
Programs And Laws That Protect Victims From Domestic Violence

You may think that domestic violence isn't a big issue but it is as big as any other problem in the world. Many men and women die every day because of domestic violence. Just imagine you have a friend or anyone you care about in a relationship and they are being abused by their partner and one day you get a phone call that he or she has died because of their abusive partner. How would you feel that you didn't do anything to help them? Although problems may arise with how many people view that domestic violence only occurs in a straight relationship. It exactly occurs in any form of relationship. By educating the police and people we can bring this issue to the light. There are many solutions for heterosexual victims of domestic violence but not many for people in same-sex relationships. Some of these solutions include making penalties for domestic violence consistent and firm, changing the way family courts handle cases involving domestic violence.

These victims live in fear every day believing that they are alone and no one will believe them. Aggressive behavior at home is characterized as an example of practices used by one accomplice (the batterer or abuser) to apply and keep up power over someone else (the survivor or unfortunate casualty) where there exists a close as well as reliant relationship. Specialists believe that aggressive behavior at home happens in lesbian, gay, and transgender (LGBT) relationships with a similar measure of recurrence and seriousness as in their heterosexual counterparts. There are many common myths that are told about same-sex domestic violence. The top four common myths are: that the aggressor is always stronger and bigger than the victim. A gay man can not abuse another gay man because they should be equal in strength. A woman can not harm her partner. And lastly, there aren't any laws that protect victims of domestic violence in the LGBTQ community. Due to these myths that are told to victims these victims are threatened into silence and are brainwashed into believing that if they leave their partner no one will ever love them. domestic violence in same-sex relationships is not commonly brought to the light. This is due to the fact that they believe that because they are the same sex the cops will not believe them, or that the legal system will not protect them. There are many forms of domestic violence and due to this, it can sometimes be hard to notice or prove that a person is being abused. The three types of abuse are financial, emotional, and lastly physical. Due to this, there can be many long-term physiological scars left on the victim. Domestic violence has been a problem for decades but it wasn't until the 1920's that all states had passed a law making domestic violence a crime but it wasn't until the 1970's that the police actually took domestic violence seriously and did not look at it as a private family matter. Domestic violence is very common: "On average, nearly 20 people per minute are physically abused by an intimate partner in the United States. During one year, this equates to more than 10 million women and men." (NCADV.org/statistics N/D) The biggest question to ask a victim of intimate partner violence (IPV). Why didn't they report the problem the first time? Why wait so long or why didn't they leave their partner. Well, the obvious answer is they couldn't. These victims are in fear of their lives and the lives of their loved ones. "Forty-five percent of victims do not report the violence they experience to police because they believe it will not help them. Furthermore, members of the LGBTQ community may be denied assistance and domestic violence services as a result of homophobia, transphobia, and biphobia"(ncadv.org). Due to many gay men and women being denied assistance from the police they fall into a pattern

where they try to leave their partner but will always end up back with them or they will just remain silent about the abuse and never tell anyone. “One reason that victims may not report is due to society’s long history of discrimination against the LGBTQ community which has prevented LGBTQ victims from seeking help from the police, legal and court systems” (mmgconnect.com).

One possible solution is the way family courts deal with domestic violence when it comes to children. There can be many long-term and short-term effects that can be left on a child and it can later affect them on who they are and how they act. Domestic violence has many different effects on a child depending on their age. Children in preschool may have short-term effects like bed-wetting, thumb-sucking, crying, and whining. They can also experience trouble falling or remaining asleep; show signs of fear, such as stuttering or hiding; and show signs of extreme anxiety about separation. Meanwhile, a child who is a little older like a school-age child can feel guilty and blame themselves for the violence. Domestic violence and bullying are destroying the self-esteem of the child. They do not take part in school activities or get good grades, have fewer friends than others, and are more likely to get into trouble. They can even have a lot of headaches and stomachaches. Lastly, Teens who experience domestic violence may behave in negative ways, for example fighting with family members or skipping school. They may also be involved in risky activities such as unprotected sex and alcohol or drug use. They may have low self-esteem and some trouble making friends. They will start fighting or harassing others and are more likely to experience problems with the law. This form of conduct is more common in boys who are exploited in childhood than in girls. Girls are more likely to withdraw and experience depression than boys. Through all of this, the long-term effects are the most severe. The long-term effect in children of all ages is that “These children are at greater risk for repeating the cycle as adults by entering into abusive relationships or becoming abusers themselves. For example, a boy who sees his mother being abused is 10 times more likely to abuse his female partner as an adult. A girl who grows up in a home where her father abuses her mother is more than six times as likely to be sexually abused as a girl who grows up in a non-abusive home.” In New York state there is no list of factors in New York which the court will weigh in order to decide the child's best interests. The court will then find all relevant facts and circumstances relating to each particular case. But in the case that there is domestic violence is in the home. The victim must prove that this is going on and that the abuser is a threat not only to the child but also to him or her.

Another possible solution is making laws more consistent and firm so that the abuser will not get away with the crime. Due to laws not being firm enough many victims begin to live in fear all over again and are never able to break the cycle. Also due to each state making laws on how they deal with domestic violence, it can vary on how each state handles the severity of the situation. “Police are advised in States with mandatory arrest programs not to leave the scene without making an arrest. For the victim, mandatory arrest policies are usually better because if the offender is not arrested, he or she can intensify the violence against the victim as retaliation for contacting the authorities” (findlaw.com n/d). If this policy was nationwide the percentage of victims not reporting or are being murdered would decrease. Some examples of state policies that help to protect victims of domestic violence are new york, California, North Carolina. New york’s domestic violence policy states that the “Officer must arrest the perpetrator either when there's probable cause that they've committed a felony against a member of the household or when a protective order has been violated” (findlaw.com N/D). this policy has many disadvantages, one disadvantage is that not every victim is granted an order of protection and if they are granted the order of protection it doesn't always protect the victim. Even though these

laws are flawed let's look at the biggest law that is flawed in many ways. This is the law that doesn't exist to protect victims who finally break and decide to kill their abuser. Like I've said before the biggest question always asked a victim is why don't leave the first time. Statistically, it takes up to seven times for the victim to leave officially. There is one law new york state has that somewhat protects from serving a life sentence but not acquitting them of the charges. This is called the domestic violence survivor's justice act which simply states that "For a defendant to prove that she acted in self-defense, she must demonstrate that she believed, with cause, that a threat to her life or significant bodily harm was imminent." due to the fact that the victim must prove that he/she was in immediate danger at the time of the murder. many men and women are sentenced to life because proving that they were in serious danger at the time becomes hard to prove because maybe they finally broke and they just couldn't take being abused one more day and they saw no other way out.

For many people, there are few things that evoke a more reassuring sense of warmth, comfort, stability, and safety than going home. Many see their homes as a private stronghold—protection of unconditional love and support. At home, we tend to own more freedom, more time for family, and for some hours, at least, we are afforded an escape from the hustle of the day. For victims of IPV, however, the house is anything but a refuge. The Fear of retaliation from the abusive partner might prevent victims from seeking needed assistance. "Feelings of shame and embarrassment, especially among male victims, can even be a significant hindrance to seeking out services or aid. This lack of emotional support can cause heightened fear, anxiety, depression, anger, post-traumatic stress, social withdrawal, the employment of illicit drugs, alcohol dependence, and even suicidal ideation" (goodtherapy.org). IPV victims suffer from multiple types of abuse. the highest two common forms are physical and financial but in the end, these cause damaging psychological effects this doesn't only hurt the victim but it also destroys the victim's other relationships later in life. Financial abuse is one of the most powerful types of abuse that tend to make victims stay in an endless cycle of always returning to their abuser. "Research indicates that financial abuse occurs in 99% of violence cases" (nnev.org). within the beginning, most abusers initially look charming but actually, they're masters at manipulation. for instance, the abuser may make statements like, "I know you're under plenty of stress immediately so why don't you let me take care of the finances and I'll give you money weekly to take care of what you need" (nnev.org). In the end, the short-term effects are that because IPV victims can't financially support themselves they either find themselves homeless or returning to their abuser. The long-term effect is that now that the victim is away from their abuser they often face overwhelming odds in obtaining long-term security and safety. Ruined credit scores, sporadic employment histories, and legal issues caused by the abuse make it extremely difficult to achieve independence, safety, and long-term security. Finally, the foremost common kind of abuse is physical. Physical abuse is the use of physical force against another person in a way that lands up injuring the person or puts the person in danger of being injured. Physical abuse ranges from physical restraint to murder. When someone talks of violence, they're often relating physical abuse of a spouse or intimate partner. "Victims of abuse only report up to 25 percent of physical assaults which suggests that medical personnel, like doctors within the ER, often have the primary chance to spot the cycle of physical abuse. And even then, the amount who heads to the ER is low with only 14.7% of physical abuse victims saying that they might head to the hospital for assistance" (Tracy). Approximately two million injuries occur annually from physical abuse. But only a 3rd of them will seek medical help. While most of those injuries are minor in nature forty-three thousand are presented with gunshot wounds, stab wounds, fractures, internal injuries, and loss of consciousness. Of course, the most brutal of all physical abuse facts is that eleven percent of homicide victims were killed by an intimate

partner. Most of those fatalities are committed with firearms, like all murders. Statistically, seventy-six percent of intimate partner murder victims were women but more disturbingly, forty-four percent had visited an ER within two years and ninety-three percent had a minimum of one ER visit for injury. “A home in which anyone has been hit or hurt during a family fight is 4.4 times more likely to be the scene of homicide than that of a violence-free home” (Tracy).

Some people would say that even though there are programs and laws that protect women from their abusive partners. There aren't really any laws that protect people in same-sex-relationships. However, they are wrong because the same laws that protect women in IPV relationships also protect gay men and women. The same laws that were made to protect straight men and women also protect gay men and women. This is true for the state of new york but there are many states that do not actually protect gay men and women in domestic violence such as Delaware, Montanna, south Carolina. Due to this many men and women will not report the problem. There are also many common myths about LGBTQ domestic violence and I will name a few and tell you the actual truth behind these myths. One myth is that it is much easier for an LGBTQ victim to leave an abusive relationship compared to their heterosexual counterpart. This is not true because trying to leave the relationship is a very difficult process no matter if you are of the same sex or not. there are many challenges when you finally decide on leaving. such as the possibility of him or her trying to trace you down or them trying to kill you because you decide to leave them. Another common myth is that “Psychological violence, which includes name-calling, insulting, humiliating or attempting to monitor, control or threaten a partner, is not as serious as physical or sexual violence.” (hrc.org October 17, 2017)

This is also not true because due to the psychological scars the abuser leaves it can make the victim feel that they can never trust anyone any the abuser may threaten them by saying that they will out them to their friends and family. The biggest challenge any person who is gay has to face is the possibility of their abuser trying to out them to everyone they know. I know from experience how it can feel to hide the fact that you are gay and being afraid of what your family will think but thank god that I have a very supportive family who accepts me no matter what. That is not always the case for everyone else. For some people, if they are outed to their family their family might just disown them but in other countries, if you are gay they will kill you for that. So for many LGBTQ survivors, this is their biggest fear and obstacle. Another thing that can be said about why LGBTQ victims won't report is that they feel that if they report the abuses they won't get the help they deserve and want such as stated here “Many survivors face obstacles when it comes to disclosing their experiences or seeking help. However, these hurdles can be amplified for LGBTQ survivors who fear being “outed” to their friends and families, or who fear being discriminated against in the legal, medical, or criminal justice systems. In intimate partner violence cases, a perpetrator may capitalize on these fears to gain further power over the survivor. For example, a perpetrator may threaten to out the survivor or cut them off from LGBTQ-affirming friends if the survivor reports the abuse.”