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# Battered Women in New Jersey

January 1981

A report of the New Jersey Advisory Committee to the United States Commission on Civil Rights prepared for the information and consideration of the Commission. This report will be considered by the Commission, and the Commission will make public its reaction. In the meantime, the findings and recommendations of this report should not be attributed to the Commission but only to the New Jersey Advisory Committee.

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# Battered Women in New Jersey

—A report prepared by the New Jersey Advisory  
Committee to the U.S. Commission on Civil Rights

## **ATTRIBUTION:**

The findings and recommendations contained in this report are those of the New Jersey Advisory Committee to the United States Commission on Civil Rights and, as such, are not attributable to the Commission. This report has been prepared by the State Advisory Committee for submission to the Commission, and will be considered by the Commission in formulating its recommendation to the President and Congress.

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## LETTER OF TRANSMITTAL

New Jersey Advisory Committee to the  
U.S. Commission on Civil Rights  
January 1981

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Louis Nuñez, *Staff Director*

Dear Commissioners:

The New Jersey Advisory Committee submits this report, *Battered Women in New Jersey*, as part of its responsibility to advise the Commission on relevant civil rights problems within the State. It hopes that the information will be useful to the Commission's national project on battered women.

This report reviews the problems facing battered women in selected localities in New Jersey. Although data were collected throughout the State, the study focused primarily on Trenton and Ewing Township in Mercer County and Hackensack in Bergen County. In the study, the Advisory Committee examined the policies and practices of the criminal justice system, including several police departments, municipal courts, and probation departments and of selected public and private social service agencies including hospitals, welfare agencies, and shelters for battered women.

The Advisory Committee held a factfinding meeting in Trenton in December 1977 and received information from more than 30 witnesses, including several women who formerly had been battered. The Advisory Committee also requested data from county prosecutors throughout the State on the number of cases related to battering incidents and the disposition of those cases.

New Jersey has been in the forefront of the nation in the development of shelters for battered women. Nonetheless, despite the growing public awareness of the problems of battered women, most criminal justice and social service agencies do not provide the assistance that these women need. The police and court personnel do not always treat battering with the seriousness that it deserves and staff throughout the criminal justice and social service agencies need to be better trained to handle the problems of these women. Additional funding should be made available for services for battered women.

We urge the Commission's support of our recommendations.

Sincerely yours,

Clyde Allen  
Chairperson

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The staff of the Publications Support Center, Office of Management, was responsible for final preparation of the document for publication.

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# 1. Introduction

The battering of women by husbands or male companions has received increased attention from the media, governmental agencies, and other social institutions.<sup>1</sup> Battered women themselves have begun to speak out and a growing number of support groups have come to their assistance.<sup>2</sup> However, despite the increased public awareness of the problem, many persons charge that criminal justice and social service institutions of our society have failed to provide adequate resources or to change existing policies and procedures to meet the needs of these women who have been physically abused.

In January 1977, the New Jersey Advisory Committee to the U.S. Commission on Civil Rights began a study of the problems of battered women living in selected localities in New Jersey to determine if criminal justice and social service agencies provide equal protection and/or adequate services to these women. Although data and information were collected throughout the State, the study focused primarily on Trenton and Ewing Township in Mercer County and Hackensack in Bergen County.

The Advisory Committee examined both the criminal justice system and alternatives to it, including divorce proceedings and assistance provided by

selected public and private social service agencies. It reviewed criminal and civil statutes, police regulations, court procedures, hospital procedures, and public assistance eligibility requirements and programs. The Advisory Committee and Commission staff interviewed police, prosecutors, judges, other court personnel, representatives of public and private social service agencies, hospital staff, individuals working in shelters and support groups, and battered women themselves.<sup>3</sup> Also requested from each of the county prosecutor's offices in the State were data on the number of cases of battering handled by the office and information on the disposition of those cases.

The project culminated in a 1-1/2 day factfinding meeting held on December 1 and 2, 1977, in Trenton, N.J.. The Advisory Committee heard presentations from approximately 40 persons including public officials and private citizens. Five women who themselves had been battered described their experiences. A transcript of the factfinding meeting is available to the public at the Eastern Regional Office of the U.S. Commission on Civil Rights, 26 Federal Plaza, Room 1639, New York, New York.<sup>4</sup>

<sup>1</sup> The growing public interest in battered women is reflected in increased activity by Federal agencies. The U.S. Commission on Civil Rights (USCCR) held a consultation in January 1978 and two hearings in 1980 on the issue. In 1979 the former U.S. Department of Health, Education, and Welfare established an Office of Domestic Violence and other governmental agencies have provided funds for shelters or research projects related to battering. These Federal policies and programs are reviewed in a forthcoming USCCR study which is expected to be released in early 1981.

<sup>2</sup> One indication of the growing number of women and women's groups interested in battering was the attendance at the USCCR national consultation on battered women. More than 600 persons attended the January 1978 consultation, at which time the National Coalition Against Domestic Violence was formed. The USCCR report on the consultation, *Battered Women: Issues of Public Policy*, issued in 1978, lists almost 300

battered women's shelters and support groups in the nation. However, even this list is not considered comprehensive.

<sup>3</sup> More than 60 persons were interviewed including: 19 uniformed police personnel in Newark, Trenton, Hackensack, and several smaller cities; civilians involved in police training and victims assistance centers; 14 lawyers; 3 prosecutors; 5 judges; other court personnel; hospital staff from 4 hospitals; State and county welfare officials; persons working in shelters and other support services; and 5 battered women. Information collected during these interviews is used throughout this document. Reports of the interviews are available from the USCCR Eastern Regional Office (ERO).

<sup>4</sup> USCCR, New Jersey Advisory Committee, "Transcript of Proceedings, Informal Public Hearing on Battered Women," Dec. 1 and 2, 1977, Trenton, N.J. (hereafter references to this transcript will be included in

The New Jersey project is one of several studies by the national Commission on Civil Rights on this subject. In August 1977, the Colorado Advisory Committee issued a report, *The Silent Victims: Denver's Battered Women*, and released an accompanying color film entitled, "A Woman, a Spaniel, and a Walnut Tree."<sup>5</sup> In September 1977, the Connecticut Advisory Committee held a factfinding meeting on the problems of battered women in Hartford and in April 1979, released a report based on its study. The Connecticut Advisory Committee also issued a 50-minute videotape on its study entitled "Coming Out of Violence."<sup>6</sup> The national office of the Commission sponsored a 2-day consultation in Washington, D.C. on January 30 and 31, 1978. A report on the consultation was issued in December 1978.<sup>7</sup> The Commission held a hearing on the issue in Phoenix, Arizona, in February 1980 and in Harrisburg, Pennsylvania, in June 1980. The Commission also has initiated a study which will identify

parenthesis in the text with the volume in roman numerals and page in ordinal numbers).

<sup>5</sup> USCCR, Colorado Advisory Committee, *The Silent Victim: Denver's Battered Women* (August 1977). Film entitled, "A Woman, Spaniel, and a Walnut Tree" (August 1977). Both are available on request from USCCR, Rocky Mountain Regional Office, Executive Tower, 1405 Curtis Street, Suite 1700, Denver, Colo. 80202.

<sup>6</sup> USCCR, Connecticut Advisory Committee, *Battered Women in Hartford, Connecticut*, April 1979. The report and the film are available on request from the USCCR New England Regional Office, 55 Summer Street, Boston, Mass. 02110.

and review Federal policies and programs related to battering. The report is expected to be released in early 1981.

Throughout this report, the term battering is used to describe the physical injuring of one person by another of the opposite sex within a familial situation.<sup>8</sup> The beating is usually one of a series of physical assaults by one person on another. Battered women may be the lawfully wedded wives of the men who abuse them, their "girl friends," regular companions, or common-law wives. Injuries suffered by these women may range from severe bruises to blows or wounds which result in permanent injury or death; in all cases the act of violence is in fact a criminal assault whether or not the specific incident was recognized or treated as such by the police, the courts, or society.<sup>9</sup> The terminology "physically abused" or "abused woman (wife)" is used in the report interchangeably with the term "battered woman."

<sup>7</sup> USCCR, *Battered Women: Issues of Public Policy* (1978).

<sup>8</sup> A similar definition is given by Del Martin, in her book *Battered Wives* (San Francisco: Glide Publications, 1976) p. 21.

<sup>9</sup> Assault as defined by New Jersey statutes is discussed more fully in chapter 3 of this report. It is the contention of the New Jersey Advisory Committee that acts of battering do fall within the jurisdiction of the criminal justice system regardless of how they have been handled by that system in the past or the present.

## 2. The Problem

Literature on the subject establishes that wife abuse has been tolerated, condoned, and justified for centuries by many segments of society and by most of its institutions.<sup>1</sup> A woman's second-class status in a male-dominated world is cited frequently as an underlying factor leading to this form of physical abuse. Traditionally, women have been viewed as "inferior" to men and wives have been seen as the "property" of their husbands.<sup>2</sup> Under English common law, a man's right to beat his wife was legitimized by the "rule of thumb" which permitted the beating of the wife provided that the stick was no bigger in diameter than the man's thumb.<sup>3</sup>

The physical abuse of wives and women occurs in upper and middle income homes as well as in low income and poverty households; the victims are black, Hispanic, and white women alike. The "batterers" are professionals, factory workers, or laborers.<sup>4</sup> In some instances, differences of language and cultural heritage isolate the women not only from social services but also from changing norms and attitudes toward problems such as spouse abuse. For certain population groups, the cultural views of the women within the family combined with the tradi-

tional role of "machismo" in male-female relationships further intensify the problem. For these racial, ethnic, national origin, or cultural groups within our society, the hardship for abused women may be even more severe.<sup>5</sup> The psychological ramifications of being abused by a person with whom one has an intimate relationship are complex and in most instances psychological abuse accompanies the physical beating. These emotional problems are usually an integral part of the battering syndrome.

### Presentations by Victims

Five women who had been physically abused by their male companions or husbands made presentations at the Advisory Committee's factfinding meeting held December 1 and 2, 1977, in Trenton, New Jersey.<sup>6</sup> Directly stated or implied in their presentations was the charge that the causes of battering are observable in basic societal attitudes and deeply ingrained in society's institutions. Ms. B. stated:

Millions of women each year are beaten by their husbands and boyfriends. Battered women are a societal problem. I feel it is a societal problem because our society condones general violence

<sup>1</sup> A list of bibliographies is contained in the U.S. Commission on Civil Rights (USCCR) report, *Battered Women: Issues of Public Policy* (1978), pp. 625-26.

<sup>2</sup> Del Martin deals with the issue of the woman's second-class status in society in Chapter 3, "Wife-Beating and the Marriage Contract," of her book, *Battered Wives* (San Francisco: Glide Publications, 1976), pp. 25-45.

<sup>3</sup> 3 Va. L. Reg. (n.s.) 241 (1917).

<sup>4</sup> Martin, *Battered Wives*, p. 19. The Bergen County Advisory Commission on the Status of Women 1977 report, "Crimes of Violence Against Women: Rape and Battered Women," (Spring 1977) also establishes a comprehensive profile of the woman who has been abused and of the batterer. The battered women in the study were individuals of all racial and ethnic backgrounds and income levels. The women included whites, blacks, and Hispanics. They were housewives, office workers, unskilled workers,

professionals, and students and represented a wide range of educational levels including college graduates and recipients of advanced degrees. The batterers also represented a wide range of occupations; one half of the batterers identified were categorized as professional or executive. (Section on Battered Women, pp. 13-15).

<sup>5</sup> USCCR, *Battered Women: Issues of Public Policy*, p. 8 (presentation of Del Martin at the Commission's national consultation, Jan. 30, 1978.)

<sup>6</sup> Women making presentations at the factfinding meeting are herein identified by the letters, Ms. A., B., C., etc., according to the order in which they made presentations at the meeting, in order to protect their identity. The information presented by them has not been verified because the Advisory Committee was interested in the pattern of experience they described and not in the specific incidents. The women presenting information were referred by recognized shelter groups in the State.

against women. That violence comes in the form of rape, muggings, pornography, verbal assaults on the streets or beatings in the home. . . Root causes lie in societal attitudes about violence against women, male role patterns which encourage violence in boys and men and law enforcement and criminal justice systems which have done little more than give the abuser a smack on the wrist and send him home to be abusive again.<sup>7</sup>

As a group, the five women represented differing socioeconomic, racial, and ethnic backgrounds. Ms. C. described herself as a "nice, middle-class girl" who lived a "feminist" lifestyle with her husband, a "nice, middle-class attorney." (I,20) Ms. A. was a middle-class housewife whose alcoholic husband beat her during his recurring bouts of drinking. Ms. D., whose husband also was an alcoholic, was a mother and housewife. Ms. E. was a nurse who left her husband because of batterings after 24 years of marriage, moved out of the State, and struggled for several years to obtain a separation, support payments, and finally a divorce. Four of the women were white; one was black.

In spite of socioeconomic differences, each woman related to the Advisory Committee a history of escalating physical violence. Ms. B. summarized her situation as follows:

During the early seventies, it was not unusual for me to go to work with black eyes, bruises, cuts, scrapes and to be emotionally upset. I was slapped, kicked, punched, humiliated and raped by a man who claimed he loved me during the 5-1/2 years my ex-husband and I lived together.

Sometimes my ex-husband became violent because he did not have a hot dinner awaiting him at 3:00 in the morning when he would come staggering into the house after bar-hopping with his friends. Other times the physical abuse was the result of a verbal argument or when my ex-husband played the he-man role in front of friends. There were times when the violence was for no apparent reason. Sometimes my ex-husband was drunk when he was violent; at other times he was sober.

As the years moved on and the violence increased, the fear of being hit or killed also increased. There were a few occasions when I was literally driven out of my home at 3:00 or

4:00 in the morning by my ex-husband with no place to go and no way to get there except on foot. (I,11-12)

The range of violence varied. Ms. D. suffered the most severe injuries including a broken back. The injury occurred when, after escalating violence, she filed for a divorce. She stated:

He seemed to get the idea that I had only served the divorce papers to threaten him, that I really did not have any intentions of going through with it. He became infuriated at the thought that I wanted to spend this much money on a lawyer to threaten him and on March 2, 1976, he grabbed me and flung me out of the bathroom and broke my back. (I,34)

Ms. E. also received regular beatings and suffered injuries, including broken ribs. She said:

My situation started in 1969 when I sustained three broken ribs. I was working as a nurse and I asked my husband if I could go to Sears to get some panties—some white pantyhose because battery acid had eaten through a pair that I had. That is all I can remember saying and as I said, I sustained three broken ribs. (I,52)

Although she left the State and moved to the South to be near relatives, her husband pursued her and persuaded her to return home. She made a final attempt at a reconciliation, only to be beaten again after she had been hospitalized for non-battering related surgery. (I,53)

Ms. A. endured many injuries including bruises, a broken nose, and a concussion:

We had many incidents, some involving the police but each time he would be very nice when they came to the door and my bruises would not be evident at that time. . . .

When he had his next slip, because again (alcoholism) is a progressive disease, life was hell. . . .

Early in the fall of 1975, I was hospitalized for observation for colitis. The week after I returned home, the worst battering occurred. He trapped me in the house, tore my clothing, hit me with his fist, knocked me to the floor, and tried to strangle me. . . . By late evening I went into shock and was taken to the emergency room, I was given some sedation, diagnosed as having a slight concussion and after another set

be included in parenthesis in the text with the volume indicated in roman numerals and page in ordinal numbers).

<sup>7</sup> USCCR, New Jersey Advisory Committee, "Transcript of Proceedings, Informal Public Hearing on Battered Women," Dec. 1 and 2, 1977, Trenton, N.J., vol. 1, pp. 16-17 (hereafter references to this transcript will

of X-rays was taken, I was sent home with the poor hapless woman who had taken me in.

The next day when I went to my family doctor, he told me the X-rays showed I had a broken nose. (I,24-26)

In all cases psychological abuse accompanied the physical abuse and some women found the emotional and psychological abuse even more difficult to endure. The emotional pain was intensified by a sense of shame and humiliation, alienation from friends and relatives, and disbelief that the beatings were actually occurring. Ms. C. verbalized the disbelief expressed by the women:

I was a battered woman for about 8 months. I had never experienced violence before in my life, either as a child or in the 5-1/2 years of marriage preceding the time of battering. Incredible though it seems during the violent period, as before it, I was very active in the women's movement. I was considered, in fact, a leader by many feminists throughout the country and yet I put up with slaps and slugs and wrenched muscles and a bruised body for almost a year and told no one.

I had always said before that if my husband ever laid an abusing hand on me, it would be a one-time only happening. It wasn't. I believed it would never happen again after the first time. He was so repentant but he knew now that he didn't have to reason things out with me any more. He had discovered the easier solution to winning or at least ending debates, discussions, and arguments and so it went. (I,18-19)

Similar emotions were expressed by Ms. B., who said: "Part of me could not comprehend that the beatings were actually happening to me. I couldn't quite believe that two people who supposedly loved each other could live with constant fighting. I thought that one day either the violence had to stop or one of us would be killed." (I,14)

Ms. B. explained why she stayed with her husband for as long as she did and described the psychological abuse she endured:

For me the psychological anguish became worse than the physical abuse. I grew more and more afraid of my ex-husband. I began to believe that he was conspiring against me. I thought that he was consciously trying to reduce me to being a completely submissive person by using verbal threats and repeated

statements to diminish my worth as a person. (I,13)

The guilt experienced by Ms. B. is shared by many battered women. She said:

I also felt that the failures in our marriage were my fault; that it was I who had done something wrong to have had things go so badly. I believed then it was my responsibility as a wife to try to make amends and made the rational overtures, hoping that my ex-husband and I would sit down and talk out our problems so that the marriage could be saved. . . .

I also stayed with my ex-husband because our marital violence had become a way of life and I was in a state of what I see as long-term shock. (I,14)

She also talked of the shame and alienation she experienced:

Another reason why I stayed was because I was ashamed to fully talk with anyone about what was happening to me. I thought no one could really understand what it was like to be beaten by one's husband. I thought no one would believe that my husband was capable of such violence, since he was well liked.

In fact, some other women thought I was lucky to have such a nice husband. I knew other women who were battered wives; but they also never fully discussed their situation. It was as though as battered wives, we had taken a vow of silence not to talk about our experiences of marital violence.

I especially tried to hide my experiences from my parents. Neither my parents nor my ex-husband's had a history of household violence. So I felt that confiding in them would be hopeless and embarrassing. I also did not want to hurt my parent's feelings, nor let them know that their son-in-law was abusive. (I,15)

Ms. E. said: "You can idealistically think and dream, well maybe if I wear pink toenail polish instead of red or maybe it's this or maybe it's that or maybe I should learn how to keep the house. I think we have a tendency to blame ourselves." (I,75-8)

The experience of battered women is one which extends far beyond the actual physical beating and one which requires remedies far beyond the medical treatment. The suffering inflicted on battered women is viewed by some as physical evidence of women's second-class status in society.