of Sul Ross State University (p. 734). In addition, the governments of both ancient Greece and Rome gave discretion to the patriarchs of the family to determine the family punishments, allowing for even stricter penalties than those codified by Hammurabi and in the Hebrew Mosaic Codes (p. 734).

Although the laws of these societies were strict, abused women had some options for protection from their husbands. In Babylon and Rome, wives were allowed to divorce their husbands, but only after bearing proof of their innocence in combination with their husband's excessive cruelty (Rubenser, 2007, p. 734). Nevertheless, Grecian and lower class Roman women were not afforded the opportunity for divorce, and thus were left to the whims of their husbands, no matter how abusive or dangerous their situation (p. 734). Rubenser rightly points out that, as shocking as these laws and actions are today, the societal acceptance of violence of all kinds was much greater in ancient times (p. 734).

Early Europe

Both codified and common law in Europe through the Middle Ages and beyond not only condoned, but also in instances, recommended abuse of women. The harsh penalties from ancient times remained, as various communities burned women alive for offenses such as adultery and the miscarriage of a child (Rubenser, 2007, p. 735). A husband was allowed and even encouraged to use violence to keep his wife under control. For example, *Rules of Marriage*, an early European treatise by a Christian scholar, dictated that in punishing his wife, a husband should "scold her sharply, bully and terrify her. And if this doesn't work, . . . take up a stick and beat her soundly" (as cited in Nored, 2007, p. 611).

The abuse in Early Europe may have sparked an early version of modern day domestic violence shelters. In 16th Century Bologna, Italy, abused women would seek refuge in convents (McCandless, 2007, p. 178). Some convents would even send the women to a safe place in another town, to hide them from their abusers (p. 178). Although what we know today as the Shelter Movement would not begin for over 400 years, this work in Italy laid the foundation for the protection of victims of domestic violence.

Nevertheless, even into the 19th century, many European countries still endorsed spousal abuse. Sir William Blackstone (1865), in *Commentaries on the Laws of England*, elaborated on British common law, which allowed a husband to “give his wife moderate correction” (as cited in Nored, 2007, p. 612). Blackstone described the boundaries of a husband’s abuse with the “rule of thumb,” suggesting that a husband could beat his wife, as long as the stick was “no thicker than the husband’s thumb” (as cited in Nored, 2007, p. 612). Although it was designed to limit the level of violence allowed, the “rule of thumb” still enabled spousal abuse, including the use of a stick in beating.

In early Europe, the patriarchal society and rigid gender roles also affected men. Lisa Nored (2007) of the University of Southern Mississippi explains that the consequences for a husband’s failure to “properly control” his wife included “severe social and legal stigma or sanction” (p. 611). Men were expected to be in control of their wives at all times. Therefore, men who were victims of abuse by their wives were “also subject to public humiliation and censure” (Cook, 1997, p. 28). In fact, a post-renaissance custom known as the charivari, which was a “noisy demonstration intended to shame and humiliate” the targeted individual, was used

against men who allowed their wives to beat them (Steinmetz, as cited in Cook, 1997, p. 28). In fact, husbands beaten by their wives in France were forced to wear “outlandish” clothing while riding backwards on a donkey throughout the village (Steinmetz, as cited in Cook, 1997, p. 28). Among the Britons, battered husbands were strapped to carts and “paraded ignominiously through the booing populace” (Steinmetz, as cited in Cook, 1997, p. 29). Even in Early Europe, male victims of domestic violence were mocked by society for “allowing” themselves to be beaten by women—a trend that unfortunately remains today.

18th and 19th Century United States

During the colonial period of the United States, numerous records documented incidents of domestic violence. In addition to abuse against women, female perpetration of intimate partner violence also appeared in records. Mary Whorten was excommunicated by the First Church of Boston for beating and defaming her husband (Steinmetz, 2007, p. 54). A woman in the Plymouth colony beat her husband and was even charged with encouraging her children to beat him (p. 54).

Early American courts, in the tradition of British Common Law, typically regarded domestic violence as a private matter between families (Erickson, 2007, p. 262). The courts often held that “husbands acted within their rights when they...abused their wives” after the wife had misbehaved (p. 262). This view allowed for the continued lack of domestic violence criminalization.

In 1871, the Supreme Court of Alabama in the case *Fulgham v. State* ruled that a husband had no right to beat his wife (Erickson, 2007, p. 262). This Alabama ruling, the first of its kind

among state courts, triggered action in several states to begin criminalizing domestic violence (p. 262). In addition to creating criminal domestic violence statutes, states also amended current divorce laws to include “cruelty as a ground for divorce” (Nored & McMullan, 2007, p. 460). Nevertheless, prevailing public attitudes held by society, judges, police officers, and prosecutors often prevented the enforcement of these new laws (Erickson, 2007, p. 262).

20th Century

The major shift in the prevention of domestic violence and protection of victims, especially abused women, began almost 100 years later in the 1970s with the feminist movement (Erickson, 2007, p. 262). Attention was focused on the “enactment of civil order of protection statutes, criminal contempt orders to enforce protection orders, and laws mandating the arrest of batterers,....State funded shelters,....as well as batterer intervention programs” (p. 262). The first mandatory arrest laws for domestic violence cases were enacted in Oregon in 1977 (Nored & McMullan, 2007, p. 460). Nevertheless, in many states, law enforcement agencies continued to rely on informal methods of resolution to domestic violence cases, including mediation and counseling referrals (p. 460).

A London community center for homeless women, created in 1971 by Erin Pizzey, later became a refuge for female victims of domestic violence (McCandless, 2007, p. 178). Inspired by Pizzey’s work with abused women and the rise of second wave feminism, United States grassroots organizations began forming emergency shelters for battered women in the 1970s (p. 178). The nation’s first domestic violence shelter opened in 1974 in Minnesota (p. 178), paving

the way for the creation of domestic violence shelters nationally. Today, there are over 2000 domestic violence shelters in the United States (p. 179).

The 1980s brought more changes to the way domestic violence was handled in the United States. The Minneapolis Experiment completed in 1984 illustrated that arrest can be an effective deterrent in preventing domestic violence (Nored & McMullan, 2007, p. 460). That same year, the Attorney General of the United States “endorsed arrest as the preferred response” in domestic violence cases (p. 461). The Attorney General’s Task Force also recommended that law enforcement agencies have a written domestic violence protocol, respond quickly to domestic violence calls, make order of protection forms available to victims, and track existing orders of protection (p. 461). State legislatures and law enforcement agencies were given more incentive to create and amend policies and laws after the federal case of *Thurman v. City of Torrington*, 595 F. Supp. 1521 (1984). In this case, a jury awarded a domestic violence victim damages against the city of Torrington, Connecticut, for the police department’s failure to adequately respond and react to the victim’s requests for assistance (Nored & McMullan, 2007, p. 461).

Modern Day

Today, domestic violence laws have been expanded in many states. In addition to spousal abuse, domestic violence laws often now cover cohabiting couples and those who have children in common. In addition, several states, including Florida, have legislated dating violence laws, similar to domestic violence laws. Violence between homosexuals is also starting to be legally recognized as domestic violence.

PREVALENCE AND CHARACTERISTICS OF MALE DOMESTIC VICTIMIZATION

If male victims of domestic violence did not exist, then this research would serve no purpose. Because of the skepticism surrounding the existence of “true” male victims of domestic violence (it should be noted that female victims today do not typically need a qualifier such as “true” or “real”), statistics from a variety of disciplines can be useful to establish not only the existence of male victims of domestic violence, but also a need for research into their treatment in the justice system. The aim of investigating these statistics is not to compare male and female victims as a competition to see who is more victimized. It is generally accepted that women are more likely than men to be victims of domestic violence. However, statistics illustrating the IPV victimization of men establish that domestic violence does not discriminate, even and especially with respect to gender.

When gathering statistics, especially about domestic violence, it is important to look at a variety of disciplines and studies. Many cases of domestic violence, especially intimate partner violence, are unreported. Male victims, who are often faced with skepticism, suspicion, and ridicule, may be especially unlikely to report victimization. By looking at surveys, government studies, social science studies, and those in the medical field, one can get a more complete picture of domestic violence in society.

Prevalence of Male Domestic Violence Victimization

The United States Department of Justice Bureau of Justice Statistics (BJS) has conducted numerous surveys on crime victimization resulting from intimate partner violence. Several

studies differentiate between male and female victims, so they are not only useful to compare but also to indicate the prevalence of male victimization.

The Bureau of Justice Statistics analyzed IPV on a national level between 2001 and 2005. The study *Intimate Partner Violence in the United States* used data from the National Crime Victimization Survey (NCVS), which gathered information from a representative sample of households in the United States (Catalano, 2007, p. 40). The NCVS only surveys households and thus, homeless, jail, college dorm, and domestic violence shelter populations were not surveyed in this research. Despite this drawback, the study still provides an overall image of IPV in the United States.

The statistical analysis predictably showed that women were more likely than men to be victims of IPV. According to the study, approximately 22% of nonfatal violence against women age 12 or older (equaling 510, 970 women) was committed by an intimate partner (spouse, ex-spouse, boyfriend, or girlfriend) (Catalano, 2007, p. 6). However, the study also illustrated that men were victims of IPV. Although only 4% of nonfatal violence against men age 12 or older was committed by an intimate partner, this number still represented 104,820 male victims (p. 6). Since more total men than women are victims of general violence, it is understandable that the percentage of male victimization from IPV would be small, especially since more than half of male general violence victims were victimized by strangers.

Violence in dating relationships among young adults has recently become a focused area of studies, including those of male victimization. An article in the *American Journal of Public Health* conducted by members of the Division of Violence Prevention at the National Center for

Injury Prevention and Control of the Center for Disease Control (CDC) investigated reciprocal and nonreciprocal violent relationships among a sample of young adults, age 18 to 28 years, in the United States, obtained from the 2001 National Longitudinal Study of Adolescent Health. The young adults were given a self-reported survey with questions about both inflicted and perpetrated violence in their important relationships within the past year. For the study, 11,370 respondents with a total of 18,761 heterosexual relationships were surveyed (Haileyesus, Saltzman, Swahn, & Whitaker, 2007).

Nearly one quarter of all the reported heterosexual relationships by respondents, both male and female, reported violence of some kind. Of those relationships, about half reported reciprocal violence (Haileyesus et al., 2007). Reciprocal violence means a relationship in which both partners have acted violently at some time. Since only heterosexual relationships were studied, this statistic illustrates in about half of all violent relationships, women contributed to the violence. Women reported a “significantly greater” proportion of reciprocally violent relationships versus those that are nonreciprocal (51.5%) than men (46.9%) (Haileyesus et al., 2007).

Surprisingly, as Figure 1 illustrates, among cases of nonreciprocal violence, the survey concluded that in 70.7% of the cases studied, violence was perpetrated by women against men (Haileyesus et al., 2007). In only 29.3% of non-reciprocally violent relationships was the violence perpetrated by men against women. The high percentage of nonreciprocal violence perpetrated by women was both reported by men about their partners and even by women about themselves.

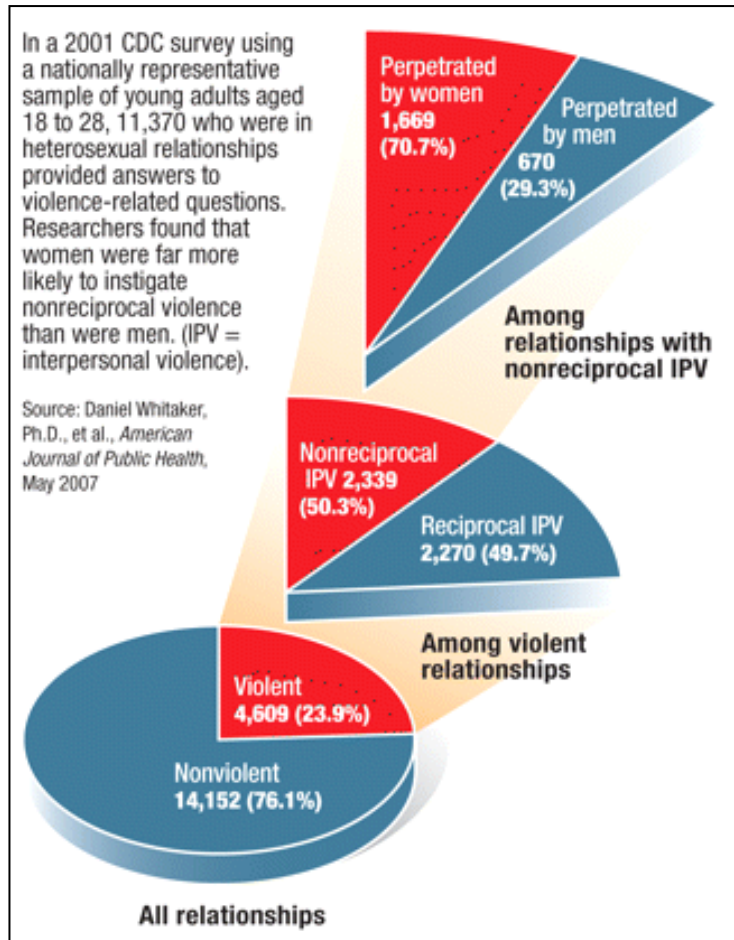


Figure 1: Chart illustrating the results of the CDC Study. From Haileyesus et al., 2007.

It should be noted that this study did not survey the partners of the respondents, so all data is self-reported. Although the reporting of such research can prove controversial, this information at the very least indicates that male IPV victimization is not as rare as people might think, especially in dating violence among young adults.

A study in the *American Journal of Preventative Medicine* analyzed men and women, aged 18 to 65, with data retrieved from the National Violence Against Women Survey. The study found that nearly one-quarter of men surveyed (22.9%) had “experienced physical, sexual, or psychological IPV during their lifetime” (Coker et al., 2002). The same study also found that 28.9% of women surveyed had experienced such abuse (Coker et al., 2002).

Another field for research about victims of domestic violence is medicine because it allows for a large sample of individuals to be questioned. Several studies have been conducted that survey emergency department patients not only about their current injury, but also about past relationships in domestic violence. Even as early as the 1980s, researchers were using emergency room surveys to gather data on domestic violence. A 1984 report published in the *Journal of American Medical Association* surveyed 492 patients in a general emergency department, from the months of June to July, 1981, and September to October, 1981, about violence in intimate relationships. Of those 492 men and women, 107 reported being victims of intimate partner violence in the past (Goldberg & Tomlanovich, 1984, p. 3260). The survey found a larger than expected percentage of male patients reporting victimization. Surprisingly, 38% of the patients reporting victimization were men (p. 3260).

On a side note, even in 1984, the authors of the report criticized the current trend in studying only female samples to learn about domestic violence frequency and intensity, believing that such studies failed to adequately represent the general population. The authors of this study sought to evaluate domestic violence incidence, regardless of gender. The study also recommended more research into male victims of domestic violence (Goldberg & Tomlanovich, 1984).

A more recent emergency department study was published in *Academic Emergency Medicine* in 1999. The study, entitled “History of Domestic Violence among Male Patients Presenting to an Urban Emergency Department,” surveyed 80% of eligible male patients (totaling 866 men) to the Emergency Department of the Hospital of the University of

Pennsylvania. These patients were surveyed about past and current violent relationships (Mechem, Shofer, Reinhard, Hornig, & Datner, 1999). All male patients of legal age at the Emergency Department for any reason were eligible for the study. Any patient who did not want to be interviewed in private, was unable to give informed consent, had certain medical conditions, was unable to speak English, or was evaluated in the major trauma department was excluded from the study. Data for the study was collected by trained research assistants during the hours of 8 a.m. and 12 midnight, every day of the week, from July to October 1997, a period of thirteen weeks. The questionnaire used by the researchers (see Appendix A) was adapted from the George Washington University Universal Violence Prevention Screening Protocol, which had been previously used in the same Emergency Department to study the prevalence of female domestic violence victimization (Mechem et al., 1999, p. 787). The survey results indicated that 12.6% of the surveyed men had been violently victimized in some way from either a current or former female intimate partner (p. 787).

Characteristics of Male Domestic Violence Victimization

Another study, “Characteristics of Callers to the Domestic Abuse Helpline for Men,” surveyed 246 of the callers to the Domestic Abuse Helpline for Men (DAHM) between January 2002 and November 2003. This helpline advertises to assist victims of domestic violence, not perpetrators. Nearly 80% of the callers to the DAHM were male victims calling for themselves, with the others calling on behalf of male friends or family members experiencing abuse by current or former female intimate partners (Hines, Brown, & Dunning, 2007, p. 65). DAHM volunteers trained in victim advocacy answered the calls of these individuals and gathered information on the circumstances, relationships, and abuse of the victims. The study only

analyzed the 190 male callers who called for themselves because they could give the most accurate information on their relationship dynamics and abuse. Not all of the men were asked every question, so the number participating in each response varies. Please see Appendix B for precise figures.

The men in this sample were “most likely the primary victims of IPV and . . . reaching out for help to either change the abusive situation or figure a way to safely leave the situation” (Hines et al., 2007, p. 65). Results from this study and the BJS study *Intimate Partner Violence in the United States* will be discussed below, in addition to research on emergency department patients.

Characteristics of Victims

In the DAHM study, a little more than half of the victims (52.1%) reported that they were currently in a relationship with the abusive partner. Nearly one-third (30.5%) of the male victims were disabled, unemployed, or stay-at-home dads (Hines, et al., 2007, p. 65). Based on studies by Straus, Gelles, and Steinmetz, unemployment is a risk factor for male IPV victimization (as cited in Hines et al., 2007, p. 70). Other studies have found disability to be a risk factor in violence against women (Nosek, Howland, & Young, as cited in Hines et al., 2007, p. 70). Disability and unemployment can put pressure and strain on a relationship, increasing the chances of resentment and abuse. A male who is not the primary wage earner (as society has historically dictated) could be belittled by his female partner or controlled through finances. Economic abuse is a risk factor on the Duluth Model’s Power and Control Wheel of Domestic Violence. Lack of employment can also cause a male victim to become financially dependent on

his partner, making it more difficult for him to leave the abusive situation. The possibility that some of the women do not allow their male partners to work cannot be discounted. A wife's abuse might have even caused the disability found in the male partner.

The mean age for the male victims in this study was around 41 years old. The male victims ranged in age from 19 years to 64 years (Hines et al., 2007, p. 66), illustrating that intimate partner violence does not discriminate on the basis of age. One-third of the victims' ages fell between 40 and 49. The average age of their female perpetrators was younger, at around 36 years old (Hines et al., 2007, p. 66).

Perpetrator Characteristics

According to the BJS study *Intimate Partner Violence in the United States*, 82.4% of male IPV victims were victimized by women (Catalano, 2007, p. 19). Although the public may be skeptical that male IPV victimization exists, this statistic illustrates that not only can males be victimized, but also that women can be perpetrators of the violence against men.

When victims were asked their perception of whether the offender was under the influence of drugs or alcohol, a higher percentage of male victims than female victims reported the offender to be under the influence of drugs (Catalano, 2007, p. 25). In addition, nationwide probability surveys have shown that between 27% and 34% of female perpetrators of IPV were drinking alcohol at the time they physically attacked their intimate partners (Stalans, 2007, p. 696).

The Domestic Abuse Helpline for Men study also asked male victim callers questions regarding their female perpetrator, which can be helpful to understanding women who are at risk

to becoming abusers. Nearly half (46%) reported that their female partners suffered from a mental illness (Hines et al., 2007, p. 68). Of the men specifically questioned, 91.7% reported their female partner had a history of childhood trauma (p. 68). Almost two-thirds of the men (61.9%) asked about their partner's suicide history reported that their partner had threatened suicide, while more than half (59%) reported that their partner had threatened homicide (p. 68). Many men were also asked about drug or alcohol use in their partners. Just over half (52.1%) reported that their female partner drinks alcohol, while just over one-third (34.8%) answered that their partners had used drugs (p. 68).

A pilot study by Carol Watson looked at a small sample of ten female perpetrators of intimate partner violence. Watson noted that half of the women had mental health histories, including major depression, post-traumatic stress disorder, or substance abuse problems (as cited in Fischbach and Valentine, 2007, p. 239). This information, which has been supported by other studies, may help to refashion batterers' intervention programs for abusive women to include resources like substance abuse and mental health counseling.

Types of Abuse

One of the reasons that the public remains skeptical of female violence towards men is the perception that a woman is incapable of injuring a man through domestic violence. However, according to the BJS study, males were more likely than females to face an offender armed with a weapon. More than one-quarter of male IPV victimizations (28.1%) involved the offender's use of weapon, including almost 10% of cases involving a sharp weapon, and nearly 18% of cases involving a blunt object (Catalano, 2007, pp. 26-27). Less than 16% of female

victimizations involved a weapon (pp. 26-27). The study also found that more than 40% of the men who experienced IPV were injured in the attack, including both serious and minor injuries (compared to just over 50% of female victims) (pp. 32-33).

The 1999 emergency department study that showed that 12.6% of the male patients had been victims of female IPV also surveyed the types of violence perpetrated by the women. Around 60% of the male victims had been slapped, grabbed, or shoved by their female partners, and nearly half of the patients had been choked, kicked, bitten, or punched (Mechem, Shofer, Reinhard, Hornig, & Datner, 1999, p. 787). Supported by the BJS study, this research indicated that just under half of the male victims (46.8%) had female partners who had thrown an object at them, with just over one-third of the victims (36.7%) having been threatened with or harmed by a knife or gun (p. 787). In addition to the infliction of physical violence, nearly half of the male victims admitted to being afraid that a current or former female intimate partner would hurt them physically (p. 787).

The DAHM Study specifically noted information relating to the abusive behaviors of the male victims' intimate partners. Most of the callers were specifically asked about their partners' aggressive behaviors. Callers were asked to spontaneously recall behaviors by the abuser, so the answers may not encompass all of the abusive behaviors endured by the male victims. The percentages of each type of behavior may be underestimated based on this factor.

The most common forms of physical abuse inflicted on the male victims by their female partners included slapping/hitting (43.7%), pushing (41.8%), and kicking (39.2%) (Hines et al., 2007, p. 67). Nearly one quarter (24.7%) of victims were punched by their wives. Other types

of abuse cited by the male victims were grabbing (31%), spitting (9.5%), and scratching (1.3%) (p. 67). One man recalled that his female partner scratched his face so badly that it bled for two hours (p. 67). Another victim told the DAHM volunteer of his female partner, “She spit at me, pushed me, and when she couldn’t get a reaction, she hit me in the head with a cutting board. I don’t want to be hurt anymore” (p. 67). A male victim’s report that his wife physically attacked him to the point that he was “black and blue” with bruises (p. 66) illustrates that women’s violence against men can cause injury.

In fact, several men even reported deadly force by their wives or girlfriends. Unbelievably, 22.2% of men reported that their partners had actually choked them, and three of the men (1.9%) recounted being stabbed by their partners (Hines et al., 2007, p. 67). Those that claim that male IPV victimization is a trivial issue should consider the seriousness of the violence used by some women.

Another common tactic used by the abusive partners is specific to male victimization. Several men reported painful attacks directed towards the groin area, including punching and kicking. As one man remembered, “I was writhing, crying in the corner...I couldn’t get up for two hours...she kicked me in the groin at least 12 times” (Hines, et al., 2007, p. 66). This type of behavior is not only painful but also hidden from the public. Without observable injury, the abuse may not be noticed by concerned family, friends, or coworkers.

Another aspect of IPV is abuse aimed to gain power or control over the intimate partner. Almost all of the men (94.8%) specifically questioned felt that their partner tried to control them and explained the controlling tactics used by their partners (Hines et al, 2007, p. 67). More than

three-quarters of these men (77.6%) stated that their partners used coercion and threats as a means of power and control (p. 67). These behaviors by the female partners included threats of suicide, false domestic violence accusations to the police, and leaving the relationship. For example, one caller to the helpline was told by his wife that if he didn't shut up, he wouldn't "live to see tomorrow" (p. 68).

"Constant criticism, humiliation, and the use of controlling tactics" can be common indicators of abuse not only against women, but also against men (Gosselin, 2007, p. 412). Nearly three-quarters of the men (74.1%) who felt controlled explained that their wives were emotionally abusive (Hines et al, 2007, p. 67). Types of emotional abuse included making the victim feel bad about himself, name-calling, "making him think he is crazy, playing mind games, humiliating him, and making him feel guilty" (p. 67). Psychological abuse includes "manipulative behaviors that can cause the victim to become psychologically unstable over time" (Gosselin, 2007, p. 414), as reported by these men.

Just over 60% of the male victims explained that their wives or girlfriends engaged in intimidation to control them (Hines et al., 2007, p. 67). Intimidating behaviors cited by these men included causing fear by smashing things, destroying personal property, abusing pets, or displaying weapons. As one male victim shared, "My wife has ripped the phone off the wall" (p.66). Another stated that his female partner had "pulled knives" on him (p. 66). One abusive wife "drove her car through . . . the garage into the main living room . . ." (p. 66). Another form of intimidation, stalking, was experienced by 29.1% of the male callers (p. 67). These behaviors

are designed to invoke fear in the victim and further give the abuser power over the relationship and the victim.

Nearly 60% of the men stated their wives controlled them through blaming, minimizing, and denying, a common behavior observed in domestic violence abusers (Hines et al., 2007, p. 67). One caller to the helpline explained that his female partner “lashe[d] out and blame[d] [him] for everything” (p. 66). Many of the male victims (41.5%) were isolated by their female partners from friends and family. One man’s female partner refused to give him the phone number to their house, hid his shoes, and checked the caller ID to monitor who may have called him. Another victim “tried to call the cops” during an abuse incident but his female partner “wouldn’t let” him (p. 66).

Another behavior designed to gain power and control is economic abuse. Nearly 40% of the men’s partners had used economic abuse in the relationship (Hines et al., 2007, p. 67). This behavior included controlling the finances and not allowing the male partner to see or use checkbooks and credit cards. As one caller to the helpline said, “She has spent all our savings without telling me” (p. 68). Economic abuse can also be a reason that these men might choose to remain in an abusive relationship or be in need of emergency shelter. Without access to money, it is difficult to escape an abusive relationship. A common misconception is that “because men often earn more than women, they can more easily escape an abusive relationship” (Hamel, 2007, pp. 457-458). However, if a man is unemployed or a stay-at-home dad, he may not even have access to shared financial resources, especially if it is all controlled by his abusive wife or girlfriend. In addition, “if the man were to decide to get a divorce... he may be forced to lose

his home, pay alimony to his abusive wife, and pay child support” (Hamel, 2007, pp. 457-458), another reason why economic abuse may cause a man to remain in his relationship.

An important aspect of female perpetrated domestic abuse is the consideration of how the legal system can be misused to victimize men. Half of the victims’ partners manipulated the system to control the victims (Hines et al., 2007, p. 67). In a system designed to favor the female victim and mothers, some women take advantage of it to re-victimize their male partners in various ways. Fighting for and gaining sole custody of the children, falsely obtaining a restraining order against the male victim, or making false accusations of abuse were some of the manipulative tactics used by women against their male partners (p. 67). These behaviors likely prevent some male victims from calling the police or trying to obtain help for fear that their partners will abuse the system and falsely accuse them of violence.

The DAHM recorded several specific examples of the ways female abusers used the system as a form of abuse. One man, whose wife’s conviction and counseling for her abuse failed to stop the violence, reported that she then started hitting herself and trying to blame him for her injuries (Hines et al., 2007, p. 68). Another victim’s wife, who had a history of mental health problems, falsely accused him of domestic violence; he was required to attend a 26 week long batterers’ intervention program (p. 68). One male victim’s wife continued her abusive behavior after their eventual separation. Although she no longer physically attacked him, his wife prevented visitation with their children, alienated the children, and filed false allegations with Child Protective Services (p. 69). One mother calling about her son stated that his ex-wife would file a restraining order against him, initiate contact with him, and then have him arrested

for violating the order. (p. 69). Likewise, another form of control noted by men was their partners' use of their children as a tool for power. This type of abuse is explained further in the "Children" subsection of this chapter.

These types of abuse, with the exception of "manipulating the system," were coded using the Duluth Model's Power and Control Wheel, which is discussed in the next chapter. The authors of the study replaced the "Using Male Privilege" section with "Manipulating the System" (p. 67) in order to account for a gender-associated form of abuse. The fact that so many of the behaviors found on the Power and Control Wheel were perpetrated by female intimate partners reveals that the dynamics between male and female victimization is not as different as skeptics may presume.

Injury

In addition to the anecdotal injuries described in the DAHM study, one BJS study examined violence-related injuries the emergency departments of 31 hospitals, representing a variety of settings, during 1994. The number of patients included 862,000 men and 554,700 women (Rand, 1997). When possible, the relationship between the patient and offender in these violence-related injuries of emergency department patients was recorded.

According to the study, 15,400 men reportedly were injured by either a spouse or ex-spouse; 23,600 men reported their offender as a boyfriend or girlfriend (Rand, 1997). The numbers for women are expectedly larger (88,400 women, reportedly injured by a spouse or ex-spouse, and 116,000 women, injured by a boyfriend or girlfriend) (Rand, 1997). Nevertheless,

these statistics demonstrate that not only do male victims of violence exist, but their abuse can be serious enough to cause injury requiring an emergency room visit.

Unlike this previous study, the 1999 emergency department study did not ask questions regarding the injury for which the patients were seeking help. Nevertheless, the patients were asked about their reactions to the violence of their female intimate partners, and 14.3% responded that they had received medical treatment as a result of the violence (Mechem et al., 1999, pp. 787).

Research also shows that when violence in relationships is reciprocal, the danger to both partners increases. The study in the *American Journal of Public Health* that looked at adolescent heterosexual relationships found that injuries were greater for both genders in relationships with reciprocal violence compared to relationships with nonreciprocal violence (Haileyesus et al., 2007). The level of violence can escalate with each perpetration of violence in reciprocally violent relationships. This factor is important, especially in analyzing female perpetration of domestic violence. A woman who acts violently in a relationship can actually put herself at greater risk of injury, if the relationship is already or becomes reciprocally violent.

Children

Of male victims of IPV studied in *Intimate Partner Violence in the United States*, 21% experienced violence by an intimate partner in households with children, although the extent to which children witnessed the violence could not be verified (Catalano, 2007, p. 17). In the DAHM study, approximately 57% of the male victims reported having children living in their house (Hines, et al., 2007, p. 66). This percentage is than that found in the BJS study, perhaps

because concern for the children may prompt more men to reach out to domestic violence resources.

Some female partners actually used the couples' children to gain power or control over their male partners. Nearly two-thirds of the men with children (64.5%) experienced control by the wife through the children. Shockingly, one male victim reported that his wife "put the baby on the ground behind the car where [he] couldn't see her so [he] wouldn't leave." (p. 68).

Another tactic used by abusive female partners is to threaten to remove the children from the home or to tell their husbands that if they leave, they will never see the children again. Concern for children's safety is one reason that many men may choose to stay with their violent partners. Abused men may fear that if they leave, their abusive wife or girlfriend would get custody of the children (Steinmetz, 2007, p. 58). If the female partner has been abusive towards the children or has used them to perpetuate abuse of the male partner, giving custody to the female partner may put the children at risk.

Even if the children are not abused, the mere exposure to violent interactions between parents can be harmful. Some studies have even shown that children who observe parental violence suffer similar effects to those felt by children who have actually been physically abused (Burman & Duffy-Feins, 2007, p. 157). Children's witnessing of parental abuse can cause the development of "behavioral, physical, emotional, and social problems" including suffering from Post-Traumatic-Stress-Disorder (p. 157). In addition, children who witness domestic violence in the home may repeat such behaviors in their own relationships or may be more susceptible to rationalizing domestic violence in their own relationships, either as victims or abusers. The

effect that domestic violence has on children is a reason why the research and prevention of all facets of domestic violence is so important.

Victim Reporting and Requests for Help

One of the reasons that domestic violence can be difficult to measure is because of the victims' reluctance to notify the police. According to *Intimate Partner Violence in the United States*, of the male victims who failed to notify the police of an IPV incident, nearly 40% believed it to be a private or personal matter, compared to only 22% of the female victims who did not report the abuse (Catalano, 2007, p. 38). On average, only about 9% of male victims contacted an agency for assistance, compared to 23% of female victims (p. 35).

In the Domestic Abuse Helpline for Men study, men who tried to receive help were often faced with skepticism and a lack of resources for male victims. The study noted one male victim's experience:

She stabbed me with a knife, and I didn't even defend myself, and after I got out of the hospital two weeks later, the court tells me to go to a group they say is for victims. It turns out to be for batterers and I am expected to admit to being an abuser and talk about what I did to deserve getting stabbed. (Hines et al., 2007, p. 68)

Another victim "called eleven different numbers for battered women and got no help" (p. 68). One man, concerned about the welfare of his children, tried unsuccessfully to obtain assistance from various local domestic violence agencies. His fears only increased when he was unable to receive any form of shelter for himself and his children from his abusive wife. He was even referred to a statewide "resource center" for men, only to find out that it was a program for

batterers. When the authors of the study contacted this agency, they stated, “We send all our male callers there.” (p. 69). Another victim “tried to access the limited resources available in his area in an attempt to initiate couples counseling. Reaching out for help left [him] feeling further abused; he was treated with suspicion, disbelief, and thinly veiled accusations that he was a ‘batterer’” (p. 69). In fact, when the DAHM followed up with the agency from which he tried to receive help, the supervisor responded, “Why would a man call a helpline if he were not the abuser.” (p. 69). Another victim appealed, “she hits on me all the time . . . She is a prominent person in the community . . . Who would believe me if I told?” (p. 66).

In addition to the skepticism and revictimization experienced in a system designed to treat men as batterers, many of the male victims were also faced with fear of reprisal from their female partners. Just over half of the male victims (52.4%) in the DAHM study who reported currently being in a relationship with their abuser “indicated that they were fearful that their female partners would cause a serious injury if she found out that they had called the helpline” (Hines, et al., 2007, p. 65).

The 1984 emergency department report published in the *Journal of American Medical Association* also measured how victims viewed their relationships and whether they requested counseling. It found that men were more likely to view their relationships positively as getting better, and less likely to request counseling, than the female victims. These behaviors by men can contribute the underreporting of cases of male victims of domestic violence, meaning there are likely many more male victims than even studies have shown.

The more recent emergency department study published in 1999 that specifically looked at male victims of domestic violence asked detailed questions regarding the victim's responses to their victimization. Only 19% of the victims said they had called the police (Mechem et al., 1999). Failure to notify authorities of abuse is a common pattern among victims of domestic violence, especially male victims. Even fewer men, 11.4%, had either pressed charges or tried to get an order of protection, and only 5.7% sought professional counseling in relation to the violence (pp. 787-788).

As Suzanne Steinmetz (2007) explains, men are much less likely to call the police and report abuse, unless they experience injuries needing medical attention (p. 57). Societal notions of masculinity, as well as the expectation that a man is strong enough to defend himself against a woman, can often lead male victims to fear not being believed or to become embarrassed about their situations (p. 57). Like battered women, men can also "redefine the actual violence that has occurred," rationalizing it to believe it is their own fault (p. 57). Abused men may also fear reprisal from their intimate partners, as well as arrest by law enforcement officers who may assume that the man is to blame (Rubenser, 2007a, p. 309). The same patriarchy that fuels abuse against women also prevents abused men from getting help, because they fear being seen as "less than a man" (p. 310).

REPRESENTATIONS OF DOMESTIC VIOLENCE

The way domestic violence is portrayed and discussed in local and national forums impacts society's perception of domestic violence, especially with respect to gender. The language and imagery used in the discussion of domestic violence reveals societal biases that can affect not only legislation, but also the attitude of the courts and the application of the laws by attorneys and law enforcement officers.

In addition to impacting the response to domestic violence, biased media portrayals can also alter the self-image of male victims of domestic violence. Men may internalize the ridiculed image of the male domestic violence victims portrayed in popular culture, which can alter their own self-concept (Rubenser, 2007a, p. 311). The portrayals of men in the media and popular culture may force a male victim to remain silent "in order to preserve his self-image as a man" (p. 311). Therefore, an evaluation of the societal representation of male victims of domestic violence is crucial, especially in trying to understand male reactions to victimization. Furthermore, if a male victim decides to seek help for his victimization and finds these resources to be biased, he can become discouraged in his quest for help.

News Media

The news media "contributes greatly to people's views of the world" (Rubenser, 2007a, p. 310). According to Philip Cook, author of *Abused Men: The Hidden Side of Domestic Violence* (1997), news stories involving male victims of domestic violence are often treated as general crime stories, with reports neglecting to use terms like "domestic violence" and "spouse abuse" (p. 127). In fact, Cook (1997) has noted a prevalence of attempts by the media to inject

humor into stories, including a 1993 Oregon case of a woman who beat her new husband with a tire iron on their honeymoon (p. 127). When it was reported in the state's largest daily newspaper, *The Oregonian*, the headline read: "Husband Survives the Lumps and Bumps of a New Marriage" (as cited in Cook, 1997, p. 127). Even the lead line finished by reporting that the new marriage "has proved bumpy. Most of the bumps are on the husband's head" (as cited in Cook, 1997, p. 127). Although this report involved a serious case of domestic attempted murder that was later prosecuted, the news media treated it as a joke, causing Cook and even the reporter to recognize how different the public would have reacted had the genders been switched (Cook, 1997, p. 127).

Even 16 years later, when domestic violence is certainly a well-discussed issue in the news, media outlets still fail to treat domestic violence cases involving male victims respectfully. For example, in March 2009, a Connecticut woman, while meeting with her estranged husband to discuss their marriage, handcuffed herself to him while he slept and bit him repeatedly on the arms and torso when he attempted to call the police. This report was met with laughs on *Fox and Friends* on the Fox News Channel, despite the gut-wrenching screams of the husband on his 911 call.

Various local online news outlets also reported this crime with humor through article titles and lead-ins. WKRG news, a southern news affiliate, used the title "Ball & Chain: Woman Bites Handcuffed Husband" for their online article by The Associated Press (2009). With even more jest, an NBC Los Angeles affiliate titled their article, "Handcuffed Hubby's Wild 911 Call: Gives New Meaning to the Phrase 'We need to talk'" (Borges, 2009). This same

article opened with the quip, “Here’s one way to get your husband to talk to you: handcuff him to yourself” (Borges, 2009). Another opening line by an online CBS affiliate began, “Some people will go to fisticuffs to get their point across, and others will go to, well, handcuffs” (CBS Broadcasting, Inc., 2009). Perhaps the least serious lead-in, a New York Daily News online article began, “Help, I’m handcuffed, and I can’t get up!” (Goldiner, 2009). The closest any of the above articles gets to mentioning domestic violence is calling the event “a domestic drama” (Goldiner, 2009), which is far short from seriously reporting an incident of IPV. Although the crime in this instance is indeed unique, it still warrants serious reporting, not mockery, especially of the victim.

Even though many news outlets joked about the Connecticut domestic violence case, one New York station in their video report actually discussed domestic violence in its report and specifically male victims. Although the reporter began by calling the incident, “a desperate act by a desperate woman,” she later spoke with police officials about domestic violence and male victims (MyFoxNY.com, 2009). The report featured Sergeant James Perez saying, “Make no mistake about it. This is a serious case. . . . here you have a woman who is a repeat offender who has been abusing in the past, has used physical violence to try and get her way” (MyFoxNY.com, 2009). The first responder to the scene, Officer Ed Nook further explained to the reporter, “It’s a role reversal if you look at the data and statistically, but the bottom line in domestic violence is always gonna [*sic*] be a victim” (MyFoxNY.com, 2009). While mentioning that the case was unusual, the video report still indicated the importance of helping all victims—regardless of gender.

Popular Culture

The image of the wife hitting her husband over the head with her frying pan is an often-used “comical” expression. Female violence towards men is a frequent and commonly accepted form of humor in popular culture, from comic strips to television shows. Unfortunately for male victims, the injection of violence against men into pop culture fosters the gender stereotypes and biases that prevent male victims of domestic violence from receiving help.

Suzanne Steinmetz (2007) notes that comics have featured women abusing men for years. Men in comics are often chastised with humiliation and abuse by women, when the men are found to not be fulfilling their “cultural ideal of strength, self-assertion, and intelligence” (p. 54). Even comic strips as early as the 1890s and turn of the century, such as *Katzenjammer Kids* and *Bringing up Father*, portrayed wives who physically and verbally abused their husbands (p. 54). A study looking at comic strips appearing in the nine leading New York City newspapers in October 1950 found that husbands were more commonly the recipient of violence than wives in comics (14% compared to 1%) (p. 55).

Even today, the same types of humor still penetrate society. The recurring comic strip *Hagar the Horrible* by Dik (Chris) Browne is known for its Viking family with a stereotyped overbearing wife and bumbling husband. This strip has featured instances of spousal abuse as humor. Although it may not have necessarily been the author’s intent, several of his comic strips mock male victims of domestic violence.

In Figure 2, from 2010, Hagar’s frustrated wife dumps a steaming bowl of mashed potatoes on Hagar’s head. The strip even shows the steam rising from the hot bowl of food to

denote how hot it is. In the last frame, Hagar is seen with the bowl on his head, covered in the hot mashed potatoes—an act not only of violence but also of humiliation.



Figure 2: Hagar the Horrible (Property of Dik Browne, 2010)

In the context of male IPV victimization, this comic strip depicts the woman’s use of an object to abuse, rather than her own force. Common tactics of female perpetration of male intimate partner violence include not only humiliation but also the throwing of objects at the partner “including hot coffee or food” (Gosselin, 2007, p. 412). As statistics and anecdotal evidence have shown, many female abusers throw objects or use weapons, rather than use physical brute force. By making a joke of this type of abuse, this comic strip not only suggests that it is acceptable for wives to act in such a manner but also downplays the seriousness of such abuse to male victims.

In Figure 3, from 2007, Helga discusses women's rights with her daughter. Her daughter asks if "someday women will have equal rights." Helga replies, "We have them now, dear...some women just don't know how to use them!" Helga is seen simultaneously waving her rolling pin, insinuating that women's rights somehow entitle her to use violence against men or at least to threaten it.

HAGAR THE HORRIBLE | By Chris Browne



Figure 3: Hagar the Horrible (Property of Chris Browne, 2007) Source: <http://mechapm.blogspot.com/2007/08/chris-its-not-funny.html>

This comic's association between what a woman has a right to do and violence is especially disturbing in light of male victimization. In today's society, *no one* should have the right to abuse anyone. To imply that a woman can assert her authority through violence or threat of violence is a step backward in women's rights, not forward; the use of force does not help women. Research and statistics even suggest that women who use force are more at risk to be abused themselves. Comics like this assert beliefs that negatively affect views of male IPV victims. They also condone female violence and consequently, the continuing victimization of women.

Figure 4, from 2006, portrays the most blatant depiction of male abuse. It shows Helga observing that “Sven and Gretel are back together again after ironing out their differences.” When Hagar wants to know how that happened, Helga replies, “She hit him with her iron.” A very bandaged Sven is seen walking next to a happy Gretel.



Figure 4: Hagar the Horrible (Property of Chris Browne, 2006) Source: <http://mechapm.blogspot.com/2006/08/ok-this-is-funny-how.html>

This comic strip condones the female use of force to resolve conflict in a relationship. It jokes about a serious act of IPV, or what could even be aggravated battery in Florida. For a cartoon to mock such violence says a lot about the societal perception and acceptance of battered men. If the genders in the above cartoons were reversed, would they be accepted “Sunday morning funnies?” Most likely not.

In addition to comics, popular television shows have also mocked male victimization resulting from domestic violence, including *Saturday Night Live (SNL)*. The controversy in 2009 surrounding professional golfer Tiger Woods’ extramarital affairs resulted in numerous late night jabs. However, one controversial skit made light of rumors that Tiger’s wife Elin had beaten him with his own golf club.

In this skit, the actor playing Tiger is shown saying the “wrong” things. Each time he makes a mistake, the camera cuts off. When it returns, Tiger has returned from the hospital with more injuries. An angry Elin stands behind him. For example, after Tiger confesses to “multiple transgressions,” the camera cuts to Wolf Blitzer who reports that Tiger is back in the hospital after an “accident in his home where he fell down a flight of stairs then inadvertently threw himself through a plate glass window” (NBS Studios, Inc., 2009). When Tiger begins his new press conference, he is shown with a broken arm and makes excuses for the injuries, including “I’ve been really clumsy lately” (NBS Studios, Inc., 2009). When his phone rings during this press conference, Elin angrily exclaims, “Who’s that?!” after which Wolf Blitzer again reports that Tiger is back in the hospital. This time, Tiger has been “accidentally run over by his own car” (NBS Studios, Inc., 2009). Tiger is then shown with tire marks across his body and explains that he actually ran over himself somehow. After another error, Tiger again ends up in the hospital.



Figure 5: Screen Shot from "Tiger Woods' accident," Saturday Night Live digital short by NBC Studios, Inc.

As seen in Figure 5, by the end of the skit, Tiger has a golf club smashed around his head. As he makes up excuses for his injuries, he simultaneously holds signs indicating that his wife Elin is the one who attacked him. The signs say, “Help me,” “I’m scared,” and “She is so strong” (NBS Studios, Inc.). Throughout the video, the *SNL* audience laughs hysterically at Tiger’s plight. This skit caused many to wonder if anyone would have laughed had the roles been reversed. The skit was insensitive to domestic violence victims. The fact that this topic would even be used for a humor illustrates the societal double-standard when it comes to male victims of domestic violence. *SNL* also implies that it is acceptable for a woman to beat a man for infidelity, even though there is no excuse for domestic violence.

Domestic Violence Resources

Domestic violence resources are designed to aid victims of domestic violence. Through safety tips and educational information, these resources can be the difference between life and death for some victims. Because resources are heavily utilized by victims and designed to educate the public and assist victims of domestic violence, the representations of domestic violence found on these websites are crucial to understanding the trend in how male victims of domestic violence are viewed.

Websites

As a highly publicized resource for domestic violence, the National Domestic Violence Hotline (NDVH) advertises itself to be “a nonprofit organization that provides crisis intervention, information, and referral to victims of domestic violence, perpetrators, friends, and families” (National Domestic Violence Hotline, n.d.). The organization attempts to connect with

all victims of domestic violence, including men. The website's description of its hotline services reads that "Hotline advocates provide support and assistance to anyone involved in a domestic violence situation, including . . . male survivors" (National Domestic Violence Hotline, n.d.). In the NDVH's description of domestic violence, it explains that anyone can be victims of domestic violence, regardless of gender.

Many areas of the website, including part of the "Is This Abuse?" section, are written with gender-neutral terms such as "someone," "partner," and "you" (National Domestic Violence Hotline, n.d.). In fact, the "Teen Dating Abuse" section even repeatedly uses combined male and female nouns and pronouns, such as "boyfriend/girlfriend" and "him/her" (National Domestic Violence Hotline, n.d.). This page in particular validates male victimization by acknowledging that "young women can be violent, and young men can also be victims" although it still precedes this information with a statistic that 95% of abusive relationships involve male violence against females (National Domestic Violence Hotline, n.d.). The Hotline attempts to illustrate that domestic violence does not discriminate in whom it victimizes, which validates the abuse of men.

Despite the Hotline's efforts to include male victims of domestic violence, many sections of the site still feature gender-polarizing language. For example, in the "Get Help" and "Safety Planning" portions of the site, the organization advises calling the local "battered women's shelter" rather than referring to it as a "domestic violence shelter," even though other sections of the website use this gender-neutral term (National Domestic Violence Hotline, n.d.). These sections are critical to helping victims escape abusive relationships, so it is important for them to

be gender-neutral. In “Information for Immigrants,” the language and content is also gender-exclusive towards male victims. “Husband” and “he” are used in reference to perpetrators of violence, whereas “woman” and “she” refer to the victims (National Domestic Violence Hotline, n.d.).

The most noticeable use of gender-biased language with the NDVH is in the “Are You Abusing Others?” section, designed to inform potential abusers of their problem and promote help for perpetrators. This page only refers to men as perpetrators. Some examples include “Not all men are abusive, how do you shape up?” and “Maybe he’s your friend, your brother-in-law, your cousin, co-worker, gym partner, or fishing buddy. You’ve noticed that he interrupts her, criticizes her family, yells at her or scares her” (National Domestic Violence Hotline, n.d.). While it is important for domestic violence groups to work to end men’s violence against women, this advocacy should not be done at the expense or to the exclusion of men legitimately victimized by their female partners.

Polarizing language can prevent male victims from using these resources for help. Gender-biased language on a website that is promoted as a resource for victims of domestic violence bolsters the societal perception of domestic violence as solely a women’s issue. It perpetuates the stereotypes that women are weak and men are strong. Without validating the abuse of all victims including homosexual individuals and men, not only may the hotline fail to help legitimate victims of domestic violence, but it can also miss the opportunity to help female perpetrators recognize their problem and receive counseling.

The bottom of the website indicates a note that the site is “funded in part through a grant from the Office of Victims of Crime, Office of Justice Programs, U.S. Department of Justice” (National Domestic Violence Hotline, n.d.). This note is accompanied by a disclaimer that the U.S. Department of Justice is not responsible for or does not “necessarily endorse” the website (National Domestic Violence Hotline, n.d.). Even though there is a disclaimer, the fact that the organization and consequently the website are at least partly funded by the United States Government could lead visitors to associate the website with the government. Any gender bias on the part of the Hotline could nevertheless be connected to the government, at least in the minds of domestic violence victims. One would certainly not expect the government to fund an organization demonstrating racial bias. If a male victim looks at the hotline website for help, sees the gender bias, then notices that the site is funded by a government grant, he could become discouraged in his quest for help and remain in the abusive relationship.

Unlike the National Domestic Violence Hotline website, the Florida Coalition Against Domestic Violence website offers mostly resources for domestic violence advocates and professionals, with less focus on direct interaction with victims. The website is for Florida, not the entire nation. Because of these factors, the effect of any bias would be different from that of the NDVH. The Florida Coalition against Domestic Violence advertises on its site that it “works towards ending domestic violence through public awareness, policy development, creation of standards, provision of funding, and support for Florida’s domestic violence centers” (Florida Coalition Against Domestic Violence, n.d.). With goals like public awareness and policy development, this website could use this opportunity to spread awareness about minority victims of domestic violence, including men and homosexuals, as well as propose gender-neutral policies

for victims of domestic violence. The organization also offers training for professionals, including domestic violence center staff, and administers funding from state and federal governments for the various domestic violence centers in Florida. Gender bias in training and funding administration can impact male victims of domestic violence and the help they are able to receive. The organization also operates Florida's Domestic Violence Hotline.

The majority of the website seems focused on domestic violence against women. For example, the organization's posted mission statement is "to create a violence free world by empowering women and children through the elimination of personal and institutional violence and oppression against all people" (Florida Coalition Against Domestic Violence, n.d.). Although it hopes to eliminate violence against all people, the organization still specifically refers to the empowerment of women. The section explaining the history of the organization is labeled as "herstory" instead of history (Florida Coalition Against Domestic Violence, n.d.). The website also explains numerous programs designed to prevent and to intercept cases of domestic violence. However, some of these programs including "Cut Out Domestic Violence" (using hair salon professionals to distribute information about domestic violence), are directed only towards female victims, with their descriptions using gender-biased language. The "Cut Out Domestic Violence" program could be expanded to include men's salons, as well. Unlike the National Domestic Violence Hotline, the Florida Coalition Against Domestic Violence does not explain that domestic violence can victimize anyone, regardless of gender.

Harbor House of Central Florida is a shelter and resource center for victims of domestic violence in Orange County, Florida. The website says that their mission is to "eliminate

domestic violence in Central Florida by providing safety, shelter, empowerment, education, and justice” (Harbor House of Central Florida, n.d.). The “Lethality Assessment” used by victim advocates to determine the danger of a victim’s situation uses the pronouns “her/him” to designate that the victim can be either gender (Harbor House of Central Florida, n.d.). The “Get Help” section of the website uses generic language like “abuser,” “perpetrator,” “survivor,” and “victim” (Harbor House of Central Florida, n.d.). The page also addresses the power of emotional and verbal abuse, common among female perpetrators. This page explains not only the signs of an abusive relationship but also why victims often remain with their abusers. This part of the website is a good model for other websites, including the National Domestic Violence Hotline, on how to explain these issues in a gender-neutral fashion—legitimizing male abuse without taking emphasis away from abused women.

Harbor House of Central Florida also details some statistics on their website. For example, in 2008 to 2009, the organization’s Outreach services helped 692 women *and men*, providing over 8,100 hours of “advocacy, safety planning, and support group services” (Harbor House of Central Florida, n.d.). According to the website, 14% of those helped through these services were men. The fact that Harbor House details that they have helped men through their services helps to legitimize male victimization, especially for those who may be searching the website for help.

In the “For the Media” section, Harbor House cites some other studies about domestic violence nationwide and includes statistics on male victimization. For example, according to a study by Fox and Zawitz (2004), 24% of domestic violence victims in 2002 were male (as cited

in Harbor House of Central Florida, n.d.). Estimates by Tjaden and Thoennes (2000) show that approximately 3.2 million incidents of domestic violence occur each year among U.S. men, ages 18 and older (as cited in Harbor House of Central Florida, n.d.). Harbor House's use of these studies, in conjunction with statistics on female victims, deftly illustrates that domestic violence is a problem that can affect anyone, regardless of gender.

The only areas where Harbor House fails to be gender-neutral are in some news stories posted on the website and their new PAWS kennel information. The news stories that used gender-biased language (using the pronoun "he" for batterers) were not created by Harbor House and were based on other studies and organizations of domestic violence research and prevention.

Harbor House's new project is the PAWS (Pets and Women's Shelter) certified kennel in Central Florida. It is designed to provide pet care for domestic violence victims in emergency shelter. One of the headlines relating to PAWS on the website is, "Why would you ask her to leave either of her babies behind?" (Harbor House of Central Florida, n.d.). When emergency shelter at Harbor House is mentioned on the website, it is done in terms of helping women and children (example: "On average, nearly 100 women and children call Harbor House of Central Florida home everyday") (Harbor House of Central Florida, n.d.). While a male victim, for safety and privacy reasons, would not be expected to be given shelter in the same house as the female victims, domestic violence centers in Florida have assisted men with shelter in the past, primarily through partnerships with local hotels. Harbor House's shelter is designed for female victims, so their PAWS program is not in gender-neutral terms. However, one would hope that they would be willing to assist a male victim who needed shelter for his pet.

Harbor House proclaims on its website that “every individual deserves to be safe and live their life without fear” (Harbor House of Central Florida, n.d.). From the website, Harbor House does a model job of balancing speaking about domestic violence on gender-neutral terms, providing services for male and female victims, and creating programs and services specifically aimed for female victims. Hopefully, Harbor House, although they did not shelter any men in 2008-2009, would not turn down a male victim requiring shelter assistance, especially as they advocate not turning anyone away.

Some state websites appear to include only women as victims of domestic violence. The Florida Department of Children and Families website features pictures of women when talking about abuse and pictures of men when talking about batterers’ intervention. It also states that “Millions of women are struggling with similar difficulties” (Department of Children and Families, n.d.). Although it explains that domestic violence knows “no boundaries,” it does not speak specifically about gender (Department of Children and Families, n.d.). The website states that domestic violence “occurs in intimate relationships, regardless of race, religion, culture, or socioeconomic status” (Department of Children and Families, n.d.), failing to mention gender. This website is authored by the State of Florida (Department of Children and Families) so it is important for this website not to be gender-biased.

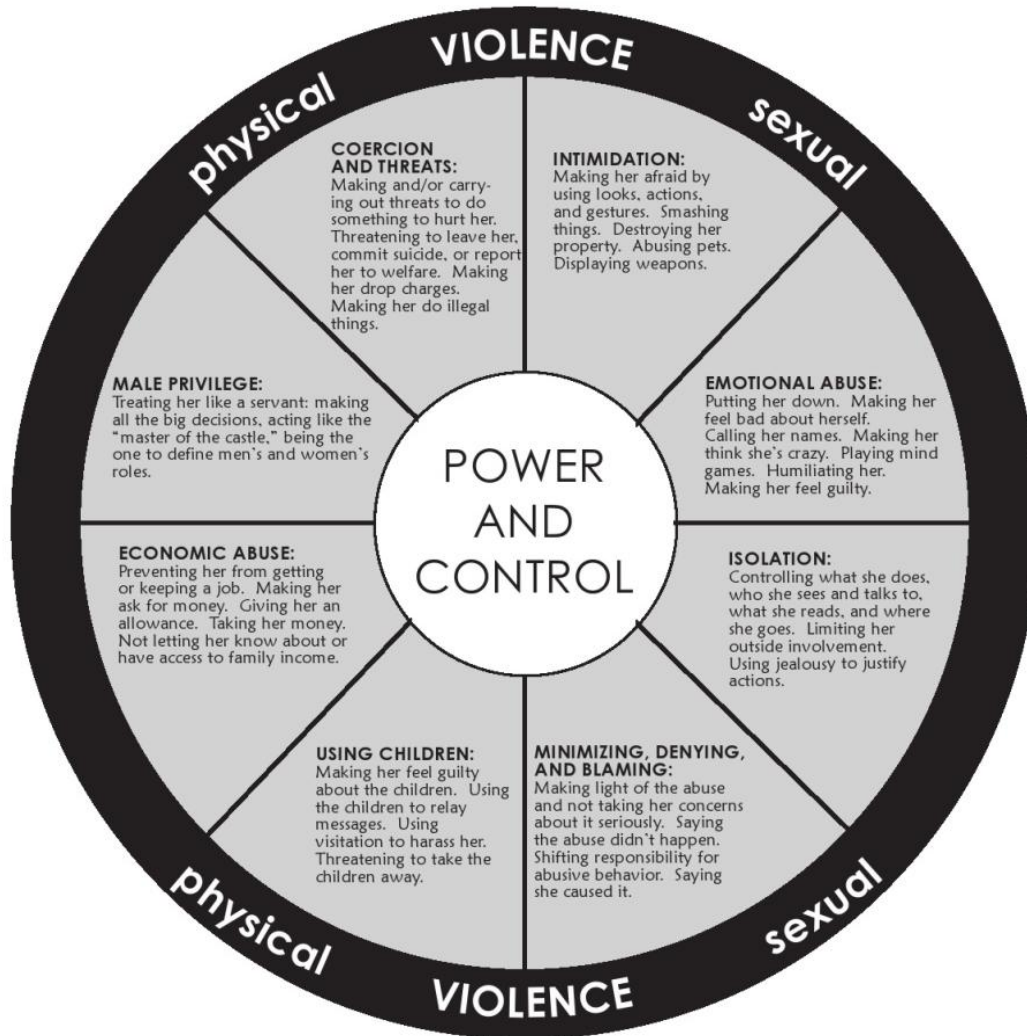
The Florida Department of Corrections Website initially defines domestic violence in a gender-neutral fashion. However, it features a survey where it used the following definition of domestic violence: “any physical act of violence by a man toward his wife or girlfriend” (Florida Department of Corrections, n.d.). This definition completely disregards any minority

victims (men, roommates, elderly, and homosexual). Therefore, the data retrieved from this survey would be biased.

Publications

The National Center on Domestic and Sexual Violence distributes a common resource for domestic violence awareness called the “Power and Control Wheel” based on the power and control model of abuse. The Power and Control Wheel is used for both victim and perpetrator counseling, including many batterers’ intervention programs. Although several slightly varied versions exist, the Power and Control Wheel is based on the original model by the Domestic Abuse Intervention Project in Duluth, Minnesota. In addition to physical violence, domestic abuse can consist of an “overall pattern of abusive and violent behaviors, which are used by a batterer to establish and maintain control over” his or her partner (National Center on Domestic and Sexual Violence, n.d.b). The Power and Control wheel can help identify abusive behaviors that comprise a “larger system of abuse” (National Center on Domestic and Sexual Violence, n.d.b). The wheel is divided into eight categories: coercion and threats; intimidation; emotional abuse; isolation; minimizing, denying, and blaming; using children; economic abuse; and male privilege.

POWER AND CONTROL WHEEL



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Figure 6: Power and Control Wheel (National Center on Domestic and Sexual Violence, n.d.b)

Unfortunately, the current Power and Control Wheel distributed by the Domestic Abuse Intervention Project and the National Center on Domestic and Sexual Violence fails to consider male victims of domestic violence. As Figure 6 shows, the wheel only refers to the victims as female, using feminine pronouns like “she” and “her.” In the introduction to the Wheel on the handout, the pronoun “he” is used to describe the perpetrator. In addition, the category “Male Privilege” on the wheel implies that only men perpetrate domestic violence. Although male privilege is a factor in violence against women, gender roles also have an effect on male victimization. The category could be modified to include both genders.

The Domestic Abuse Intervention Project, creator of the Duluth Model, explains on their website why they did not create the Power and Control Wheel to be gender-neutral:

The Power and Control Wheel represents the lived experience of women who live with a man who beats them. It does not attempt to give a broad understanding of all violence in the home or community but instead offers a more precise explanation of the tactics men use to batter women. We keep our focus on women’s experience because the battering of women by men continues to be a significant social problem--men commit 86 to 97 percent of all criminal assaults and women are killed 3.5 times more often than men in domestic homicides.

When women use violence in an intimate relationship, the *context* of that violence tends to differ from men. First, men’s use of violence against women is learned and reinforced through many social, cultural and institutional avenues, while women’s use of violence does not have the same kind of societal support. Secondly, many women who do use violence against their male

partners are being battered. Their violence is primarily used to respond to and resist the controlling violence being used against them. On the societal level, women's violence against men has a trivial effect on men compared to the devastating effect of men's violence against women.

Making the Power and Control Wheel gender neutral would hide the power imbalances in relationships between men and women that reflect power imbalances in society. By naming the power differences, we can more clearly provide advocacy and support for victims, accountability and opportunities for change for offenders, and system and societal changes that end violence against women. (Domestic abuse intervention programs, 2008)

Despite the Duluth Model's insistence that the Power and Control Wheel is not trying to give understanding to all violence in the home, it nevertheless relates directly to domestic violence. The Wheel does not specifically state that it is only for violence against women, and it is frequently used in domestic violence websites and resources. Without specification, it should be designed to reach out to male victims, as well.

Another defense to gender neutrality by the Duluth Model is that the Wheel defines the tactics men use to batter women. However, throughout this thesis, research has been presented, especially in the report by the Domestic Abuse Helpline for Men, that female perpetrators of domestic violence frequently engage in behaviors that fall into the categories within the Power and Control Wheel. For the Duluth Model to assert that the focus must only be on the women's experience because violence against women is a significant social problem ignores the fact that

men can be and are victims of domestic violence. By promoting stereotypes that women are weak and in need of protection, the Duluth Model may also contribute to female victimization.

The Duluth Model asserts that male violence is reinforced through social, cultural, and institutional factors and that female perpetration of violence is not supported by society. The preceding sections of this report have shown exactly the opposite to be true regarding female perpetration. Women abusers are frequently lauded and their male victims ridiculed in society. Societal perceptions are major contributing factors to the problems of male victimization.

Another allegation from the Duluth Model is that the primary purpose of female perpetration of domestic violence is self-defense. The Duluth Model fails to legitimize true male victims of domestic violence, although they exist and are more common than most people think. Although it is absolutely correct that any woman acting in self-defense should not be considered a batterer, studies have shown that even in IPV cases of non-reciprocal abuse, women commonly perpetrate the abuse, removing the possibility of self-defense. While some women who batter their partners may be defending themselves, to claim that most female perpetrators are actually victims is a set-back not only for male victims but also in the domestic violence movement as a whole.

Shockingly, the Duluth Model further argues that women's violence against men has very little effect on men when compared with the "devastating" effect of violence against women by men. An organization that specializes in domestic violence research should certainly be aware of the "devastating effects" of domestic violence—on all people. To claim that just because a victim is male, the effects of the abuse inflicted upon him are "trivial" is a blatant disregard for

reality, as demonstrated throughout this paper. How can a domestic violence prevention agency claim that any abuse is trivial?

The Duluth Model claims that the current Power and Control Wheel allows them to more clearly provide support for victims, help offenders change, and end violence against women. However, a gender-biased Wheel does not provide advocacy and support for male victims of domestic violence. It does help female perpetrators of domestic violence change their violent habits, which can actually result in increased risks for female victimization. And while it may help to end some violence against women, it does not help end violence against all people. While the Duluth Model's work in ending violence against woman is crucial to our society, it should not be to the exclusion of other victims of violence.

In addition to the Power and Control Wheel, the National Center on Domestic and Sexual Violence also distributes a Teen Power and Control Wheel, also developed by the Duluth Domestic Violence Intervention Project. The categories on the Teen Wheel are slightly different from those on the original Wheel: peer pressure; anger/emotional abuse; isolation/exclusion; sexual coercion; threats; minimize/deny/blame; intimidation; and using social status.

Despite the Duluth Model's insistence on the importance of a gendered Power and Control Wheel, the Teen Power and Control Wheel includes both male and female victimization, as seen in Figure 7. For example, instead of saying "Putting her down" like the Power and Control Wheel, the Teen Power and Control Wheel states, "Putting her/him down." In fact, the double pronoun is used in all but two instances on the Teen Wheel. The first instance is under "Using Social Status" when it states "Treating her like a servant." This biased language can

easily be remedied through simple rewording of the action. The second instance is under “Sexual Coercion,” which states “Getting her pregnant.” Although this is an issue clearly unique only to females, women can also use pregnancy as a way to control men, which should be addressed in the Teen Wheel.

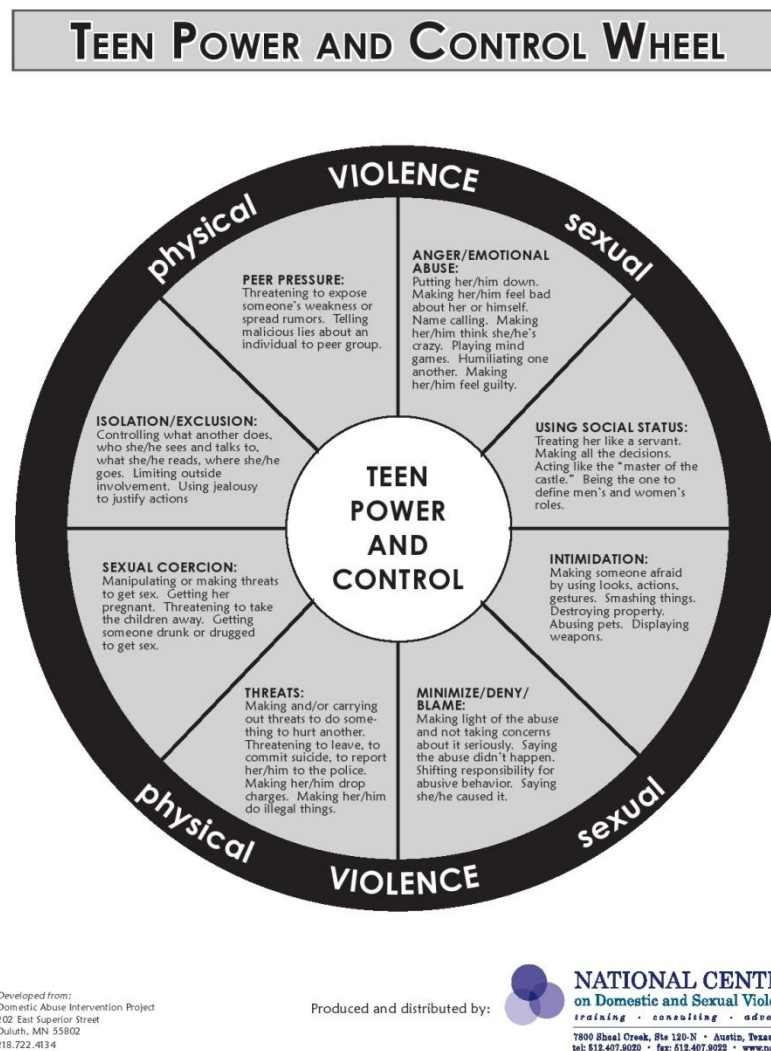
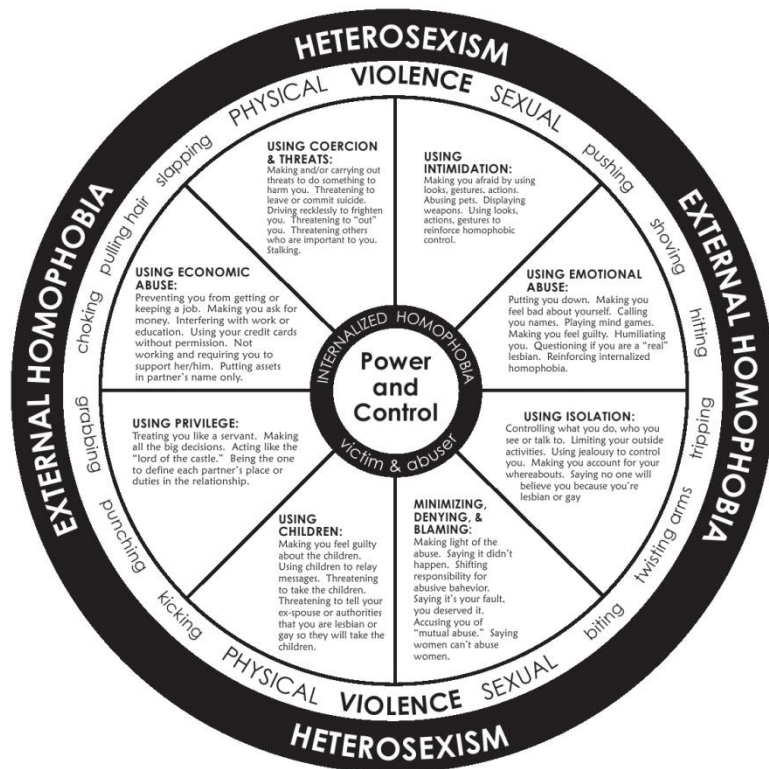


Figure 7: Teen Power and Control Wheel (National Center on Domestic and Sexual Violence, n.d.c.)

The Teen Power and Control Wheel recognizes the prevalence of reciprocal and female-perpetrated violence in adolescent relationships. This mostly gender-neutral wheel is a tool that can better be used to remedy IPV, while still explaining the controlling aspects and power dynamics (including gender) of domestic and dating violence relationships.

Although not directly relevant to heterosexual male victims of domestic violence, the Lesbian/Gay Power and Control Wheel in Figure 8 actually offers insight into how the Power and Control Wheel can better reflect male victims. Instead of using third-person descriptions of violence, the Lesbian/Gay Power and Control Wheel uses the second-person, “you.” The use of “you” not only makes the wheel more coherent than with the use of he/she, but it also accurately represents the power dynamics in the abusive relationship, without excluding male victims. The section from the regular Power and Control Wheel has even been re-titled from “Using Male Privilege” to the gender-neutral “Using Privilege.” The Lesbian/Gay Power and Control Wheel is a model for the reconfiguration of a gender-neutral Power and Control Wheel.

LESBIAN/GAY POWER AND CONTROL WHEEL



Produced and distributed by:

Developed by Roe & Jagodinsky;
inspired and adapted from:
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Figure 8: Lesbian and Gay Power and Control Wheel (National Center on Domestic and Sexual Violence, n.d.a.)

Numerous power and control wheels for select victim groups exist, including one for deaf individuals and for elderly people. However, the National Center on Domestic and Sexual Violence currently has no wheel pertaining to male heterosexual intimate partner victimization. Even if the Duluth Model or the National Center on Domestic and Sexual Violence felt that the

original Power and Control Wheel would lose its effect if it were to be gender-neutral, it could still create a unique power and control wheel for male victims.

In addition to nationally distributed print resources, the state of Florida also has developed resources to assist victims of domestic violence. One pamphlet by the Florida Department of Health, Maternal and Child Health Services, is entitled *First Step*. It is available on several websites, including the Florida Department of Health Website and the website for the Family Justice Center of Hillsborough County. It is also distributed throughout the state. This booklet was developed through a grant to the Florida Coalition Against Domestic Violence from the Family Violence Prevention Fund. The booklet explains that the purpose of this grant is to “help lessen and prevent abuse and domestic violence . . . [and] to provide help for victims of abuse” (Florida Department of Health, n.d.).

The booklet acknowledges that domestic abuse can happen to anyone, whether male or female. However, it then states:

What experts do know is that most ‘abuse’ gets worse over time. Women are abused much more often than men are. In fact, 75% of the time, the victim is a woman who is hurt by a man. For the purpose of this booklet, we will refer to the abuser as a man and the victim as a woman. But, there are also women who abuse men, women who abuse other women, and men who abuse other men. (Florida Department of Health, n.d., p. 4)

Even though the booklet acknowledges that male-on-female domestic violence is not the only type of IPV, it still maintains the stereotypical roles of the male abuser and female victim throughout the rest of the booklet. The booklet even lists “usually a man” as an abuser

characteristic, and “female” as a victim characteristic (p. 13). The booklet isolates male and homosexual victims of IPV, and fails in its goals to assist victims of domestic violence because it does not adequately reach out to all victims.

FLORIDA STATUTORY ANALYSIS

Florida's domestic and dating violence statutes appear to be gender-neutral in their language. This legislation is important to analyze not only for gender neutrality but also in order to understand how and if the laws are properly applied.

In this section, only domestic violence statutes relevant to this thesis will be analyzed.

Therefore, statutes relating to homicide and fatal domestic violence, sexual battery, and minor logistical issues will not be addressed.

Domestic and Dating Violence

As discussed in the Background chapter of this thesis, Florida Statute section 741.28 (2009) defines that domestic violence occurs when any of the listed crimes are committed against by one family or household member against another. Family or household member includes a number of familial relationships, including relatives, spouses, and people with a child in common. This statute incorporates both family violence and intimate partner violence. The statute on its face is gender-neutral, using terms such as "spouse" and "persons." Because it incorporates family violence, the statute is more likely to be gender-neutral since its focus is not solely on IPV, which is what people typically refer to when using the term "violence against women."

Florida's definition of domestic violence also includes a variety of offenses constituting domestic violence, including stalking. Stalking is psychologically abusive, rather than physically abusive; yet, according to Florida's laws, stalking a family or household member is still considered domestic violence under the state's definition. Because stalking and harassment are

actions that a female perpetrator might take instead of physical violence, understanding Florida's definition of domestic violence is crucial, especially when analyzing the court's granting or denying of petitions for orders of protection against domestic violence.

In an effort to expand the protections from IPV, the Florida legislature passed dating violence laws in 2008. Florida Statute section 784.046 (2009) defines dating violence as violence between those in an intimate or dating relationship, as discussed in more detail in the Background chapter of this thesis. Because research has indicated rates of both reciprocal and non-reciprocal violence among young adults, the dating violence statutes may be applicable to many male victims of domestic violence, especially adolescents.

Crimes

Because the definition of domestic violence lists several different crimes, it will be important to look at these criminal statutes in order to better understand the meaning of domestic and dating violence in Florida. Since this thesis excludes focus on sexual battery and homicide, these crimes will be excluded from this section as well.

Assault and Aggravated Assault

Florida Statute section 784.011 (2009) defines assault, which is a second degree misdemeanor, as "an intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent." Aggravated Assault, as defined Florida Statute section 784.021 (2009), is an assault either "(a) with a deadly weapon without intent to kill; or (b) with an intent to commit a felony." It is a felony in the third degree.

This statute is pertinent to male victimization by women because it involves threats, rather than the use of physical violence. It also involves “an apparent ability” to carry out the threat as well as the requirement that the threat create a “well-founded fear” of imminent violence. These requirements may present difficulties for male victims because law enforcement officers, prosecutors, judges, and jurors may be skeptical to believe that a woman has the “apparent ability” to injure or kill her male partner. In addition, “macho” male stereotypes can prevent others from believing that a female intimate partner has created a “well-founded fear” of imminent violence in the male victim. Furthermore, aggravated assault is important when considering female perpetration of domestic violence because research, as discussed in previous chapters, indicates that female perpetrators frequently use weapons against or throw objects at their male partners.

Battery, Felony Battery, and Aggravated Battery

Battery, according to Florida Statute section 784.03 (2009), occurs when someone either “actually and intentionally touches or strikes another person against the will of the other” or “intentionally causes bodily harm to another person.” Simple battery is a first-degree misdemeanor and is a common domestic violence charge. According to the statutory elements, battery would include hitting, kicking, shoving, punching, and pushing, among other aggressive behaviors seen by both male and female perpetrators.

Aggravated battery, which is a second degree felony covered by Florida Statute section 784.045 (2009), occurs when a person commits a battery and either “intentionally or knowingly

causes great bodily harm, permanent disability, or permanent disfigurement” or “uses a deadly weapon.”

Felony battery is covered by both Florida Statute section 784.03 (2009) and section 784.041 (2009). Felony battery, a third degree felony, is committed when a person “(a) actually and intentionally touches or strikes another person against the will of the other; and (b) causes great bodily harm, permanent disability, or permanent disfigurement.” In addition, if a person already has a past conviction for battery, aggravated battery, or felony battery, and commits another battery, he/she has committed a third degree felony. Although many critics believe that female perpetration of IPV against men is “trivial,” the use of objects, vehicles, weapons can possibly cause great harm and injury to male victims, which should result in serious felony charges for the female perpetrators.

Another type of felony battery is domestic battery by strangulation, a domestic-violence-specific offense. According to the Florida Statute section 784.041 (2009), a person commits domestic battery by strangulation if “the person knowingly and intentionally, against the will of another, impedes the normal breathing or circulation of the blood of a family or household member or of a person with whom he or she is in a dating relationship, so as to create a risk of or cause great bodily harm by applying pressure on the throat or neck of the other person or by blocking the nose or mouth of the other person” (excluding authorized medical procedures). Research, as discussed earlier, indicates that some female perpetrators resort to choking or strangulation of their male partners.

Stalking and Aggravated Stalking

Stalking is also included in the definition of domestic violence and is covered by Florida Statute section 784.048 (2009). Stalking has several classifications. For first degree misdemeanor stalking, a person who “willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person” commits the offense. The statute defines “harass” as “to engage in a course of conduct directed at a specific person that causes emotional distress in such a person and serves no legitimate purpose” with “course of conduct” meaning “a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.” Cyberstalk means engaging in “a course of conduct to communicate, or to cause to be communicated, words, images, or language by and through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.”

As will be explained in the Legal Statistical Analysis section of this thesis, many men experience stalking and harassment behaviors at the hands of their current or former female intimate partners. This statute is especially important because it covers the legal definitions of stalking and harassment, which is important in analyzing whether the judges in these cases grant orders of protection for stalking and harassment.

Aggravated stalking, a third-degree felony, is committed when a person “willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person, and makes a credible threat with the intent to place that person in reasonable fear of death or bodily injury of the person, or the person’s child, sibling, spouse, parent, or dependent.” The statute defines

“credible threat” as a “threat made with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety. The threat must be against the life or, or a threat to cause bodily injury to, a person.”

The stalking statute also has a provision for those who have an injunction for protection against repeat violence, sexual violence, dating violence, or domestic violence against them, as well as “any other court-imposed prohibition of conduct towards the subject person or that person’s property.” For those who have any of these orders against them that “knowingly, willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person” has committed aggravated stalking.

Like domestic violence, the stalking statute also has a warrantless-arrest provision: “Any law enforcement officer may arrest, without warrant, any person he or she has probable cause to believe has violated the provisions of this section.” Like in domestic violence cases, the statute gives police officers more discretion in determining whether the offense has occurred, so an area of further study would be to research if any gender bias exists in making stalking arrests.

Kidnapping and False Imprisonment

Kidnapping and false imprisonment are two related offenses that can qualify as domestic violence under the domestic violence statute. However, because this thesis is specifically looking at intimate partner violence, kidnapping and false imprisonment of minors will be excluded from discussion and analysis.

According to Florida Statute section 787.01 (2009), kidnapping, a first degree felony, means “forcibly, secretly, or by threat confining, abducting, or imprisoning another person against

his or her will and without lawful authority, with the intent to hold for ransom or reward or as a shield or hostage, commit or facilitate commission of any felony, inflict bodily harm upon or terrorize the victim or another person, or interfere with the performance of a governmental or political function.”

False imprisonment, a lesser-included offense of kidnapping, is covered by Florida Statute section 781.02 (2009). This statute defines the third-degree felony of false imprisonment as “forcibly, by threat, or secretly confining, abducting, imprisoning, or restraining another person without lawful authority and against her or his will.”

These crimes are less common in domestic violence cases, although there can be instances where perpetrators confine their intimate partners and refuse to let them leave a room or area in the house. Under these instances, it is possible that the perpetrator could be charged with false imprisonment.

Law Enforcement Response

Florida Statute section 741.29 (2009) is important for the considering the actions of law enforcement officers. It requires the law enforcement officer responding to a reported scene of domestic violence to assist and inform the alleged victim of help such as domestic violence shelters and the ability to obtain an injunction. The officer should also help the victim get any needed medical treatment as a result of injuries sustained from the alleged domestic violence incident to which the officer is responding. Although gender-neutral on its face, the law may not be applied equally. Anecdotal evidence suggests that some law enforcement officers may look at male victims with suspicion, skepticism, and ridicule. Although many law enforcement officers

likely fulfill their roles according to this statute, just one biased officer can affect the way a male victim receives treatment and assistance.

The statute also requires that the officer make a report, regardless of whether an arrest is made; clearly state that an alleged act of domestic violence occurred; describe any alleged injuries; and explain why or why not arrests were or were not made. It also requires that a copy of the report be sent to the nearest domestic violence center. Arresting officers are given broad discretion in determining whether an incident is IPV or another criminal offense. Whether this law is applied fairly to instances of male victimization with female perpetrators would be an area for further study. Another concern is that cases involving male IPV victimization may be treated as normal criminal cases and not as domestic violence cases, thus making it more difficult for male victims to receive the assistance they need from the court and domestic violence services.

There is a standard form that should be distributed to the victim. It gives the victim immediate notice of his/her legal rights and remedies. The form must also include the following statement:

IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you may ask the state attorney to file a criminal complaint. You also have the right to go to court and file a petition requesting an injunction for protection against domestic violence which may include, but need not be limited to, provisions which restrain the abuser from further acts of abuse; direct the abuser to leave your household; prevent the abuser from entering your residence, school, business, or place of employment; award you custody of your minor

child or children; and direct the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so.

If a law enforcement officer is skeptical that a man is a victim of domestic violence, then that male victim may not receive this notice of his legal rights as a victim of domestic violence. Discretion, combined with intentional and even unintentional bias, can actually re-victimize a man who has been abused by failing to provide him with adequate support and information about assistance. There is also the possibility that a biased law enforcement officer may accuse a male victim of perpetrating the violence and arrest him.

The officer must try to get written statements from the victim, as well as any witnesses, regarding the incident. The law enforcement agency must send a copy of the initial police report to the nearest certified domestic violence center.

The law enforcement officer only needs probable cause that an act of domestic violence has been committed within the jurisdiction in order to arrest the person—he needs neither the consent of the victim nor to consider the relationship of the parties. If complaints are received from more than one party, the officer must separately evaluate each complaint to determine probable cause. If the officer determines that probable cause exists that two or more people have committed an offense, or if two or more people make complaints to the officer, then the statute requires that the officer attempt to determine the primary aggressor. The statute states important policy considerations, including that it is preferable that only the primary aggressor be arrested and not any person who acts reasonably in self-defense of himself/herself or another

family/household member. Florida Statute § 784.046 (2009) requires these same actions when a law enforcement officer investigates an alleged incident of dating violence, as well.

The statute gives discretion to the police officer to determine the primary aggressor. The societal perceptions of domestic violence as solely a women's issue may deter a police officer from making an arrest of a female primary aggressor. Others may assume that just because a man is bigger or stronger, that he is the primary aggressor. It is important for law enforcement agencies to offer comprehensive non-biased training services to law enforcement officers so that they can make the best possible determination in domestic violence situations.

Prosecution

Florida Statute section 741.2901(1) (2009) requires that each state attorney develop specialized units or assign assistant state attorneys to specialize in domestic violence prosecution. The specialized prosecutors and their support staff are also required to receive training in domestic violence issues. The requirement of specialized prosecution units raises the question of whether the prosecutors are adequately trained in cases involving male victims of domestic violence and whether training materials are gender-neutral.

The statute also covers legislative intent:

It is the intent of the Legislature that domestic violence be treated as a criminal act rather than a private matter. For that reason, criminal prosecution shall be the favored method of enforcing compliance with injunctions for protection against domestic violence as both length and severity of sentence for those found to have

committed the crime of domestic violence can be greater, thus providing greater protection to victims and better accountability of perpetrators.

This provision does not prevent the Court's use of indirect criminal contempt in enforcing violations of orders of protection. This statute should be applied fairly to cases involving both female and male victims of domestic violence.

This statute also states that each state attorney must adopt a "pro-prosecution policy for acts of domestic violence . . . , and an intake policy and procedures coordinated with the clerk of court for violations of injunctions for protection against domestic violence." It is also important to note that the statute gives the determination as to the filing, nonfiling, or diversion of criminal charges, as well as the prosecution of violations of injunctions for protection against domestic violence, to the specialized prosecutors, "over the objection of the victim, if necessary." This pro-prosecution intent, then, should also apply to cases with male victims.

This statute also covers procedures relating to the defendant's first appearance in court on any charge of domestic violence. Before the first appearance, the State Attorney's Office must "perform a thorough investigation of the defendant's history, including . . . prior arrests for domestic violence, prior arrests for nondomestic charges, prior injunctions for protection against domestic and repeat violence filed listing the defendant as the respondent and noting history of other victims, and prior walk-in domestic complaints filed against the defendant." This information must be presented to the court for consideration "at first appearance, when setting bond, and when passing sentence." It is presumed that this information will help judges make

the best possible bail and release condition determinations at the first appearance and consider the safety of the victims.

A defendant who has been arrested for an act of domestic violence must be held in custody until “brought before the court for admittance to bail” according to Florida’s law. The court, when determining bail, must consider “the safety of the victim, the victim’s children, and any other person who may be in danger if the defendant is released.” The court should not underestimate female perpetrators of domestic violence as not likely to endanger a male victim or his children, even if societal perceptions seem to support that viewpoint.

Sentencing

Florida Statute section 741.283 (2009) mandates minimum sentences for domestic violence defendants. The Court must order any person who is adjudicated guilty of a crime of domestic violence (according to the definitions in Florida Statute section 741.28), and who has “intentionally caused bodily harm to another person” to “serve a minimum of 5 days in the county jail as part of the sentence imposed.” This requirement does not apply if the court sentences the defendant to a “nonsuspended period of incarceration in a state correctional facility.” The statute also indicates that it does not prevent the court from sentencing the defendant to “probation, community control, or an additional period of incarceration.”

This statute illustrates why it is important for the cases involving male victims of IPV to be recognized as domestic violence cases and not generic battery cases. These statutes are designed to aid victims and deter abuse, so the application of these statutes in all IPV cases, including those with male victims, is crucial to the fight against domestic violence.

Rights of Victims

The laws of Florida give several rights to victims of domestic violence. Florida Statute section 741.313 (2009) protects victims from employer discrimination. In this statute, “victim” is defined as “an individual who has been subjected to domestic violence.” This statute applies to employers with 50 or more employees and to an employee who has been working for that employer for 3 or more months. According to the statute, an employer must allow an employee who is the victim of domestic violence (or has a family or household member who is such a victim) to “request and take up to 3 working days of leave from work in any 12-month period...with or without pay.” Whether the leave is paid is up to the discretion of the employer.

This statute is applicable if an employee uses the leave in order to seek an injunction for protection against domestic, repeat, dating, or sexual violence; obtain medical care and/or mental health counseling for either the employee or the family/household member, to address injuries, both physical and psychological, that resulted from the act of domestic violence; obtain help from a victim services organization, such as a domestic violence shelter, as a result of the act of domestic violence; look for new housing to escape the perpetrator of domestic violence; make the existing home secure from the perpetrator of domestic violence; seek legal assistance in order to address issues “arising from the act of domestic violence;” or prepare for and attend court proceedings “arising from the act of domestic violence.”

There are additional requirements in the statute for the employee and the employer, which will not be discussed. However, employers cannot “interfere with, restrain, or deny the exercise of or any attempt by an employee to exercise” the rights contained in this statute. The

statute prohibits employers from discharging, demoting, suspending, retaliating, or discriminating against any employee for the exercise of these rights. Private employers must keep “all information relating to the employee’s leave” confidential. Agencies must keep such information confidential and qualifying information is exempt from disclosure.

If an employer violates this section, the sole remedy for the injured employee is to sue for damages and/or equitable relief in circuit court; however, the employee has an obligation to mitigate his or her damages under this section. Claims may be made “for all wages and benefits that would have been due the person up to and including the date of judgment had the act violating this section not occurred.”

This statute is another example of why it is important to recognize that men can be victims of IPV. Their criminal victimizations must be classified as domestic violence cases because it is only by recognizing that male IPV victimization exists that male victims can be afforded the rights contained within this statute.

Batterers’ Intervention

Florida Statute section 741.31 (2009) covers the certification of batterers’ intervention programs in the state of Florida. Finding that “the incidence of domestic violence in Florida is disturbingly high,” the legislature discussed the risk to children in homes with domestic violence, in that the children are victimized by their witnessing the abuse. The legislature argues that these children are not only at a high risk for being abused by a parent but also at risk to repeat the violence in their future relationships. This policy consideration by the legislature is important

because it illustrates why the government should aim to stop all domestic violence against male and female victims.

The statute then establishes an Office for Certification and Monitoring of Batterers' Intervention programs to manage the certification of these programs in order to "uniformly and systematically standardize programs to hold those who perpetrate acts of domestic violence responsible for those acts and to ensure safety for victims of domestic violence." This statute not only is written gender-neutrally but also implies that the state wishes to hold all perpetrators responsible and help all victims.

Florida Statute section 741.325 (2009) discusses the guidelines for Batterers' Intervention Programs. The primary purposes of these programs are to protect victims and their children, as well as to hold the batterer responsible for acts of domestic violence. The programs must also be at least 29 weeks long. The statute requires that the program employ a psychoeducational power and control model. The statute explains that these programs should only be used with intimate partner (or strongly similar) relationships where the defendant employs power and control tactics of violence. The law even states that referring defendants in other types of relationships to these programs can endanger victims.

Some questions have been raised about whether abusive female intimate partners (non-retaliatory) fall under the power and control model. The Duluth Model Power and Control Wheel is not gender-neutral, and as discussed earlier, the Duluth Model holds that this type of violence is most applicable to men as perpetrators. If that is the case, then alternative batterers' programs unique to women's violence should be created for female perpetrators of domestic violence.

However, as numerous researchers have indicated, many male victims of domestic violence experience abuse by their female intimate partners that can be coded according to the Power and Control Wheel.

Once a person is found guilty of, has had adjudication withheld on, or has pled nolo contendere to a crime of domestic violence, as defined in Florida Statute section 741.28 (2009), the judge must order that defendant not only to serve a minimum of one year on probation, but also to attend a state-certified batterers' intervention program as a condition of probation. Even though the judge is required to order batterers' intervention to a qualifying defendant, the statute gives the court discretion not to impose the program "if it states on the record why a batterers' intervention program might be inappropriate" or if the defendant does not qualify.

Further research is needed to determine how batterers' intervention programs address the issues of female perpetration of domestic violence and whether female perpetrators should be sent to batterers' intervention or to alternative counseling.

Judge's Role

Florida Statute section 741.2902 (2009) covers legislative intent with respect to the role of the judiciary. The intent of the legislature is that the court must consider the victims' safety and that of their children, as well as any other person, and exercise caution in releasing defendants who may endanger others. Because this statute is gender-neutral, the court's application of it should also be gender-neutral. Both women and men who are abusers can pose threats to their intimate partners' safety, if released, depending on the circumstances. It is the role of the judiciary to consider these circumstances, regardless of gender.

Relating to orders of protection against domestic violence, the legislature's intent is that the court must do the following:

recognize that the petitioner's safety may require immediate removal of the respondent from their joint residence and that there can be inherent danger in permitting the respondent partial or periodic access to the residence, . . . ensure that the parties have a clear understanding of the terms of the injunction, the penalties for failure to comply, and that the parties cannot amend the injunction verbally, in writing, or by invitation to the residence, . . . ensure that the parties have knowledge of legal rights and remedies including, but not limited to, visitation, child support, retrieving property, counseling, and enforcement or modification of the injunction, consider temporary child support when the pleadings raise the issue and in the absence of support orders, consider supervised visitation, withholding visitation, or other arrangements for visitation that will best protect the child and petitioner from harm, . . . enforce, through a civil or criminal contempt proceeding, a violation of an injunction for protection against domestic violence, . . . and consider requiring the perpetrator to complete a batterers' intervention program that has preferably been certified.

Again, these requirements should apply in all order of protection hearings, including those with male petitioners and female respondents. Although not all petitions may warrant the actions delineated in the statute, the judge should ensure that male victims are treated fairly, especially if they are in seriously abusive situations.

Orders for Protection

Florida Statute Section 741.30 (2009) covers in detail the issuance of injunctions for protection against domestic violence in Florida. It not only creates a cause of action for the injunction, but it also gives standing to file a petition for the injunction to any person who is or has “reasonable cause to believe he or she is in imminent danger of becoming the victim of any act of domestic violence.” Although the Court is allowed to issue separate injunctions for petitions from each party, the statute prohibits courts from entering mutual orders of protection. However, mutual orders of protection may better help protect victims and prevent domestic violence perpetration, especially in relationships with reciprocal violence.

The statute requires the clerk of the court to assist petitioners who are seeking the issuance or enforcement of injunctions for protection against domestic violence, including making available domestic violence brochures provided by local certified domestic violence centers. The clerk of the court must also distribute “a statewide uniform informational brochure” to petitioners that discusses “the effect of giving the court false information about domestic violence.” This statute is important so that neither men nor women use the civil injunction system as a method of abuse or control. As noted in the *Domestic Abuse Helpline for Men* study, abusive women often use the system to control their male partners, which contributes to the domestic violence victimization of men.

The statute also incorporates the procedures relating to the injunction and includes a model form for the petition for order of protection against domestic violence. The statute

requires that after the petition is filed, the court must set a hearing to be held on the petition at the earliest time available.

If the court determines that “an immediate and present danger of domestic violence” exists, the court has the discretion to grant a temporary injunction ex parte (without the parties present) before the hearing on the petition. This temporary injunction may include relief such as prohibiting the respondent from being near the petitioner and awarding temporary use of the home to the petitioner. Temporary injunctions will be effect for a period not to exceed 15 days, unless extended by the court. The full hearing must be set for a date during that time.

If the court denies the petition for an ex parte injunction, it must do so with a written order and include the legal grounds for the denial. If the only reason that the court denied the petition is because of the lack of appearance of an immediate and present danger of domestic violence, the court must set a full hearing on the injunction petition with notice.

If, after the hearing, the court finds that the petitioner is a victim of domestic violence or has reasonable cause to believe the petitioner is in imminent danger of becoming such a victim, the court has the discretion to grant “such relief as the court deems proper” including an injunction with the following purposes:

1. Restraining the respondent from committing any acts of domestic violence.
2. Awarding to the petitioner the exclusive use and possession of the dwelling that the parties share or excluding the respondent from the residence of the petitioner.

3. providing the petitioner with 100 percent of the time-sharing in a temporary parenting plan
4. establishing temporary support for a minor child or children or the petitioner.
5. Ordering the respondent to participate in treatment, intervention, or counseling services to be paid for by the respondent
6. Referring the petitioner to a certified domestic violence center. . .
7. Ordering such relief as the court deems necessary for the protection of a victim of domestic violence, including injunctions or directives to law enforcement agencies

The types of relief that the court can grant is important because it can help with analysis of any possible bias on the part of the court when looking at petitions for orders of protection against domestic violence by male victims.

To determine whether the petitioner has “reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence, the court shall consider and evaluate all relevant factors alleged in the petition, including but not limited to” the following factors:

- “1. The history between the petitioner and the respondent, including threats, harassment, stalking, and physical abuse.
2. Whether the respondent has attempted to harm the petitioner or family members or individuals closely associated with the petitioner.

3. Whether the respondent has threatened to conceal, kidnap, or harm the petitioner's child or children.
4. Whether the respondent has intentionally injured or killed a family pet.
5. Whether the respondent has used, or threatened to use, against the petitioner any weapons such as guns or knives.
6. Whether the respondent has physically restrained the petitioner from leaving the home or calling law enforcement.
7. Whether the respondent has a criminal history involving violence or the threat of violence.
8. The existence of a verifiable order of protection issued previously or from another jurisdiction.
9. Whether the respondent has destroyed personal property, including, but not limited to, telephones or other communication equipment, clothing, or other items belonging to the petitioner.
10. Whether the respondent engaged in any other behavior or conduct that leads the petitioner to have reasonable cause to believe that he or she is in imminent danger of becoming a victim of domestic violence."

The Court's determinations of imminent domestic violence victimization using these factors are crucial in evaluating the granting and denying of male petitioners' requests for orders

of protection against domestic violence. As explained in the preceding chapters and as will be discussed further in the Legal Statistical Analysis chapter, many abusive women throw objects at their partners, destroy personal property, make threats, use weapons, stalk, harass, or threaten to take or harm the children. These factors should all help a judge to determine whether a male victim is in imminent danger of becoming a victim of domestic violence, even if his female partner has not yet or recently physically injured him.

Florida Statute section 784.046 (2009) covers orders of protection for victims of dating violence. The statute is similar in many respects to the domestic violence statute previously discussed, except the orders of protection against dating violence do not have to resolve housing or custody issues.

Injunctions for orders of protection against domestic violence are enforceable in all counties in Florida until modified or dissolved. In addition, law enforcement officers have the power to arrest those who violate the terms of the injunction.

The statute also clarifies that if separate orders of protection against domestic violence are granted to each party, that information is not legally sufficient to deny a remedy to either party or to show that the parties are “equally at fault or equally endangered.” Therefore, the mere existence of an order of protection should not create biased views for or against any victim of domestic violence.

The statute also requires that the court allow advocates from the state attorney’s office, a law enforcement agency, or a certified domestic violence center to be present during court proceedings or hearings related to injunctions for protection with either the petitioner or

respondent if requested and the advocate is available. Male victims of domestic violence, who are often reluctant to seek help with domestic violence centers, may not know that they have the option to have an advocate assist them through the court process. All victims should be made aware of their rights.

The statute also covers the enforcement of violations of injunctions for orders of protection. The Court may enact civil or criminal contempt proceedings, or the state attorney may prosecute a criminal violation of an injunction. The court can also order compliance through various means, including fines, which will be deposited into the state's Domestic Violence Trust Fund.

Florida Statute section 741.31 (2009) specifically covers violations of injunctions for protection against domestic violence. If the respondent violates the terms of the injunction, the petitioner may prepare an affidavit explaining the violation. If a crime is alleged, the petition shall be forwarded to the appropriate law enforcement agency for investigation, whose results will then be forwarded to the domestic violence unit of the local prosecutor's office.

Violation of an injunction is a 1st degree misdemeanor. Examples of violations as covered by the statute include refusing to leave a shared residence, directly contacting the petitioner, or refusing to surrender firearms to the appropriate authority. If the petitioner suffers an injury or loss as a result of an injunction violation, he or she may be awarded economic damages by the court, including costs and attorneys' fees.

In accordance with federal law, Florida accords full faith and credit by the state courts and enforcement by law enforcement agencies to injunctions for protection against domestic

violence issued in other states, the District of Columbia, Indian tribes, or any commonwealth, territory, or possession of the United States (2009 Fla. Sta. § 741.315).

Law Suits

Because domestic violence can be both a crime and a tort. Florida Statute section 741.235 (2009) abolished the common-law doctrine of interspousal tort immunity in cases of the intentional tort of battery. The statute further explains that “the ability of a person to sue another person for the intentional tort of battery shall not be affected by any marital relationship between the persons.” This law, written gender-neutrally, removes spousal immunity and allows husbands and wives to sue each other for battery, thus providing relief for victims of domestic violence, both male and female.

Domestic Violence Shelters

Several statutes govern the creation and certification of domestic violence centers and shelters throughout Florida. In Florida Statute section 39.901 (2009), the Legislature acknowledges the need for programs to aid victims of domestic violence. The Legislature explains that its intent is to assist in developing domestic violence centers to help victims of domestic violence and to “provide a place where the parties involved may be separated until they can be properly assisted.” The statute does not appear to create shelters solely for the purpose of helping women, and as such, domestic violence centers should also assist male victims. A domestic violence center is defined as “an agency that provides services to victims of domestic violence, as its primary mission” (2009 Fla. Stat. § 39.902).

There are several statutory requirements in order for a domestic violence center to become state-certified. Among these, the center must “provide a facility which will serve as a center to receive and house persons who are victims of domestic violence,” including minor children of the victim (2009 Fla. Stat. § 39.905). Another requirement is to provide minimum services including the following:

information and referral services, counseling and case management services, temporary emergency shelter for more than 24 hours, a 24-hour hotline, training for law enforcement personnel . . . , and educational services for community awareness relative to the incidence of domestic violence, the prevention of such violence, and the care, treatment, and rehabilitation for persons engaged in or subject to domestic violence.

Another requirement of the centers is to participate in orientation and training programs for law enforcement officers and others who work with domestic violence victims. The purpose of these programs is to “better enable such persons to deal effectively with incidents of domestic violence.”

This statute also covers the funding of domestic violence centers. Domestic violence centers may be run with private, local, state, or federal funding. It also explains the qualifications necessary for a center to receive state funding.

Funding for Research and Programs

Florida Statute section 741.01(2) (2009) relates to the use of marriage license fees in funding domestic violence services. According to the statute, \$25 will be added to the fee for each marriage license issued in Florida. Once collected, the fee is deposited into the Domestic

Violence Trust Fund, which must be established by the Executive Office of the Governor. The purpose of the Domestic Violence Trust Fund is to collect and disburse the funds received from the increased marriage license fees. Any funds generated are then “directed to Florida’s Department of Children and Family Services for the specific purpose of funding domestic violence centers...and appropriated in a ‘grants-in-aid’ category” to DCF for the same purpose. In addition to funding domestic violence shelters, up to \$500,000 from the proceeds deposited into the Domestic Violence Trust Fund can be spent by the Executive Office of the Governor “for the purpose of administering a statewide public-awareness campaign regarding domestic violence.”

Because domestic violence shelters, resources, and grants are funded by the public’s fees, it is important for these services to be non-discriminatory, especially on the basis of gender.

CALIFORNIA DOMESTIC VIOLENCE STATUTES

Even though this thesis focuses primarily on the state of Florida, looking at statutes from other states, particularly if they are gender-biased, can help to establish a trend in the perception of domestic violence across the country. Although these statutes do not apply to domestic violence cases in Florida, they are still important to note because they demonstrate the extent of awareness of male victims of domestic violence in other parts of the country.

Prior to a 2008 appellate court case which will be discussed in a later chapter, some of the laws pertaining to domestic violence in California were biased against male victim. A 2006 statute ironically entitled the “Equality in Prevention and Services for Domestic Abuse Act” defined domestic violence as

the infliction or threat of physical harm against past or present adult or adolescent female intimate partners, and shall include physical, sexual, and psychological abuse against the women, and is a part of a pattern of assaultive, coercive, and controlling behaviors directed at achieving compliance from or control over, that woman. (Equality in Prevention, 2006)

The statutes legislating aid to victims of domestic violence were revised by the legislature in 2006 to include homosexual and transgender victims of domestic violence, yet legislators failed to revise this gender-biased definition. The fact that the legislature, when reviewing and updating this law under the premise of equality, did not see a problem with such a blatantly biased definition of domestic violence speaks volumes about the societal resistance to legitimizing male domestic victimization.

How the government and specifically, the legislature, views victims can impact the choices a male victim makes in ending victimization and seeking help. Not only can the appearance of legislative bias deter a male victim's willingness to get help but a legitimately biased law can prohibit the resources that for such victims to get that help. Even though the gender-biased definition did not apply to criminal statutes, it affected and limited the civil remedies that a male victim could receive from the state of California.

A California appellate case *Woods v. Horton*, 167 Cal. App. 4th 658 (2008), dismantled the discrimination inherent in such a law. This case will be discussed further in the "Case Law and Court Decisions" chapter. After this case, the gender-biased laws were rewritten to include the following neutral definition:

"Domestic violence" means the infliction or threat of physical harm against past or present adult or adolescent intimate partners, and shall include physical, sexual, and psychological abuse against the partner, and is a part of a pattern of assaultive, coercive, and controlling behaviors directed at achieving compliance from or control over, that partner. (Ca. Hlth. & S. § 124250 (2010))

The laws now use the terms "adult or adolescent intimate partner" and the generic "partner" instead of gendered language. The state, at least on the statute's face, no longer discriminates against male victims of domestic violence when dispensing civil remedies, including access to domestic violence shelters. Further research would be necessary to determine whether the new law is being applied equally.

California's penal code increases the penalties for battery when such a battery is an instance of intimate partner violence. According to the statute, "When a battery is committed against a spouse, a person with whom the defendant is cohabitating, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship" the penalties are different from regular battery cases (Cal. Penal Code § 243 (2010)). The statute incorporates gender neutral language and even includes the male "fiancé." It is also interesting to note that California includes dating violence in this statute, because many states do not consider dating violence as domestic violence unless the parties have a child or cohabit.

FEDERAL STATUTES

Federal Statutes not only apply to cases in Florida but also can illustrate the national perception of domestic violence, especially among the federal legislators. In addition, federal legislation tends to be more publicized than local state regulations, and thus can influence the societal perceptions of domestic violence, which in turn can affect the court's attitude and that of law enforcement officers.

Violence Against Women Act

The Violence Against Women Act (VAWA), first legislated in 1994, is the popular title of a set of victims' rights laws and criminal statutes designed to prevent domestic violence. Since 1994, VAWA has been renewed by Congress and signed by the President two more times—in 2000 and 2005/2006. Although the statutes use the words “spouse” and “intimate partner,” the popular title is not gender-neutral and fosters the idea that domestic violence is exclusively a female problem, rather than a human problem. While the VAWA itself may not be biased, at the very least, the title gives the appearance of bias, which can affect society's views of domestic violence. Lorie Rubenser argues that the VAWA implies by its name that women are the only victims of domestic violence, or at least that male victims are unworthy of attention (Rubenser, 2007a, p. 311-312).

18 U.S.C. § 226 (2009) covers interstate domestic violence, making it a federal offense to travel across state or tribal lines for the purpose of committing domestic violence. This statute uses the generic “spouse, intimate partner, or dating partner” and thus is gender-neutral. It appears to have been applied to both men and women. For example, an early case involved Rita

Guzman, who was convicted of travelling across state lines with the intent to murder her estranged husband (United States v. Gluzman, 952 F.Supp. 84 (S.D.N.Y. 1997)). 18 U.S.C. § 2261A (2009) also makes it a federal offense to travel across state lines for the purpose of stalking another person, including an intimate partner. Similarly, it is illegal to travel interstate with the intent to engage in conduct that violates an order of protection and subsequently engage in that conduct (18 U.S.C. § 2262 (2009)). In addition, federal law also prohibits the possession of firearms by an individual who has been convicted of misdemeanor domestic violence or is subject to an order of protection.

In addition to criminal statutes, VAWA also gives rights to the victims of domestic violence. For example, 18 U.S.C. § 2263 allows for an alleged victim of federal domestic violence to be given the opportunity to be heard “regarding the danger posed by the defendant” in the determination of whether a defendant will be granted pretrial release and in determining the conditions of such release (“Pretrial release of defendant,” 2009). Domestic violence crimes against men must be classified as domestic violence so that male victims can be afforded these rights.

Other Relevant Statutes

42 U.S.C. § 3796gg-0 (2009) establishes the Violence Against Women Office. 42 U.S.C. § 3796gg-0b (2009) covers the Duties and Functions of Director of the Violence Against Women Office. The statute consistently mentions funding, programs, and coordination relating to “violence against women” rather than the gender-neutral “domestic violence.” The federal government’s office that should be designed to prevent domestic violence against all people is

not only biased in its name but also in its legal duties. By indicating that the office is only for the prevention of violence against women, the U.S. Government fails to legitimize and to serve male victims of domestic violence and denies equal protection to men.

CASE LAW AND COURT DECISIONS

The decisions of state and federal courts can be analyzed to reveal the Court's attitudes towards domestic violence and the equal treatment of male IPV victims. Not only are the courts' actual holdings important, but the judges' dicta in both majority and dissenting opinions can display biases that could impact the treatment of male victims of domestic violence, hindering their equal justice under the law. Of course, not all courts and judges will view domestic violence similarly. This section aims to look at the few court opinions that directly relate to male victims of domestic violence. Looking at different courts, judges, opinions, and issues can allow one to better grasp overall trends in the prevailing and minority views on domestic violence, especially with regard to male victims.

Gender Bias Claims in Domestic Violence Cases

In Law Enforcement

In *Miller v. Whipker*, 2004 WL 1622212 (S.D. Ind. 2004), an Indiana federal court case, Rick Miller brought action against his local sheriff's department, alleging that he was arrested without probable cause and that the sheriff's department had a policy of arresting the man in cases of dual-complaints. In this case, the plaintiff Miller alleged that his wife became intoxicated and repeatedly assaulted him so that he suffered injuries, including bruising, scratches, and cuts to his face, back, lip, eye, and torso.

When a deputy came to the house the next day, he noticed red marks on Miller's wife and took her statement, in which she alleged that Miller had punched her. The deputy arrested Miller. When Miller asked if he could file a complaint against his wife and have photographs of

his own injuries taken, the deputy, at the advice of the captain, said he could not. Without even observing the injuries, the captain told the deputy that Miller's injuries sounded like retaliation and that he should not take Miller's statement or arrest Mrs. Miller. When Miller later requested to the Sheriff that he investigate the matter relating his arrest, the Sheriff, Kenneth Whipker, replied that his deputies had followed proper procedure.

Mr. Miller sued, alleging improper arrest due to lack of probable cause and a violation of the Fourteenth Amendment due to discriminatory practices.

The Court ruled against Miller, in favor of the sheriff's office, on both issues. The Court ruled that the evidence was insufficient to support Miller's claims. However, when discussing training materials that heavily refer to the victim as female, the Court found that such materials were acceptable because the statistics from the Bureau of Justice statistics show that more women than men are abused.

In Domestic Violence Shelter and Counseling

In *Blumhorst v. Jewish Family Services*, 126 Cal. App. 4th 993 (2005), Eldon Ray Blumhorst filed a complaint for an injunction against state-funded domestic violence shelters in California because of their discrimination based on gender. Blumhorst alleged that he called the shelters' hotlines as a test, requesting shelter services to escape domestic violence. He alleged that he was told that it was the shelters' policies to refuse shelter to men. Although he was not currently a victim of domestic violence, Blumhorst had previously been assaulted by his ex-wife.

The defendants argued that Blumhorst did not have standing because he was not a current victim of domestic violence and that he had made a set-up call. Blumhorst responded that he had standing as a civil rights tester.

The defendants filed demurrers to Blumhorst's complaint, and the trial court sustained the demurrers. The trial court ruled that the shelters were exempt from the laws against discrimination because they provided services to women, and that the laws were not unconstitutional.

The California Court of Appeals affirmed the lower court's ruling, arguing that Blumhorst did not have standing in the case because he was not a current victim of a shelter's discrimination.

In *Woods v. Horton*, 167 Cal. App. 4th 658 (2008), the California appeals court was asked to determine whether denying domestic violence services to men violated the equal protection, as guaranteed by the Fourteen Amendment. The plaintiffs in this case include several male domestic violence victims who were denied services, the daughter of a male domestic violence victim, and a taxpayer who alleged that the state's tax money was being improperly used to fund discrimination. They brought action against the state of California and the state agencies that direct the domestic violence programs. The plaintiffs also challenged programs for inmate mothers, which will not be discussed.

The plaintiffs argued that gender-based classifications in the statutes providing funding for domestic violence services for women fail a strict scrutiny analysis because the classifications are unnecessary and because gender-neutral alternatives exist. At the trial court

level, the plaintiffs' petition was denied, with the court ruling that the plaintiffs did not show that men are similarly situated for the purpose of domestic violence services.

The victim plaintiffs also described their abuse. David Woods alleged that his wife had been physically abusive to him between 1985 to 2003, which was the most recent time he tried to attain services to help him and his daughter escape the violence. Woods stated that his wife not only repeatedly hit him but also attacked him with weapons and other objects. When Woods called a California domestic violence service provider, WEAVE (Women Escaping a Violent Environment), he was told that the program did not accept men. After he was denied, Woods returned to home to his wife, and the abuse continued. Woods' daughter was also a plaintiff, alleging injury by the denial of services to her father.

Another plaintiff, Gregory Bowman, alleged that his former girlfriend repeatedly assaulted him in 2005. He received threats and injuries from his girlfriend, which were reported to the police. When he tried to request domestic violence services, numerous state-funded services denied him help because he was a man. Several services responded that they did not offer services to men. The violence and threats against Bowman by his girlfriend escalated. Bowman was allegedly stabbed by his former girlfriend, and he continued to face property damage and threats.

Plaintiff Patrick Neff also alleged assaults from his former girlfriend, from 2001 to 2004. He said he had no money, but needed to escape the violence and receive counseling and legal advice. When he called the Domestic Violence and Sexual Assault Coalition on multiple occasions, he was told they do not help men.

Plaintiff Blumhorst alleged that as a taxpayer, the funds were being improperly used in discriminatory practices.

The appeals court held that male domestic violence victims are similarly situated to female victims with the need for domestic violence services, and that there was no compelling state interest in funding domestic violence programs only for women. They ruled that the gender classification in the state statutes funding domestic violence programs for only women was not necessary. The gender-based classification in the domestic violence statutes violated equal protection. The Court found that the remedy for the violation of equal protection was to reform the statutes so that they fund programs available to both men and women. The Court invalidated the exclusion of males in the statute and extended the statutory benefits to men.

This recent ruling expanded the rights of male victims of domestic violence and demonstrated that male victims deserve and have the right to the same assistance programs as female victims. By recognizing the needs of male victims, this California court has hopefully paved the road for programs in other states to end discriminatory practices.

Regarding Federal Law

United States v. Gluzman, 952 F. Supp. 84 (S.D.N.Y. 1997), represented an early challenge to the federal Violence Against Women Act. Rita Gluzman was indicted for conspiring to commit and for committing interstate domestic violence, in violation of federal law under VAWA. She moved to dismiss her indictment on the basis that Congress was not authorized under the Commerce Clause to legislate such behavior. The court ruled that Congress had the authority under the Commerce Clause. Gluzman further argued that, if the court found

that that VAWA was within the jurisdiction of the Commerce Clause, then VAWA could not apply to acts of violence against a husband. In investigating this argument, the court looked at the language of the statute to see if it was unambiguous. The court found that the statute criminalizing the conduct against a “spouse” or “intimate partner” to be “decidedly gender neutral.” The court also found that the legislative history of the statute did not exclude males as potential victims of domestic violence, but merely recognized that “women were the ‘most likely target’ of gender-based violence.”

LEGAL STATISTICAL ANALYSIS

Medical, sociological, and governmental statistics have established the incidence and characteristics of male IPV victimization. However, few statistics exist to illustrate the prevalence of male victims in the court system and how such victims are treated in both civil and criminal cases. Through my own original empirical research, combined with the few existing statistics, one can get a better idea of the male victim's search for equal justice. Just as telling as these statistics are, the lack of statistics tell an equally compelling story.

Orders of Protection

Background

Because of the lack of statistics pertaining to male victims of intimate partner violence in the legal system, I contacted local clerks' and state attorneys' offices to determine how I could obtain statistics pertaining to male domestic violence victims. None of the offices I contacted kept gender-specific domestic violence records. Through my communication with the Brevard County Clerk of the Court's Office in Titusville, Florida, I received permission to review a sampling of petitions for injunctions for protection against domestic and dating violence. Along with the petitions, the resolution of each injunction request was also reviewed.

Methodology

My original sample was injunction requests for protection against domestic violence and dating violence for three different months in 2008: the month with the least petitions filed, the month with the most petitions filed, and the month closest to the average. This procedure resulted in files from the months of January, September, and November of 2008.

The files for male petitioners were separated from the files for female petitioners. Of the male petitions for an injunction, any petitions solely on behalf of children and not on behalf of the male petitioner were excluded. In addition, any file with both a male petitioner and male respondent was also excluded, as this study did not consider homosexual victims of violence. Because the focus of the study was IPV, any file specifically indicating a relationship between the petitioner and respondent other than a current or former intimate or dating partner was excluded. This process resulted in a total of 79 male petitioners over the three month sampling. For the purposes of this study, I was most interested in the results from the male petitioners. Due to this factor and the small sample size, I evaluated all of the male petitioners' injunction requests that fit the criteria.

Initially, I began evaluating each file of the female petitioners. However, upon noting the large number of files and the relative consistency of results from file to file, I decided instead to take a sampling of 120 of the female files to review. Any injunction requests that explicitly did not involve a male intimate partner were excluded from the sample.

After the sample was selected, each individual file was reviewed and data for each file was recorded on a coding chart. Every file contained either a petition for injunction for protection against domestic violence or a petition for injunction for protection against dating violence. After the initial petition is filed, the judge can deny the petition without a hearing, grant a temporary injunction and set a hearing date, or set a hearing date without granting a temporary injunction. If a hearing date is granted, the parties will go to court. At this time, the judge can issue a final judgment of injunction or deny the injunction request. Common

outcomes in injunction cases are the petitioner failing to show up in court or the petitioner requesting to voluntarily dismiss the injunction or injunction request. Each of these circumstances, when relevant, was noted.

Any time a temporary injunction or final injunction is ordered, the judge has the option to rule on child custody and housing issues, if applicable. These factors were also specifically noted on the charts.

When reviewing the male petitioner cases, I also took notes on trends, types of violence committed, and other observations. This information is useful in the discussion of male victims of domestic violence, especially for further study.

The percentage figures were also rounded to the nearest percentage. This small sample study is not designed to represent all injunctions in the state of Florida. The intent of this study is to look for possible or perceived bias in the court system, which may illustrate a need for further study by researchers. Also, this study did not look at the merits of each application. As such, it is difficult to tell whether differences in the numbers of petitioners granted resulted from bias or the lack of evidence. Nevertheless, trends in the treatment of these injunctions have been noted and should be taken seriously as a matter for further review.

Results

The judges denied the requests of male petitioners without a hearing on the petition in 16% of the cases. Of the female petitioner requests sampled, only 3% were denied without a hearing. In each of the cases denied without a hearing, for both the male and female samples, the judge's reason for denying the petition was "Petitioner has failed to allege facts sufficient to

support the entry of an injunction for protection against domestic, repeat, dating, or sexual violence.” In several instances, the judge wrote explanations why the facts were insufficient, including that the petitioner was not in immediate danger of becoming a victim of domestic violence or that no physical violence was alleged.

In almost three-quarters (71%) of the female petitioner sample cases, the judge granted a temporary injunction until the hearing on the petition. Temporary injunctions can prohibit the respondent from being near or contacting the petitioner and may resolve housing and child custody issues before the formal hearing. Less than one-quarter of the male petitioners (24%) received temporary injunctions before the hearing. Although this difference could result from a variety of reasons including the lack of serious abuse allegations, it still illustrates a strong contrast in the results of the female petitioner cases versus the male petitioner cases. More research should be conducted to explore the reasons for the contrast in the way the cases are handled. In fact, I did note several instances where the male petitioner alleged multiple acts of physical violence by his female intimate partner in the petition and did not receive a temporary injunction, which raises the possibility of judicial bias, even if unintentional.

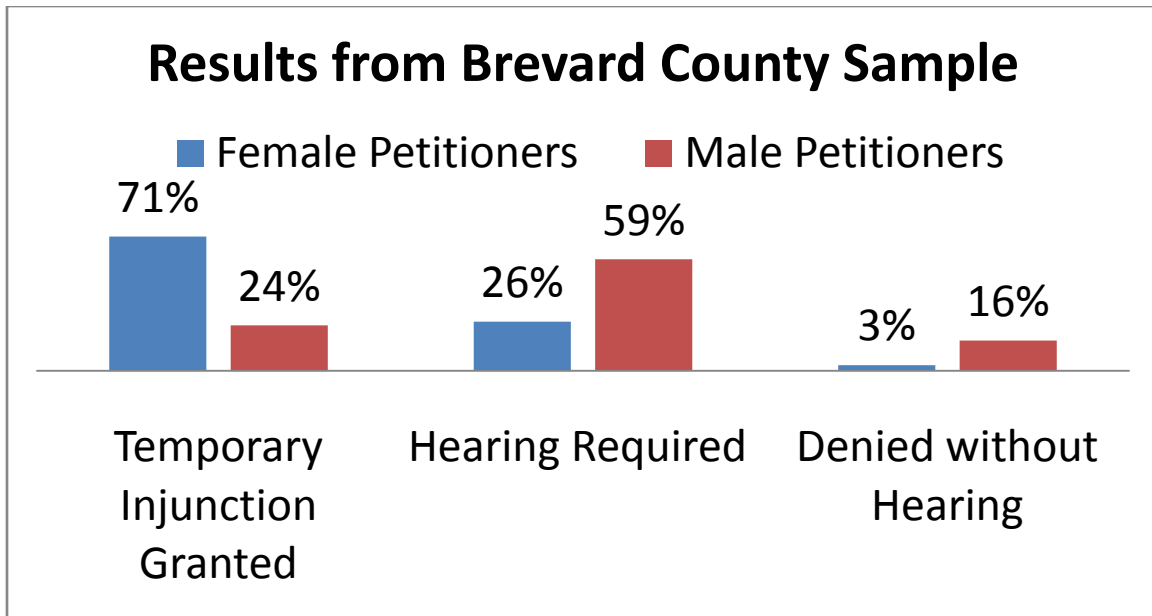


Figure 9: Results in of the Sample of Petitions for Orders of Protection Against Domestic and Dating Violence from Brevard County.

On the Order Setting Hearing on Petition for Injunction for Protection Against Domestic Violence (as well as for Dating Violence) Without Issuance of an Interim Temporary Injunction, the text reads:

The Court finds that the facts, as stated in the Petition alone and without a hearing on the matter, do not demonstrate that Petitioner is a victim of domestic, repeat, dating, or sexual violence, or that Petitioner has reasonable cause to believe that he or she is in imminent danger of becoming a victim of domestic or dating violence. Therefore, there is not a sufficient factual basis upon which the court can enter a *Temporary Injunction* for Protection Against Domestic, Repeat, Dating, or Sexual Violence prior to a hearing.

It would be reasonable for any victims, male or female, who are denied temporary injunctions through this order, to believe based on the wording of this order, that the actual hearing may not be worth it, or that the court has already made a judgment that they are not a victims of domestic or dating violence, especially if acts of violence were alleged in their petition.

In this study, when a temporary injunction was granted to a male petitioner, there did not appear to be a difference in the way that housing and child custody was determined by the court. Both female and male petitioners were awarded the home in the temporary injunctions when applicable. In addition, female petitioners, when applicable, always received custody of the children in temporary injunctions. Male petitioners with temporary injunctions were mostly given custody as well, with two exceptions. Children were awarded to the female respondent in one case, and another case involved shared custody.

Of the female petitioners who received a hearing (with or without a temporary injunction), 39% of them received a final injunction by the court. Male petitioners who were granted a hearing fared only had 20% of the final judgments granted. Of the 61% of female petitions and 79% of male petitions that were dismissed, the reasons for the dismissals were the same among both male and female petitioners (65% dismissed voluntarily by petitioners and 35% dismissed for lack of evidence). In addition, 33% of the female petitioners with final injunctions eventually moved to voluntarily dismiss their injunctions after they were entered, as well 38% of the men with final injunctions.

Like female victims, many male petitioners who attempted to receive a domestic violence injunction later had a change of heart and returned to the alleged abuser. This behavior is commonly seen in female victims. In fact, one male petitioner, who alleged his girlfriend had even tried to hit him with her car, wrote a letter to the court stating that he and his girlfriend had agreed to

stop the child play and take care of our daughter and be a family again. We have also agreed to take some family counseling to work out our differences. I'm asking you to please grant my petition. I love her very much and I know she fell (*sic*) the same. I promise we will work it out. She need (*sic*) my help with our daughter who have (*sic*) asthma.

Another male petitioner alleged that his wife attacked him, scratched his chest and back, and gave him bruises on the top and back of his head. She had even been convicted of domestic violence against the petitioner in the past. Nevertheless, even after he received his final judgment of injunction, this petitioner filed a motion to dismiss to the court, stating that they wanted to be a family again. This type of behavior illustrates that the differences between male and female victims are not always that large; many of the typical domestic violence victim behaviors are also seen in men.

Observations

Throughout the review of the male petitioner injunction requests, several trends were noted in the types of violence alleged to be used by female intimate partners. The types of violence in each case were recorded whenever the petitioners were legible and the violence could

be easily coded. These numbers likely represent an understatement of the types of abuse, because not all types of violence were able to be specifically coded. In addition, male petitioners may have also failed to specifically describe all of the types of abuse against them.

The most common types of unarmed physical force that the male petitioners alleged their female intimate partners used included hitting (at least 19% of the cases), scratching (at least 15%), punching (at least 13%), kicking (at least 11%), and pushing (at least 9%). Although hitting, punching, kicking, and pushing are types of abuse frequently described as domestic violence, rarely is scratching included. It is more particular to female intimate partner violence against men and tends to cause injury, so it should still be considered domestic violence. Other types of abuse mentioned in the petitions included slapping and biting.

In addition to physical violence like hitting and kicking, many male petitioners alleged that their female intimate partners had thrown objects at or towards them, which supports other studies of female-perpetrated IPV. At least 19% of the male petitioners alleged that their female partner had thrown things at them, including drink glasses, dinner plates, and telephones. One petitioner even indicated that his wife had thrown a sharp piece of metal, which hit their young son.

In addition to throwing objects, some female intimate partners were alleged to have attacked their victims with weapons. Even 3% of the male petitioners said they had been stabbed by their wives or girlfriends. In addition, 6% of cases involved attacks with an ordinary household object as a weapon. These items included a screwdriver, scissors, a broomstick, an extension cord, a door, and a fork. In a strange and dangerous trend, 9% of male petitioners

alleged that their female intimate partners had either hit them with a car or tried to hit them with a car. Although skeptics of male victims may claim that women are incapable of injuring men, the use of weapons, objects, and even vehicles in attacks illustrates that possibility for injury.

“Biting, groin attacks, kicking, physical attacks while the victim is sleeping, . . . and throwing objects at the victim are common abusive behaviors seen by women who abuse their male intimate partners (Gosselin, 2007, p. 412). Each of these behaviors was observed in the petitions. In fact, one man stated in his petition that his intimate partner had kicked him in the groin while he was sleeping. These types of behaviors are important to analyze because groin attacks are particular to male victimization. In addition, attacks while sleeping show how a female intimate partner has the ability to injure a man, especially while he is in a defenseless state. Furthermore, at least 8% of the male petitioners specifically mentioned that their intimate partners had aimed their attacks towards the face—a more sensitive area prone to injury.

As a result of the abuse, at least 16% of the male petitioners specifically described injuries they had received at the hands of their female intimate partners, including deep scratches, bruising, welts, and black eyes.

In addition to physical abuse, other methods of power or control by the women were also reported by the male petitioners. A frequent element of female-perpetrated abuse was the destruction of property, which is a tool for Intimidation on the Power and Control Wheel (Duluth Model). At least 14% of male petitioners specifically alleged that their female partners had destroyed property within the shared residence, clothing, and vehicles. In fact, one male petitioner alleged that his former girlfriend carved the word “Cheater” into his car, resembling

the actions in the popular Carrie Underwood song, “Before He Cheats.” Another man claimed that his female intimate partner broke furniture and a plate glass window in the house in her rage. Destruction of an intimate partner’s property “is a form of emotional abuse. . . designed to cause fear and financial hardship and provide an outlet for the anger of the separated person” (Gosselin, 2007, p. 410).

Other noted forms of domestic abuse include the female partner’s use of the legal system against the male partner, in at least 4% of the cases. These behaviors included threatening to call the police and make a false accusation of domestic violence against the male petitioner or stalking a male petitioner with an injunction in place in order to increase his chances of arrest.

Another tactic used by women to gain power or control over their male partners was the use of the children. This type of behavior was alleged in at least 4% of the cases, although it was not originally noted at the beginning of the review because it was not an element of physical abuse. As the pattern emerged, I then began recording these instances. Many male petitioners reported that their female intimate partners made threats by using their children, including “You’ll never see your children again.” Some men were worried that their female partners were using the custody system in court against them.

Threats, stalking, and harassment were the most frequently observed behaviors by female intimates in the male petitioners’ allegations. At least 42% of the petitions involved threats by the female intimate partners. Making threats is also an element of the Power and Control Wheel of Domestic Violence. Threats included those to commit violence, to take the children, to hurt or injure the petitioner or petitioner’s family, to commit suicide, and even to kill others. In fact, 4%

of the cases alleged specific death threats, including one woman who threatened to kill her partner with a machete. Another man's female partner threatened to kill them all—herself, the male partner, and the children.

Harassment and stalking were other common allegations, and ones that also frequently resulted in denials of the petitions for protection against domestic violence. 27% of the male petitioners claimed that their current or former female intimate partners harassed them, and 18% alleged stalking behaviors by the female respondents. The women were observed following petitioners, constantly calling petitioners or petitioners' work offices, or showing up unannounced at their homes or places of employment. Many of the petitioners, specifically if they only alleged stalking and harassment, had their petitions denied without even a hearing. Florida Statute section 741.28 (2009) indicates that if the behavior rises to the level of criminal stalking, it is considered domestic violence. Thus, even without physical violence alleged, severe stalking should result in an order of protection against domestic violence for male victims.

Many of the men indicated that they were seeking an injunction because they just wanted the stalking and the harassment to end. They did not want their former intimates contacting them at home, calling their places of employment, or appearing unannounced. Although the petitions were frequently denied, especially if the behavior did not rise to the level of criminal stalking, the issue should be investigated further to allow for a resolution for men, and women, who are being controlled by their partners through harassment.

Florida Shelters

The State Department of Children and Families in Florida issues a domestic violence annual report with data collected from state-certified domestic violence shelters. This report is prepared by the Florida Coalition Against Domestic Violence and contains demographical information on the individuals served by Florida's 42 state-certified domestic violence shelters. This information is helpful to evaluate the number of men actively seeking help about their abusive wives and girlfriends and how Florida's domestic violence centers respond to male victims.

In the fiscal year from July 1, 2008, to June 30, 2009, Florida's shelters housed 44 men in emergency shelter (Florida Coalition Against Domestic Violence, 2009, p.1). Although this number may seem small, men throughout the country have faced rejection from shelters on the basis of their gender. The fact that Florida's shelters have helped 44 men to escape violently abusive relationships illustrates that Florida's centers are attempting to reach out to male victims of domestic violence.

In addition to emergency shelter, domestic violence centers also provide counseling and case management services to victims. Throughout the fiscal year, 3,367 men received telephone counseling from Florida domestic violence centers, and 3,692 men were given face-to-face counseling (Florida Coalition Against Domestic Violence, 2009, p.1). In addition, Florida's shelters helped 1,570 men with case management services and 595 men with other shelter services (Florida Coalition Against Domestic Violence, 2009, p.1). All services were given to men as victims of domestic violence, not perpetrators.

The report also contains information by shelter, so the number of male victims of domestic violence assisted in the Central Florida area can be analyzed. For example, Harbor House of Central Florida, in the 2008-2009 fiscal year, did not house any men in emergency shelter. However, Harbor House assisted 600 men through face-to-face counseling and provided case management services for 415 male victims (Florida Coalition Against Domestic Violence, 2009, p.37). SafeHouse of Seminole, serving Seminole County, gave emergency shelter to one man during the same time period. In addition, 149 male victims were counseled through phone services and 364 received face-to-face counseling. Help Now, Inc., of Osceola County, helped three men obtain emergency shelter during that year. 246 male victims received either face-to-face or telephone counseling and 39 men case management services (Florida Coalition Against Domestic Violence, 2009, p. 43).

In sharp contrast to the other Central Florida counties' shelters, Serene Harbor, Inc., in Brevard County, which is the area analyzed by the order of protection study, only served 5 men total for all of its services (Florida Coalition Against Domestic Violence, 2009, p.100). The Salvation Army Brevard County Domestic Violence Program assisted 17 total men with its services (Florida Coalition Against Domestic Violence, 2009, p.88). No men were housed in emergency shelter by either program in Brevard County. Because the number of men helped in Brevard County is so small, an effort should be made by these shelters to reach out to male victims of domestic violence. Although it's possible that there are fewer victims that need services in this county, the order of protection study still indicated that in just one 3 month sample, nearly 80 male victims of heterosexual IPV were actively seeking help for their partner's abuse.

Because the State's Department of Children and Families in Florida keeps annual records of the number of victims served by domestic violence centers, patterns can be analyzed in the assistance of male victims. For example, as Figure 10 illustrates, the number of men given emergency shelter has doubled over a ten-year period. The number has also steadily risen, with the exception of the years 2007 and 2008. This trend illustrates that not only are more male victims of domestic violence reaching out for help but that the Florida domestic violence centers are also more receptive to giving it.

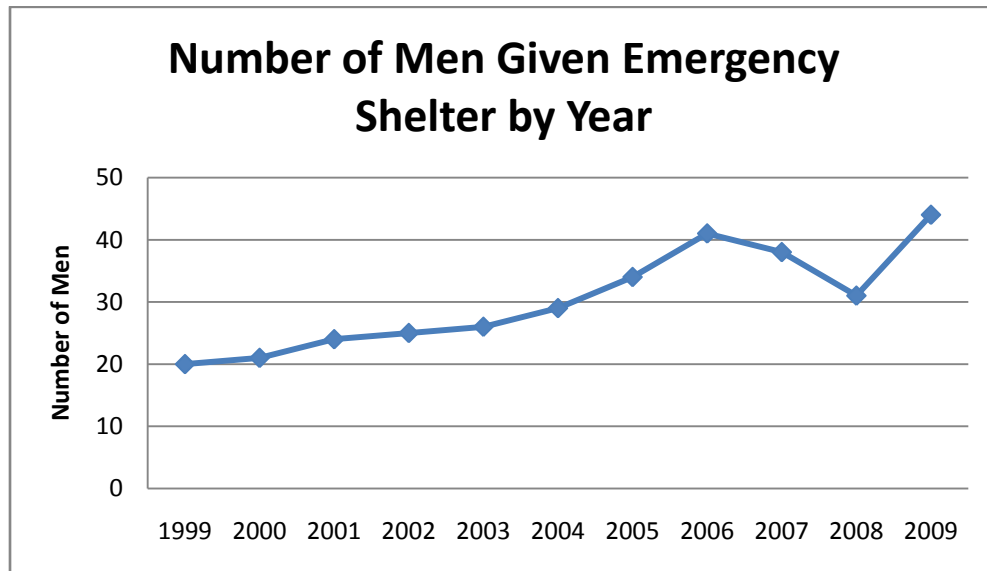


Figure 10: Number of Men Given Emergency Shelter in Florida by year, from 1999-2009

Arrests

One study reported by Linda Kelly looked into the police response in making arrests when dealing with domestic violence reporting. The study indicated that in 15% of the cases, the husband was threatened with arrest or actually arrested when the wife called the police to report

abuse. However, when the husband called the police, no women in the study were ever threatened with arrest or arrested. In over 41% of the cases, the violent husband was ordered to vacate the premises, but no violent wife was ordered to leave the residence. Most surprisingly, even when the husband was the one who notified police of the abuse, he was still likely to be arrested as the assumed perpetrator of the offense (as cited in Steinmetz, 2007, p. 57).

Criminal Court Cases

A study by the Bureau of Justice Statistics looked at 3,750 cases of IPV filed in the state courts of 16 large urban counties in May 2002, including three counties in Florida (Dade, Palm Beach, and Pinellas). The study looked at cases including heterosexual and homosexual IPV. Because this thesis is analyzing male victims of heterosexual IPV, for the remainder of the discussion on this study, any data on homosexual victimization will be excluded.

That study found that approximately 1 in 8 cases of IPV involved a female defendant and a male victim. Female offenders in state courts were more likely to have used a weapon in their offense against male victims, than the gender reversal. According to the study, in 41.3% of male victim IPV cases, a weapon was used in the incident, compared to only 23.2% of female victim cases (Smith & Farole, 2009). This finding supports other research indicating that female perpetrators of IPV frequently use weapons or throw objects to perpetrate violence.

In 34% of the male victim cases, the female perpetrators had a history of abuse against the victim. In fact, in 17% of the cases, the male victim had reported prior violence by the female defendant to the police, which can illustrate the possibility of systematic battering of the men by the female defendants (Smith & Farole, 2009).

Although other reports indicate lower rates of injury among male victims of domestic violence, in most of female defendant court cases (90.2%), the male victim was injured in the incident leading to the criminal charges (Smith & Farole, 2009). This high percentage is likely due to the fact that a male victim may be likely only to call authorities in cases of serious violence. It is also possible that the female defendant may only be arrested in cases of serious violence.

Characteristics of the perpetrators were also recorded. In 28.1% of the cases, the female defendant was using drugs or alcohol (Smith & Farole, 2009). This research is supported by other studies and should be considered when discussing sentencing options for female defendants.

In just under one-third of the cases (29.5%), the man was victimized by his female intimate partner in front of a child (Smith & Farole, 2009). This information is crucial to illustrating the importance of research into female perpetrated IPV against men. Many people are critical of male victim studies for a variety of reasons; however, if children are observing the violence, then there is an important policy implication to prevent such violence. As numerous studies have indicated, children who observe domestic violence are at risk not only for emotional and psychology disorders but also for perpetuating the cycle of domestic violence themselves.

This study presents new research into the treatment of male victims of domestic violence, and their female perpetrators, in the criminal justice system. According to the research, most of female defendants (85.5%) faced a misdemeanor arrest as their most serious charge (Smith & Farole, 2009). In just under half of the cases (46.7%), there was a witness to the female

perpetration of domestic violence, which may have increased the chances for arrest by giving the police officer less discretion to determine the primary aggressor (Smith & Farole, 2009). In addition, evidence was obtained in most of the cases against female defendants (88%), making the cases more solid than mere “he-said/she-said” arguments (Smith & Farole, 2009).

Excluding cases with unknown outcome or those pending one year later, the study recorded the outcome of the adjudication. Only 40.3% of female IPV defendants with male victims were convicted, compared with nearly 60% of male defendants with female victims (Smith & Farole, 2009). These differences could be attributed to the strength of the cases, the perceptions of the jury pool or the judge, the skills of the attorneys, or biases against male victims and towards female perpetrators. Only through further study can the reasons for these differences be understood.

Of the female defendants convicted, 4.9% were convicted of a felony, compared with 9.9% of male defendants (Smith & Farole, 2009). These factors could possibly be due to leniency by the prosecutors’ offices or the courts, or due to the nature of the crimes committed by the defendants. More than twice as many female IPV defendants as male IPV defendants were sent to pretrial diversion or had adjudication deferred (16% women compared to 7.7% men) (Smith & Farole, 2009). Furthermore, 43.7% of female defendants received either a dismissal, acquittal, or nolle prosequi, compared to only 32.6% of male defendants (Smith & Farole, 2009).

The study also recorded the most severe sentences imposed on convicted defendants of both genders. In instances of female-on-male IPV perpetration, the female defendants were “relatively less likely to receive an incarceration sentence” (Smith & Farole, 2009). As the study

showed, 76.2% of male defendants were sentenced to jail, compared to 65.8% female defendants. However, nearly 30% of female defendants received probation, compared with only about 16% of male defendants (Smith & Farole, 2009). Only 5% of female perpetrators and 7.5% of male defendants were sentenced to prison, which reflects the number convicted of felony charges (p. 8).

This study indicates possible bias in favor of female perpetrators of domestic violence in the criminal justice system, in convictions and sentencing of offenders. Although numerous factors could account for the differences, more research should be conducted to either rule out the possibility of bias or expose any bias. Male victims of domestic violence have as much right to be treated fairly in the criminal justice system as female victims and to receive justice for the crimes inflicted upon them.

CONCLUSION AND RECOMMENDATIONS

This research on male victims of domestic violence has opened the doors to the awareness of other types of domestic violence victims. Men are victimized by domestic violence, and they often face similar patterns of behavior that female victims face. In addition, male victims also tend to stay with their abusers for the same or similar reasons as female victims. Both male and female victims of domestic violence are not as different as people may think, although some aspects of violence are unique to each one. While women more often face physical attacks and injury, men more regularly face perpetrators armed with a weapon or object of some sort, which can increase the chances of injury. Male victims must also deal with the fear that the system will be used against them by manipulative partners or that their children will be used as a pawn in the abuse.

Societal representations of domestic violence against men bolster the beliefs that male victimization is not a serious issue. The media, popular culture, and even domestic violence resources affect the societal perception of IPV, especially against men. Domestic violence, against anyone, should never be a laughing matter, because representations of domestic violence contribute to societal beliefs, as well as to the self-image of victims and abusers. The present preference that women must be protected reinforces gender stereotypes, which will perpetuate the cycle of domestic violence.

Although many state statutes are gender neutral on their face, the application of such laws must be questioned. The courts' reactions to male and female petitioners in domestic violence cases differ considerably. The reasons for these differences must be further researched. The

courts have had varied views on male victimization, but the recent decision by the California Appeals Court ruling that male victims should be included in domestic violence services illustrates the slightly changing views that awareness can bring to the domestic violence problem. The reluctance of the courts to accept the claims of male victims of domestic violence until recently reflects society's difficulty in accepting male victims. Gender neutral language is only the first step in helping to solve domestic violence, especially IPV.

Prevention of domestic violence against anyone, regardless of gender, race, ethnicity, sexual orientation, age, or social status, should be a primary goal of the state and federal governments, as well as private agencies that provide services to victims and abusers. In order to accomplish this goal, male victims of domestic violence must be afforded the opportunity to receive help, including emergency shelter and legal assistance. Domestic violence resource centers throughout the nation should not be turning away male victims simply because they are male. With the recent court decision, the centers in California need to cease discrimination against male victims of domestic violence. While Florida's centers have been more helpful to male IPV victims, they should continue to reach out to victims, especially men who may have nowhere to turn. The two centers in Brevard County, Florida, need to make an effort to assist male victims of domestic violence, especially in light of the research conducted on Brevard County injunction requests.

Attitudes pervading male victimization among the public, the media, law enforcement, and members of the legal system must be changed. Although the language of the federal domestic violence statutes is gender-neutral, the popular title of the collection of laws, the

Violence Against Women Act (VAWA), is biased. This title must be changed, in order to begin helping all those affected by IPV, especially men. By renaming the popular title, “The Intimate Partner Violence Prevention Act” or “The Domestic Violence Prevention Act,” the federal government can begin to change prevailing biases against male victims. The federal government’s Office on Violence Against Women should also change its name to be gender-neutral, such as the Office on Domestic Violence Prevention.

The use of gender-biased language on domestic violence websites and in resources should be removed. The First Step guide issued in Florida for victims of domestic violence needs to be rewritten to be gender-neutral, instead of just making a short disclaimer and then referring to the victims as women and the perpetrators as men. The Duluth Model Power and Control Wheel must be completely revised to legitimize and reflect male victimization, especially since the model is used for both victim counseling and batterers’ intervention programs. As demonstrated in this thesis, the abuse of men by women can often be categorized with the behaviors on the Power and Control Wheel. The issues of power and control in relationships are specific to intimate partner violence, not exclusively female victimization. As a common resource in IPV prevention, it is critical that the Duluth Model change the Power and Control Wheel to legitimize the experience of male victims.

Although some may argue that gender-neutrality will limit the legitimacy of the problems of violence against women, it can be done in a way that accomplishes advocacy for both men and women. Resources can be rewritten to include 2nd person language with the use of “you” or can pluralize victims and abuser so that gendered pronoun use is not an issue. As a domestic

violence resource center, the Duluth Model should also discontinue making unsubstantiated claims that all female abusers are acting in self-defense and that male victimization is trivial.

Domestic Violence training for law enforcement officers, prosecutors' offices, and the judiciary should not only include gender-neutral terminology but should also discuss the fact that domestic violence can happen to anyone, including men, in order to help eliminate intentional and unintentional biases against male victims of domestic violence.

More research should be conducted on male victims of domestic violence and female perpetration of domestic violence. Topics for further study include the effectiveness of batterers' intervention programs at assisting female perpetrators and whether mutual injunctions would be effective at preventing domestic violence, especially in reciprocally violent relationships. The current restrictions on mutual orders of protection are not in the best interest of those in reciprocally violent relationships, as they fail to recognize that both partners can perpetuate abuse without it being self-defense. Because reciprocally violent relationships can lead to more severe violence and increase the chances for injuries, the legal system should not automatically restrict the issuance of mutual orders of protection, especially in cases where both parties allege violence.

The current studies on male victims of domestic violence have yielded varying results, especially in the different fields of study. For example, both emergency department and sociological studies show a higher rate of male IPV victimization when compared with those conducted by the Bureau of Justice Statistics. More comprehensive research should be

conducted in order to better understand the incidence of male IPV victimization. Researchers in many fields should work together to accomplish this goal.

More inclusive studies need to be conducted on the response of the Court system to male victims of domestic violence, including in criminal cases as well as with petitions for orders of protection. The few current studies that have been conducted on the court system's response to male victims should be expanded to include more data from a broader range of geographic areas. In addition, the reasons for the differences between the outcome of cases involving female victimization and those involving male victimization need to be further explored.

In addition, the reluctance of the courts, especially in Florida, to issue an order of protection against domestic violence in cases of stalking and harassment against both male and female intimate partners needs to be addressed. Because criminal stalking against an intimate partner or household member is domestic violence under Florida Statute section 741.28 (2009), the court system needs to allow for victims of IPV stalking, including men, to receive protection from such acts, even if they do not include physical violence. If the Florida legislature and courts are reluctant to grant orders of protection against domestic violence for stalking and harassment, another type of injunction for protection against such behaviors could be created in order to better protect victims of IPV.

As Steinmetz (2007) deftly explained, "Only when violence by all members of the family can be openly addressed will society gain a better understanding of the dynamics of domestic violence and be able to develop prevention, intervention, and treatment programs that ensure a healthy, violence-free environment for all families" (p. 58).

**APPENDIX A: QUESTIONNAIRE USED IN “HISTORY OF DOMESTIC
VIOLENCE AMONG MALE PATIENTS PRESENTING TO AN URBAN
EMERGENCY DEPARTMENT.”**

Questionnaire Used in

“History of Domestic Violence among Male Patients Presenting to an Urban Emergency Department”

The questionnaire used by the researchers was adapted from the George Washington University Universal Violence Prevention Screening Protocol.

Introduction:

1. Many people are exposed to violence in some form
2. Violence is a health risk and can result in physical and emotional problems
3. It is our routine procedure to ask adult patients about their exposure to violence
4. If you are a violence victim we can better help you if we know it

In the past 12 months . . .

- | | | |
|--|-----|----|
| 1. . . . has anyone threatened you with or actually used a knife or gun to scare or hurt you? | Yes | No |
| 2. . . . choked, kicked, bitten, or punched you? | Yes | No |
| 3. . . . slapped, grabbed, or shoved you? | Yes | No |
| 4. . . . thrown an object at you in an attempt to harm you? | Yes | No |
| 5. . . . forced you to have sex? | Yes | No |
| 6. . . . have you been afraid that a current or former intimate partner would hurt you physically? | Yes | No |

If “YES” to any of 1–6, then . . .

- | | | |
|---|---|--------|
| 7. . . . What was the sex of the individual? | Male | Female |
| 8. . . . What was/is your relationship with the individual? | <input type="checkbox"/> Current or former intimate partner | |
| | <input type="checkbox"/> Other family member | |
| | <input type="checkbox"/> Acquaintance or friend | |
| | <input type="checkbox"/> Coworker | |
| | <input type="checkbox"/> Stranger | |
| | <input type="checkbox"/> Other (specify) | |

- | | | |
|--|-----|----|
| 9. . . . Were the police notified about any of these episodes? | Yes | No |
| 10. . . . Did you require treatment by a physician as a result of any of these episodes? | Yes | No |
| 11. . . . As a result of the experience, did you pursue | | |
| <input type="checkbox"/> professional counseling? | Yes | No |
| <input type="checkbox"/> legal action (pressed charges; sought restraining order)? | Yes | No |

Figure 1. The Universal Violence Prevention Screening Protocol. Adapted with permission from the George Washington University Universal Violence Prevention Screening Protocol (Dutton MA, Mitchell B, Haywood Y. The emergency department as a violence prevention center. *J Am Med Womens Assoc.* 1996; 51:92–117). Copyright © 1996 American Medical Women’s Association, Inc. All rights reserved.

**APPENDIX B: CHARTS AND DATA FROM “CHARACTERISTIC OF
CALLERS TO THE DOMESTIC VIOLENCE ABUSE HOTLINE
FOR MEN.”**

Charts and Data from

“Characteristics of Callers to the Domestic Abuse Helpline for Men”

(Hines, Brown, & Dunning, E., 2007)

Table 1 Callers, referral sources, and occupational status of callers to the Domestic Abuse Helpline for Men ($n = 246$)

	% of Callers (n)
For whom caller called	
Self	77.2% (190)
Friend	5.3% (13)
Family member	7.3% (18)
Husband/boyfriend	1.2% (3)
Just for information	2.4% (6)
Other/unknown	6.5% (16)
Referral source	
Website	42.3% (104)
Media	16.3% (40)
Domestic violence project	3.7% (9)
Phonebook	0.4% (1)
Other/unknown	37.4% (92)
Occupation ($n = 95$ men who were asked this question)	
Disabled	17.9% (17)
Military/police/fire	13.7% (13)
Students/teachers/education/mental health	13.7% (13)
Laborers	11.6% (11)
Unemployed	9.5% (9)
Doctors/professors/attorneys/advanced degrees	8.4% (8)
Artists/musicians	5.3% (5)
Business: owners/managers	5.3% (5)
Advertising/sales	4.2% (4)
Computers	4.2% (4)
Construction	4.2% (4)
High profile occupations	4.2% (4)
Engineers/architects	3.2% (3)
Stay-at-home dads	3.2% (3)
Journalists	2.1% (2)

Note. Family Member includes brothers, sons, nephews, and fathers. Husband/boyfriend refers female callers who called because their husband or boyfriend had been abused by an ex-wife. Media refers to newspaper articles and television shows that gave information about the DAHM. Domestic Violence Project means that the caller was referred to the DAHM by another domestic violence project.

For occupational status, numbers do not add up to 95 because several men fell under two categories of occupation. High profile occupations include occupations in which if the occupation was revealed it would possibly reveal the identity of the caller.

Table 2 Physically aggressive and controlling behaviors experienced by the abused male callers to the DAHM

	% Who experienced it (n)
Type of physical aggression ($n = 158$ men who were asked this series of questions)	
Slapped/hit	43.7% (69)
Pushed	41.8% (66)
Kicked	39.2% (62)
Grabbed	31.0% (49)
Punched	24.7% (39)
Choked	22.2% (35)
Spit on	9.5% (15)
Stabbed	1.9% (3)
Scratched	1.3% (2)
Type of Controlling Behaviors ($n = 155$ men who were asked this series of questions)	
Does your partner try to control you?	94.8% (147)
Of those who were controlled, how were they controlled?	
Through coercion and threats	77.6% (114)
Through emotional abuse	74.1% (109)
Through intimidation	63.3% (93)
Through blaming, minimizing, and denying	59.9% (88)
Through manipulating the system	50.3% (74)
Through isolation	41.5% (61)
Through economic abuse	38.1% (56)
Through the children ($n = 107$)	64.5% (69)

Note. The types of controlling behaviors were coded according to the Power and Control Wheel of the Duluth Model.

Table 3 Characteristics of the partners of the abused males who called the DAHM

Characteristic (# of men who were asked question)	% of Partners (n)
Partner has a history of childhood trauma ($n = 48$)	91.7% (44)
Partner has threatened suicide ($n = 63$)	61.9% (39)
Partner has threatened homicide ($n = 61$)	59.0% (36)
Partner uses alcohol ($n = 96$)	52.1% (50)
Partner has a mental illness ($n = 100$)	46.0% (46)
Partner uses drugs ($n = 89$)	34.8% (31)

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