

DOMESTIC VIOLENCE & SEXUAL ASSAULT

Department of Public Safety

Host Site: Anchorage, Alaska July 18, 2008

A goal of the '08 Health Caucus agenda was to expand the understanding of health and social services service delivery by the State of Alaska. A great many of the services that fall within the definition of health are within the umbrella of public administration within the Department of Health and Social Services. Domestic Violence and Sexual Assault are public safety issues. They often stem from actions with dysfunctional behavioral roots, can lead to family instability, and child welfare system involvement. Departments of Health and Social Services, Corrections and the Court system deal with these specific situations as well.

Presenters:

Colonel Audie Holloway,
Director, Alaska State Troopers

Michelle DeWitt,
Tundra Women's Coalition
Bethel

**Ellen Aluska and
Melanie Fredericks**
Bethel

Brenda Stanfill, Executive Director
for Interior Alaska Center for
Non-Violent Living
Fairbanks

Mandy O'Neal Cole, Direct Ser-
vices Manager for
Juneau AWARE shelter
Juneau



The Department of Public Safety

Colonel Audie Holloway reported that the Department of Public Safety has a huge role in confronting the problem of domestic violence. This response is organized through four entities: the Council on Domestic Violence & Sexual Assault, Alaska State Troopers, Alaska Bureau of Investigation, and the Alaska Police Standards Council. Each of these public safety divisions works statewide.

The **Council on Domestic Violence and Sexual Assault** provides for planning and coordination of services to victims and to predators of domestic violence and sexual assault and provides for crisis intervention and prevention programs. The council representation is made up of three public members and four from state government. One state representative is chosen from the following departments: (1) Law, (2) Education & Early Development, (3) Health & Social Services, and (4) Public Safety. The council provides 20 victim service programs, fourteen certified batterer intervention programs, and five Sexual Assault Response Teams, as well as statewide training and exam services. The council is also responsible for training of: Law enforcement, prosecutors, court personnel, advocates, and others that are first responders and community partners.

The Alaska Bureau of Investigation is a part of the Alaska State Troopers. The Colonel said that funding sources never bring enough money, however a recent federal funding source has been an asset that created the Family Violence Prevention Services Act. It has given police the tool to arrest in instances

where the perpetrator would have usually gone free in the past. An arrest must be made now when certain crimes have actually or allegedly been committed. There are, of course, social problems that are created when a member in a relationship is taken off to jail. The danger of walking away from a volatile domestic situation is often the greater risk. Now the officer must make an arrest which gives a settling time to occur within the family, and has saved further violence or even death occurring without that intervention.

The Role of Alaska State Troopers in responding to Domestic Violence is to create safety for the victim, investigate and make arrest determinations. They must, by mandate, see to medical treatment and assure victim transportation is provided or given transportation to a safe place. They must also assist with removal of personal belongings, provide information to victims, and seize any deadly weapons. This is followed by transport of the suspect, the follow-up investigation and detailed reports.

Alaska Mandatory Arrest

Law enforcement must make an arrest in crimes involving domestic violence, a violation of a protective order and when there is a violation of a release condition. The three exceptions to mandatory arrest are in the case of a homicide, when there has been permission granted from a prosecutor, and when only the principal physical aggressor is arrested. These exceptions are in place for use in ongoing crime investigation or to protect a person or persons from other possible harm.

AST Domestic Violence Training

Alaska State Troopers perform domestic violence training. The Alaska State Troopers train law officers of all designations throughout the state. State, Municipal, Village and all areas and types of law enforcement are educated to understand and deal with domestic violence.

Colonel Holloway said if there was one thing he would say needed more work, it would be in the area of follow-up and reassurance to the victim. The Department does very good investigative work, he explained. They do get back to the victim, however, sometimes not as quickly as he would like. Furthermore, the victim of domestic violence needs to know that the perpetrator has been dealt with and that the danger has been removed.

Role of the Alaska State Troopers in responding to Domestic Violence

- Respond
- Create safety for victim
- Investigate
- Make arrest determination
- Mandatory Duties
 - Medical treatment, transportation to a safe place

Alaska ranks #1 in the nation with the highest homicide rate for a female victim killed by a male perpetrator. Based on Tundra Women's Center staff experience, historical trauma plays a major part in the overwhelming number of situations of family & sexual violence in rural Alaska today.

-- Michelle DeWitt

Rural Alaska

Michelle DeWitt, of the Tundra Women's Coalition, informed the caucus that family violence has no race, color, culture, tradition, age, gender or economic/social stature. In rural Alaska, we will see more Alaska Native victims, in part, because there are more Alaska Natives in the region than any other group.

"But are the rates higher?" DeWitt asked, then answered, "Yes. We know that abuse issues are significant in rural Alaska and we know that most forms of abuse are under-reported. So we're only seeing a piece of the overall picture. At this time we have only truly measured what is reported [in their own area] and we don't know how reporting rates in Southwest Alaska compare to reporting rates elsewhere."

When #1 Isn't Positive: When Men Murder Women.

Alaska ranks **#1 in the nation** with the highest homicide rate for a female victim killed by a male perpetrator. Based on Tundra Women's Center staff experience, historical trauma plays a major part in the overwhelming number of situations of family & sexual violence in rural Alaska today. In this regard DeWitt asked Melanie Fredericks (who called in from her remote office) to talk about how the violence issues have come about in the rural areas. Melanie said problems really date back to the time of schools being introduced and of confusing the rituals of religion. Even today language is easily misunderstood. Loss of Native language and culture has contributed to domestic violence and sexual abuse. However, none of these is an excuse. Elena Aluskak also added; her Elders were brought up to respect their Elders. The power point presentation showed an Elder gentleman being interviewed and commenting, "didn't happen in my time, this thing is new, parents not parenting anymore, education not helping."

Why is it difficult to address family & sexual violence in Southwest Alaska? Melanie reported that often sexual violence or abuse that happens within the family is kept quiet. Villages are very isolated and a large percentage of residents are family or extended family of the victim.

DeWitt said crime is often not reported because this means someone from a close-knit community will be taken away. Telling on a person can be seen as a betrayal with the possibility of losing a family provider. This raises many concerns: Who would do the hunting, fishing, gathering fire wood or other work expected in the community? Often it is just too hard to cope with

the technicalities and the woman returns to the bad situation at home. There may be loss of livelihood and the cost is prohibitive of traveling to a hub town for meeting with social services providers. In a large hub town or in a city a person can take a bus to see an official, go to the court, or visit a health provider. In Bush Alaska, people have to call in with less than perfect phone service and even less chance of acceptable language communication.

Technical terms are especially hard to understand when trying to translate the language. With legal language being so foreign, many people are unsure what constitutes a reportable crime and what questions should be asked of a person about their situation. The Legislative aide to Representative Max Gruenberg asked how often an interpreter is available? The answer was that because of the remoteness of many cases, normally there is no interpreter available.

Things are improving on the front-end, DeWitt explained. Coordination with community services has improved. Wellness and healing is really positive but with virtually no money it can only touch a few. Major positive action has been seen in the Tundra Women's Center work with teens, which lowers domestic violence and stops the negative cycle.

Interior Alaska Center for Non-Violent Living

Brenda Stanfill spoke of the Wise Family Center in Fairbanks with pride. The building was designed after the successful Family Justice Center concept in San Diego, putting an array of family services under one roof as community partners. Public Health provides an exam room offering services twice a month, mental health counselor, Literacy Council providing books, Alaska Legal Services, and WIC. The Child Advocacy Center provides support to child victims of sexual assault (with an adult advocate) and parenting groups. Still more services are coming on line. The top floor has eighteen family rooms with 26,000 square feet of floor space. This all came about through a very large private grant.

During a normal three week stay, things are kept on the quiet side to give the woman some down-time. After this period more intense work is conducted to help a family prepare for the future. Transitional housing features suites similar to a Marriott Hotel room. A stay is usually between three weeks to three months. Beyond that time, the client may move into one of eight two-bedroom apartments for up to two years. During this time, services provide help with self esteem, living skills (for instance,

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How many Alaska women are abused?

- **26% of Alaskan women were abused**
- **61% were abused at least once a month**
- **63% reported their children were also abused by the abuser**

Reported figures indicate that Alaska consistently has an exceptionally high rate of sexual assault, with a rate of reported forcible rape in 2006 of 76 per 100,000 population, over twice the national rate of 30.9.

Alaska Justice Forum

Issues for victims that are tough to surmount:

- √ **Lack of treatment for addiction issues**
- √ **Challenges in accessing mental health**
- √ **Lack of availability of affordable housing services**
- √ **Lack of affordable vocational training**
- √ **Appearance of no accountability for the perpetrator**

some clients have never had to pay rent before), education, and finding a job.

Having an advocate means being a voice for those who need assistance standing up for themselves. Stanfill challenges anything acting as a barrier to stopping domestic violence and sexual assault. She doesn't support too many plea bargains that allow the perpetrator to go free. When a perpetrator has grown up with poor learned behavior, three days off the street just doesn't change that person's way of thinking or their actions. To this end, the three strikes law may provide a needed deterrent. Prevention must be introduced in order to learn new and different habits.

Mandy O'Neil Cole, Direct Services Manager, AWARE, Inc.

A protection order is only a piece of paper, but it can have profound ramifications. At AWARE the staff gives clients pros and cons for having a protection order. The protection order tells an already potentially dangerous person to stay away and in escalating situations can provide a reason for an arrest. Sometimes, however, it can be a target painted on a victim's back. Depending on the circumstances in the relationship or who else they are running with, bad feelings can turn lethal. Sometimes this system can be frustratingly, counterproductively backwards, such as requiring a young child to get permission from his domestically violent father to get services.

How common is domestic violence? 25% of women experience domestic abuse in their lifetime. Domestic violence accounted for 20% of all crime against women (nonfatal) in 2001 (3% for men). 4.9 million intimate partner physical assaults and rapes are perpetrated against U.S. women annually. AWARE offers a respite. They talk to judges, police, housing people; talk over things like family, love, and the avoidance of violent video games. Cole said they provide records to help the perpetrator get help. AWARE staff reported finding out from numerous abusive men that jail alone is not a deterrent; it is "3 hots [meals] & a cot." In some cases, there is justification to decriminalize domestic violence and focus instead on getting everyone involved into appropriate treatment programs. There is a real need for more treatment centers for women with children, and more prevention programs.

Group Discussion

After the speakers had finished, questions came from different parts of the state. An aide to Representative John Coghill in Juneau asked for feedback from the presenters regarding the role of alcohol in domestic violence incidents. Michelle DeWitt responded that: "Alcohol doesn't cause abuse. However, it is a factor in most of the calls to law enforcement in our region. Adding alcohol is like adding fuel to the fire." Brenda Stanfill gave a surprising answer that it seems to be involved in less than 50% of the cases. Mandy O'Neal said alcohol has been an influence in half of the crimes, at least. Col. Holloway said that whatever the percentage of the cases, when alcohol is an ingredient, violence is worse.

Representative Peggy Wilson, teleconferencing from Wrangell, asked if there is data showing how often alcohol is involved in sexual abuse or domestic violence. Mandy O'Neal Cole agreed that alcohol is involved about half of the time, however, in those cases alcohol merely gave an excuse to act. DeWitt said that in domestic violence it is involved more than half of the time. The Colonel reported that in the Anchorage area it is involved more than half of the time and that also many cases are unknown. DeWitt added that the victims themselves are often under the influence of alcohol or other drugs and therefore become an easier target.

The panel was generally surprised at the low reporting of alcohol as the cause of domestic violence or sexual abuse. However, it was noted that when the number is somewhere in the area of half of the instances, it is, even at that, a very large number.

A Municipality of Anchorage employee, Tracy Speier, reported that with the use of polygraph tests, many arrests for domestic violence offences are made when a perpetrator would have otherwise gone free. It was underscored that domestic violence batterers cannot just be treated with anger management and that sexual assault is not treatable as a mental health problem.

Representative Wilson asked: "So what will help, and where?" Colonel Holloway answered that this is a good question. He said that there are fourteen centers throughout the state, but the state suffers from a lack of prevention services. "Domestic violence begets domestic violence," he said, "correct treatment for problems is necessary." He gave the example of a community hub that does not have treatment, and sexual assault and domestic violence is on the rise there. Help is needed.

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- Of the 15 Alaskan women murdered in 2003, 53% were victims of current or former intimate partners.
- In 1995, 80% of all homicides were domestic violence related
- In 2003, Alaska led the nation in men murdering women (4.84 per 100,000 people).

University of Alaska, Anchorage, Institute of Social & Economic Research and FBI's Uniform Crime Reporting Program