

SPECIAL REPORT



Domestic Violence Programs Discriminate Against Male Victims

COALITION TO END DOMESTIC VIOLENCE

Hundreds of studies have probed the extent and contours of domestic violence.¹ With remarkable consistency, research demonstrates the following:

- Each year, men are more likely than women to be the victims of domestic violence:²
 - Males: 4.2 million victims
 - Females: 3.5 million victims
- Each year, men are more likely than women to be victims of coercive control by their partners:³
 - Males: 17.3 million victims
 - Females: 12.7 million victims
- Same-sex lesbian couples have higher lifetime rates than same-sex gay couples for domestic violence, rape, and/or stalking:⁴
 - Lesbian: 44%
 - Gay: 26%

In about half of all cases, the physical aggression is mutual.^{5,6} And women acting in self-defense account for only 10-20% of female aggression cases.⁷ Similar findings have been reported in international studies^{8,9} About one-third of partner assaults are “severe,” meaning that the men were kicked, bit, hit with a fist, threatened or attacked with a gun or knife, or beat up.¹⁰

While men tend to under-report their injuries, they may suffer graver consequences than women. One analysis of data from the National Electronic Injury Surveillance System-All Injury Program found that 7.9% of all men who visited the emergency were admitted for their injuries, compared to only 3.7% of women.¹¹

The physical and psychological effects on victims are significant. An analysis of 302 men battered by their female partners found 35% of the men had sustained severe physical injuries as a result of the battering. In addition, 23% of the men in the study had been diagnosed with a mental illness such as depressive disorder or anxiety disorder.¹²

Some women openly admit to being perpetrators. Singer Amy Winehouse has said about her husband, “I’ll beat up Blake when I’m drunk ... If he says one thing I don’t like then I’ll chin him.”¹³ Other women make light of their violence:¹⁴

- “I bounced an alarm clock off my husband’s head from across the room once.”
- “I’ve had many satisfying dreams where I beat up my ex. If I saw him again, I don’t think I’d be able to restrain myself.”
- “Yeah, I’ve punched the sh*t out of a guy. But I don’t like to brag.”

Despite a pressing need to help male victims of partner assault, sex bias is widespread. This Special Report describes how men who seek services are sometimes ignored, ridiculed, and even accused of the crime to which they have become unwitting victims.

Early Evidence of Bias

From the earliest days in American history, men have been subjected to assaults by their domestic partners. In 1641, the Massachusetts Bay colonists adopted the Body of Liberties, which stated, “Every married woman shall be free from bodily correction or stripes by her husband, *unless it be in his own defense upon her assault.*” [emphasis added]

Well-known political figures have been victims of domestic violence, as well. In his book, *The Inner World of Abraham Lincoln*, Michael Burlingame reveals the repeated severe assaults that President Lincoln suffered at the hands of his wife, Mary. These incidents forced President Lincoln to set up a couch in his office where he sometimes spent the night.¹⁵

This early example reveals how that dismissive attitude had become pervasive throughout many sectors of American society:

A father of two endured repeated physical assaults by his substance-abusing wife, including thrown objects, hitting, and kicks. After years of abuse, he finally called the local police. He was advised that since “women don’t beat up men in this state,” the officer would likely discard the complaint. Or worse, the man might be arrested.

The man then telephoned the local shelter to ask for help. The woman who took his call scolded him, saying, “Only men perpetrate domestic violence.”

The father then sought the assistance of a divorce attorney. The lawyer explained to the father that he would probably lose custody of his children, because “men are not victims of DV.”

Shortly after that conversation, his drunken wife attacked him with a baseball bat, cracking three ribs and causing him to black out. Although he gave the emergency room nurse a detailed account of what had happened, the nurse wrote in the medical record simply, “household accident.”

Following years of physical and psychological abuse, and after the divorce had been finalized, the man sought counseling. The therapist asked, “What did you do to provoke this?”¹⁶

Legal Requirements

Most domestic violence shelters receive federal funding under the Family Violence Prevention and Services Act, which is administered by the U.S. Department of Health and Human Services (HHS). By law, HHS grantees are barred from engaging in sex discrimination:

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Title IX of the Education Amendments of 1972, 20 U.S.C. 1681, 1682, 1683, 1685, and 1686, provides that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.¹⁷

Similar anti-discrimination provisions also apply to the Violence Against Women Act, which is administered by the Department of Justice. VAWA-funded grants are governed by the Omnibus Crime Control and Safe Streets Act of 1968, which states:

No person in any State shall on the ground of race, color, religion, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under or denied employment in connection with any programs or activity funded in whole or in part with funds made available under this chapter.¹⁸

These non-discrimination requirements apply both to direct recipients of federal government funds (e.g., state domestic violence coalitions) as well as to sub-contractors (e.g., abuse shelters).¹⁹ The penalties for violating these requirements are described in Section 3789d. (c)(2) of the law.

Despite these legal requirements, the Violence Against Women Act (VAWA) has been characterized by overt sex bias, even from the very beginning. Congressional hearings described domestic violence as “violence committed by men against women,” “an expression of gender discrimination,” and “a way to keep women in their place.”²⁰ Senator Joseph Biden, lead sponsor of the original bill, summarized the bill’s primary goals as follows: “to make streets safer for *women*; to make homes safer for *women*; and to protect *women*’s civil rights.”²¹ [emphasis added]

In response to numerous complaints of sex-based discrimination by VAWA-funded programs, Senator Orrin Hatch issued the following statement in 2000 to clarify Congressional intent:

Despite the need to direct federal funds toward the most pressing problem, it was not, and is not, the intent of Congress categorically to exclude men who have suffered domestic abuse or sexual assaults from receiving benefits and services under the Violence Against Women Act. The Act defines such key terms as ‘domestic violence’ and ‘sexual assault,’ which are used to determine eligibility under several of the grant programs, including the largest, the STOP grant program, in gender-neutral language. Men who have suffered these types of violent attacks are eligible under current law to apply for services and benefits that are funded under the original Act—and they will remain eligible under the Violence Against Women Act of 2000—whether it be for shelter space under the Family Violence Protection and Services Act, or counseling by the National Domestic Violence Hotline, or legal assistance in obtaining a protection order under the Legal Assistance for Victims program.

We anticipate that the executive branch agencies responsible for making grants under the Act, as amended, will continue to administer these programs so as to ensure that men who have been victimized by domestic violence and sexual assault will receive benefits and services under the Act, as appropriate.²²

Senator Joseph Biden confirmed Senator Hatch's statement, remarking, "Nothing in the act denies services, programs, funding or assistance to male victims of violence."²³

As a consequence of continuing complaints of discrimination, the 2005 renewal of VAWA added this requirement:

NONEXCLUSIVITY.—Nothing in this title shall be construed to prohibit male victims of domestic violence, dating violence, sexual assault, and stalking from receiving benefits and services under this title.²⁴

Despite this legislative clarification, male victims continued to report having "difficulty accessing traditional services because of their sexual orientation or gender identity," according to a statement by Sen. Patrick Leahy.²⁵

For these reasons, the 2013 reauthorization of VAWA changed most of the law's language to be sex neutral, and incorporated a more explicit nondiscrimination requirement:²⁶

(A) NONDISCRIMINATION – No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103-322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106-386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109-162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2013, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

But six years later, Sen. Joni Ernst inexplicably described her VAWA reauthorization bill as one that puts the "wellbeing of women and children of sexual and domestic violence first."²⁷

Federal and State-Level Discrimination

Overt sex discrimination is seen at the highest levels—federal and state governments, national domestic violence organizations, and state domestic violence coordinating councils. This problem is detailed in the sections that follow.

Office on Violence Against Women

The Department of Justice’s Office on Violence Against Women (OVW) is the principal federal agency that administers VAWA funds. On several occasions the OVW has issued directives or established funding mechanisms that openly discriminatory:

- In 2002, the OVW instructed the Delaware Domestic Violence coordinating council that, “states must fund only programs that focus on violence against women.”²⁸
- Department of Justice (DoJ) research solicitations have explicitly excluded applications that focus on male victims. One Solicitation for Proposals from the DoJ National Institute of Justice specifically prohibited “proposals for research on intimate partner violence against, or stalking of males of any age...”²⁹
- The OVW awarded \$3 million to Baylor University to establish the Faith and Community Technical Support (FACTS) program designed to reduce domestic violence in rural communities. In 2006 the FACTS program issued a grant solicitation stating, “As with previous VAWA methods, it is assumed that ... all victim data reported is about victimized *women*.”³⁰ One of the questions on the grant application asks, “Number of years organization has spent working on violence against *women* issues.”

The webpage of the Office on Violence Against Women previously made this claim that downplays the existence of male victims:³¹

Although both women and men may be victims of domestic violence, sexual assault, and stalking, women are the victims of the vast majority of these crimes. According to the Bureau of Justice Statistics, more than 85% of violent victimizations by intimate partners between 1993 and 1998 were perpetrated against women. Women are between 13 and 14 times more likely than men to be raped or sexually assaulted; for instance, in 1994, 93% of sexual assaults were perpetrated against women. Four of five stalking victims are women. Data on male victimization do not show that males experience comparable victimizations and injury levels, do not account for women who act in self defense, and do not measure financial control, intimidation, and isolation used by perpetrators of domestic violence against women. For these reasons, this application kit may refer to victims as women and perpetrators as men. However, applicants who receive grants under this program must serve all victims regardless of gender.

By citing unreliable crime statistics that are known to underestimate the extent of male victimization, the real message appears to be, “men need not apply.”

National Domestic Violence Organizations

Several national organizations support the efforts of state-level DV service providers. Through their mission statements, announcements, and pictures, national organizations make it clear that their focus is solely the female abuse victim.

For example, the National Network to End Domestic Violence (NNEDV) provides money to domestic violence victims through its Amy’s Courage Fund. The NNEDV describes the fund this way: “We all know an Amy – she’s the girl next door, the woman standing in front of you at the grocery store. She’s your sister, your mother, your friend, your coworker or maybe even you.”³²

The NNEDV makes no mention about the boy next door, the man at the grocery store, or your brother or father who may have suffered from domestic violence.

State Domestic Violence Coordinating Councils

The Violence Against Women Act provides for the establishment of state-level DV coordinating councils. These groups are charged with allocating federal grant monies to local service providers. But the committees that make funding decisions are composed of persons representing the same groups that are receiving the monies, an obvious conflict of interest.

According to columnist Cathy Young, these coordinating councils “formally require member organizations to embrace the feminist analysis of abuse as patriarchal coercion.”³³ An example of that perspective came from the director of the Massachusetts Coalition Against Sexual Assault and Domestic Violence, who made this dismissive comment about male victims: “Sometimes it snows in Florida ... but we don’t make public policy around it.”³⁴

These coalitions have not been welcoming to organizations that serve male victims. For example, the West Virginia Coalition Against Domestic Violence published a judicial education handbook titled, “For a Safer State of Family.”³⁵ The handbook all but ignores male victims, and is adamant in discounting female aggression:

Domestic violence educators are often challenged to use gender-neutral language when talking about intimate partner abuse. However, domestic violence is not gender neutral. The fact remains that the vast majority of heterosexual victims are women and the vast majority of heterosexual perpetrators are men.

Shelters, Hotlines, and Other Services

Not surprisingly, the actions detailed above bias the provision of shelter services, outreach, and other services at the local level. For example, an application for a program serving male victims in Texas was denied because “programs that focus on children and/or men” were deemed to be ineligible.

Additional examples are documented below.

Shelters

An estimated 1,200 abuse shelters are currently in operation in the United States.³⁶ It’s well-known that most of these shelters routinely turn away male DV victims, or provide them a substantially lower level of service. For instance, “only a handful [of shelters] offer beds to battered men and their children, and outreach programs targeting male victims are essentially nonexistent.”³⁷ In fact, men have reported being refused to receive assistance, accused as abusers, or told that the shelters “only help women.”³⁸

One former shelter director revealed, “The shelter did not provide services to male victims of domestic violence, even when the men had suffered physical abuse similar to what women had experienced. Instead, the men were referred to a local police station to request a restraining order.”³⁹ Some shelters only provide men a voucher for them to stay at a local motel or informally restrict their services to homosexual males.

Psychologist David Fontes noted that when he advised male victims to call local domestic violence programs for help, his clients found that “either the shelters and centers never returned their calls, or they were told by the workers that they really don’t have the services for male victims of domestic violence.” In cases when men in desperate straits showed up at their door for help, Fontes noted that “some of the men felt they were treated at these shelters and centers more with suspect than respect.”⁴⁰

Ironically, not only do shelters discriminate against male victims, they also treat female *batterers* as *victims*. In one case a female abuser called wanted to get help with her anger management problem, but the local domestic violence center “tried to convince her that she was a victim and not a perpetrator.”⁴¹ In a more curious case:

A woman was arrested and ordered out of the house following her assault against her husband. She was referred to a shelter. Her attorney provided the shelter counselor with a detailed account of what had transpired: “Mrs. C. grabbed Mr. C. by his necktie (and) he pushed her away. Mrs. C. then punched his face and her fingernail cut his neck.” And how did the shelter workers assess the situation in its records? “Physical abuse” of the woman by her husband.⁴²

Judy King Smith, director of the Rape and Domestic Violence Information Center in Morgantown, West Virginia, once admitted, “We do not shelter men in the shelter even

if it's empty." Why? For the simple reason that "we were founded for the purpose of providing shelter to battered women and their children."⁴³

California provides a microcosm of the national problem of lack of domestic violence services for male victims. In that state, male victims were excluded by statute. Section 124250 of the state's Health and Safety Code defined domestic violence as follows:

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 *woman*, and is part of a pattern of assaultive, coercive, and controlling behaviors, directed at achieving compliance from or control over, that *woman*. [emphasis added]

Not surprisingly, one survey of 26 domestic violence shelters in California factually reported that "Most shelters do not admit males."⁴⁴ In 2002, abuse victim Ray Blumhorst contacted 10 shelters in southern California to request services. All of the shelters turned him down, offering a variety of explanations:⁴⁵

- Rainbow Services claimed, "We have limited resources and it's all we can do to try and keep up with the demand for services for women and children."
- A lawyer representing several of the shelters stated, "Women's shelters receive funding from the state pursuant to a gender-specific funding statute."
- Kathie Mathis, of the Domestic Violence Center, noted, "We're all in a network. No one is turned away; they're just referred."

The referral shelter that Ms. Mathis was talking about was the Valley Oasis shelter, located 80 miles away in Lancaster, California. The Valley Oasis shelter is one of the few shelters in the United States that provides the full range of services to male victims.⁴⁶

Ruth Woods repeatedly assaulted her husband, David, with punches, kicks, and knives. On one occasion, she tried to shoot him with a shotgun. On four separate occasions, David sought protection and services from WEAVE, a domestic violence agency in Sacramento. He was turned away every time with the curt explanation, "We don't help men."⁴⁷ But Michelle Coleman, Director of Crisis Services, told a different story: "We do provide shelter services. At WEAVE we provide services to everyone."⁴⁸

As a result of this incident, a lawsuit was filed against the state of California in 2005 for unlawful denial of services. The Third District Court of Appeal in Sacramento later ruled such practices violate constitutional equal protection guarantees.⁴⁹

More recently, a survey of 3,410 shelter persons residing at 215 abuse shelters in eight states found fewer than one percent of the respondents were male.⁵⁰

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When discrimination against male victims becomes the norm, abused men stop asking for help. They may become victimized two times: first by a violent partner, and then by a counseling program that denies their very existence.

Hotlines

Outreach services such as hotlines are important because they help domestic violence victims find the services they need. The website of the National Domestic Violence Hotline laudably employs sex-neutral terminology and provides assistance to male and female victims alike. But many other hotlines operate under a different mandate.

One study documented the experiences of 190 abused men who sought assistance from a hotline.^{51,52} One man reported, “I called 11 different numbers for battered women and got no help.” Another man called a “helpline” to locate couples counseling services, only to hear thinly veiled accusations that he was a batterer. The supervisor subsequently confirmed her agency’s dismissive attitude: “Why would a man call a helpline if he were not the abuser?”

In Maine, the Maine Coalition to End Domestic Violence refused to approve the application for membership from the Domestic Abuse Helpline for Men, explaining that our “current criteria require that membership be organizations whose primary purpose is to provide a full range of services to battered women and their children.”⁵³

One woman from Washington State recounts the experience of an abused male friend. The man “called the state’s Domestic Violence Hotline, the one MY tax dollars pay for, and because he is male, they told him he was probably a batterer and a liar.”⁵⁴

Criminal System

Male victims not only face systematic barriers when they seek to obtain treatment and help from hotlines, they also experience discrimination from law enforcement and legal services.

In one Ohio case a woman violently attacked her husband, breaking three of his ribs. Falling to the ground, his head banged into hers. When the police arrived, she was bragging how she had assaulted her husband. Despite the fact that she was the aggressor, the man was also arrested. The injured male victim was required to post a \$10,000 bond. But the woman was released from jail on her own recognizance.⁵⁵

And even when the police know the aggressor is female, the man may be forced to pursue the case on his own. The director of a crisis intervention program in New Hampshire explains:

Most often when women are arrested and jailed for domestic violence, and a no contact order or restraining order is issued, the Domestic Violence crisis centers will appear in Court to represent the interest of, and offer support to the

batterer...simply because she is a woman...while a male victim can place a call to his local crisis center, most often upon referral by the Police, and, at best, be offered minimal if any support and often turned away or not taken seriously.⁵⁶

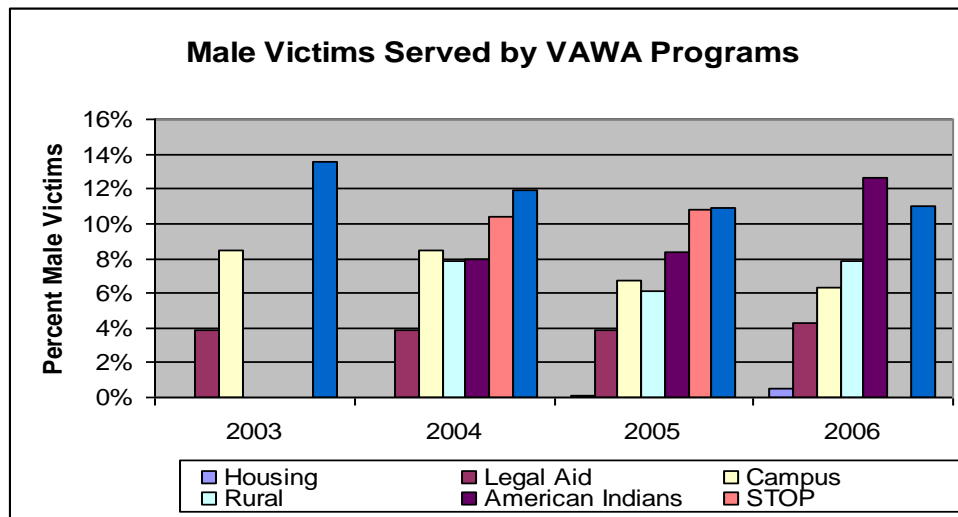
Moreover, studies have found that court responses to temporary restraining order requests varied based on the plaintiff’s sex—protection requests by women were granted 91% of the time, while men were granted only 66% of the time.⁵⁷ Compared to women, “men were twice as likely to have their protection requests denied ... 360% more likely to have their issues deferred”

Other CEDV Special Reports have documented persistent and unconscionable sex bias in the criminal system:

- The Use and Abuse of Domestic Restraining Orders⁵⁸
- Arrest Policies for Domestic Violence⁵⁹
- Equal Treatment under the Law?⁶⁰

Utilization Data

In 2007, the Office on Violence Against Women reported on utilization data by male victims for each of its seven grant programs:



Overall, only 9.7% of persons receiving help were male victims, the remaining 90.3% being female victims. The percentages of male victims for the Legal Assistance for Victims and Transitional Housing programs were much lower – 3.9% and 0.4% respectively.⁶¹

The most recent OVW report to Congress documents that major disparities in the provision of victim services continue to the present time.⁶²

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- Legal Assistance: 6% male, 94% female (Page 162)
- Rural Assistance: 10% male, 90% female (Page 174)
- Sexual Assault Services: 4% male, 96% female (Page 184)
- Transitional Housing: 1% male, 99% female (Page 204)
- Indian Tribal Governments: 5% male, 95% female (Page 222)
- Tribal Sexual Assault: 14% male, 86% female (Page 237)
- Services to Underserved Populations: 14% male, 86% female (Page 248)

Equality under the Law

“Equal treatment under law” is one of the bedrock principles of the American legal system. The concept is so fundamental to our sense of justice that those words are boldly inscribed on the face of the U.S. Supreme Court building.

Most of the examples of discrimination documented in this Special Report occurred after 2000, the year that Senator Hatch directed that, “Executive branch agencies responsible for making grants under the Act, as amended, will continue to administer these programs so as to ensure that men who have been victimized by domestic violence and sexual assault will receive benefits and services under the Act.”

But equal treatment under the law does not yet exist within the purview of our nation’s domestic violence laws.

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