



UNITED STATES DEPARTMENT OF JUSTICE

- - -

REMARKS OF THE HONORABLE JANET RENO,
ATTORNEY GENERAL OF THE UNITED STATES

TO THE

NATIONAL CONFERENCE OF WOMEN LEGISLATORS

- - -

First Amendment Room

National Press Club

Thirteenth Floor

529 14th Street, N.W.

Washington, D.C.

Friday, February 6, 1998

P R O C E E D I N G S

(9:44 a.m.)

GENERAL RENO: It is a real privilege to be here with you today, because my first effort in public service was to serve as the Staff Director of the Florida House Judiciary Committee and my knowledge of the legislative process and my dealings with Congress have been informed by the experience, by my year and a half with the Florida legislature. So I feel very

much at home.

I'd like to talk to you today about our efforts to combat what I think is one of the most pervasive and devastating crimes there are -- domestic violence. When I became a prosecutor in 1978 in Dade County, the medical examiner, who had been there a long time, called me and said: Janet, why don't you come over and have somebody look at our statistics and try to figure out who's been killed and who killed them over the last 20 years in Miami, and we did that. 40 percent of the homicides in Dade County that could be identified were related to domestic violence -- husband and wife, boyfriend-girlfriend, ex-spouse.

We developed information that enabled us to secure an LEAA grant to develop a domestic intervention program and we made some progress. But for those 15 years that I served as a state attorney the progress was often slow.

Interestingly enough, where we finally began to have things click, where the judges suddenly became attentive to the domestic violence issues, where the police began to respond, was when we started getting more women judges appointed or elected in Dade County.

(Applause.)

Too many American women still, however, live in fear of the very people upon whom they depend for love and affection. Instead of providing refuge, the walls of the home serve as prison bars for too many people -- not just for the victims, but for the children who observe the victim. And we have more recently developed clear evidence that the child who witnesses the violence in the home comes to accept violence as a way of life.

I think it imperative that we focus on this issue and continue to take steps to address the problem. Two-thirds of the women victimized in America -- of the four million American women who are victims of crime, two-thirds of these were victimized by someone who knew them. In 1996, 30 percent of female murder victims were killed by their current or former husband or boyfriend. So the problem is still very much with us.

We also know that it is a very underreported crime. Almost six times as women victimized by an intimate, 18 percent as those victimized by strangers, 3 percent, did not report the crime to the police because they feared retaliation from the offender and because they didn't have anyplace to go. They live under the continuing threat and reality of the very abuse they're afraid to report.

President Clinton and his administration have made domestic violence and violence against women a priority, and I think Congress shares that priority. The Violence Against Women Act is a landmark piece of legislation in its scope and in its mission. It takes a

comprehensive approach to fighting violence against women. It combines tough new penalties with programs to prosecute offenders and help women victims of violence. The Act, which passed with bipartisan support of Congress in 1994, was a crucial turning point, I think, in our national effort to break the cycle.

But I come to you basically as a child of state government, as opposed to the Federal Government, and I understand that the prosecutors, the police officers, the courts that are going to deal with this issue most of the time are state courts, state prosecutors, and state police. And as always, they burden state legislators face in terms of funding in terms of how you provide the resources to local officials to enable them to do the job, how you provide the shelters, is one of the things that you on the appropriations committees must grapple with day in and day out.

That's the reason I think it is so imperative that we develop a comprehensive effort, ensuring that the Federal moneys are spent as wisely as possible, that we avoid fragmentation, and that we do this in partnership. VAWA's approach, the Act's approach, is very simple. It charges us to build an integrated partnership among Federal, state, and local entities and to work together with victims' advocates to make a difference in the lives of women and families.

Something else is happening, though, that is exciting. It's not just a criminal justice problem. Now the medical community has come to understand that it is a public health problem as well, and it is exciting to see the President of the American Medical Association meeting with the President of the ABA and the advisory committee that Donna Shalala and I have formed to enable us to understand how the two communities can work together.

There are exciting things happening in that regard in a number of areas.

Youth violence is also coming to be perceived as a public health issue as well, and when the public health experts from the Centers for Disease Control worked with us we developed new initiatives and new efforts to prevent the problem in the first place.

So I would from your perspective encourage those partnerships at the State and local level. And as you consider funding, as you consider the mechanics and processes, say what have you done to integrate the hospital response with the criminal justice response, what are the issues of confidentiality, how do we deal with them, how do we work together to ensure sound planning?

We continue to work within our area of expertise, law enforcement, to ensure that acts of violence against women are treated as serious crimes by police officers, prosecutors, and judges. And I must tell you, it's a lot different than 15 years ago. Nobody tells me any more: But Janet, it's just a domestic.

(Applause.)

The Violence Against Women Act created new Federal crimes for interstate crimes of domestic violence and it prohibits persons who are subject to a valid protection order from possessing a firearm. The Act also recognizes that battered women often must flee to safety across state or tribal lines and therefore makes their protection orders valid in every jurisdiction in America.

I say this because that is important. You look at a State like Kentucky that's surrounded by seven other States and you can understand the magnitude of the problem. For me in Miami, 350 or 400 miles from the nearest border, it wasn't that much of a problem on some occasions. But it's something that we've got to look at.

And we've got to, again, reach beyond our boundaries and have a comprehensive effort nationwide. But the Act, as I indicated, also establishes grant programs that are giving us an opportunity to forge that partnership, not just in words, but with actions, and not just within the criminal justice system with those who put the cases into courts, but with victims' advocates as well.

The central grant program of the Act is STOP, the violence against women grant program. "STOP" means Services, Training, Officers, and Processes. You think your abbreviations at the state level are confusing. You haven't seen anything yet.

But STOP provides a total of \$130 million was awarded in fiscal year 1996 to the States and territories. In fiscal year 1997 Congress appropriated all of the authorized money, over \$145 million, for the STOP grant program, which I think indicates the strength of the national commitment. I always used to wonder what happened. I'd hear that Congress authorized millions of dollars for something and then I'd ask my senator 6 months later: Where is the money? That was authorized; it wasn't appropriated. This has been appropriated.

By design, the STOP grant program promotes the coordinated approach. It provides incentives for States to pool the expertise and resources of law enforcement, prosecutors, the courts, and victims' advocates. And the more you can get your States to develop sound plans that avoid fragmentation, that provide an interconnected effort, the better we can address the problem.

It makes no sense to add moneys for police and prosecutors if you have a situation where you have no intervention programs that can serve the need and you don't have sufficient prisons to house the person for the time the judges are sentencing them.

If we can develop plans and develop effective intervention programs based on a carrot

and stick approach, I think it can make a difference. Thanks to Federal funds provided under the Act, communities across America are developing innovative strategies to combat domestic violence and create services to address unmet needs.

New Mexico's Second Judicial Court has developed a program to provide emergency restraining orders for victims of domestic violence during off hours, evenings, holidays, and weekends. This is extraordinarily important. You have no idea, because I used to keep my telephone number, home telephone number, listed. What happens when somebody suddenly appears on the doorstep? The police won't respond or if they do respond there's no record of the restraining order and no place to go to check it out.

Bonner County, a very rural region in northern Idaho, has opened a 15-bed shelter. Similarly, the City of Philadelphia has formed a peer counseling service for battered Latino women, and this is extremely important because one of the areas that you will find problems in is there are certain ethnic groups that say: I can't report that; that's done all the time in my country and I don't want to report that.

We have got to do outreach to make people understand that unless we end the violence in the home we will never end it on the streets of this country.

(Applause.)

The Act also established a national toll-free hotline that provides a lifeline to try to address this issue. The number is 1-800-799-SAFE. 1-800-799-SAFE, or TBD 1-800-787-2234. This is a multilingual hotline run by the Department of Health and Human Services. It operates 24 hours a day throughout the 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands.

Since it began operating in February of '96, it has served over 100,000 calls from victims, family members, service providers, batterers, and others in all 50 States.

Prior to the Act, a victim trying to escape an abuser would have to file a new protection order in a new jurisdiction. When you come to town, you call the police, you say: I want this order enforced. I'm sorry, you have got to start all over again. In many cases this would mean waiting for another violent episode of abuse before she could obtain a new order in the new jurisdiction or before the police would make an arrest.

Sometimes the court might notify the batterer of a new filing and then the batterer would learn of her whereabouts -- a very dangerous situation for a domestic violence victim.

The full faith and credit provision of the Act requires States and tribes to enforce valid protection orders from other jurisdictions, and I think that this is a great breakthrough.

One such challenge involves full faith and credit for custody provisions for protective orders. This is a very difficult problem and it is critical to the safety of the children, an issue that is very near to me. When victims are forced across jurisdictional lines to escape abuse, often they do so without the certainty that legal custody of their children will follow them. Some victims encounter problems obtaining custody in the new jurisdiction. Other victims are forced to flee knowing that a previously awarded custody or visitation schedule will be disrupted.

Victims in this situation are put to a difficult choice: Move to safety, knowing that they may not be in compliance with a custody-visitation award, or remain in the home State, where custody and visitation can continue, but where the victim and the child run the risk of further abuse.

We have made the implementation of the full faith and credit provision a priority under the Department of Justice. We have provided funding to the Pennsylvania Coalition Against Domestic Violence Battered Women's Justice Project for a resource clearinghouse. The clearinghouse has been providing valuable technical assistance and information about how States are handling the implementation of the full faith and credit provision, as well as developing tools to assist them in implementing the efforts.

The phone number of the clearinghouse is 1-800-537-2238. 1-800-537-2238.

In addition, we have funded a regional pilot project in Kentucky to test interstate and intrastate verification systems for facilitating street-level enforcement of protection orders. This program recognizes the central role that police officers play. Numerous trainings have been held throughout Kentucky and neighboring States.

If you've got a valid protection order from Ohio and Kentucky doesn't have a record of it, how do you validate it and how do the police know that it's there? What are the processes?

34 States, though, have already enacted full faith and credit enabling legislation. New Mexico statutes specifically provide for full faith and credit for tribal orders, which is a very important issue in Indian country. This is important because in most States tribal orders are not enforced despite the law.

States and tribes are also working hard to develop computerized protection order files. As of August, 22 States have operational statewide protection order registries and 14 additional States are in the process of developing such registries. Some States, such as Kentucky, are linking their existing protection order registries with a protection order file that is part of the National Crime Information Center, a nationwide computerized database of criminal justice information which serves over 79,000 local, state, and Federal law

enforcement and criminal justice users nationwide.

So as we develop this network, police are going to have this information more available, and it's going to be exciting. I think, if you have not already done so, you should check with your State Department of Public Safety or a local police department in whom you have confidence to see what technology, information technology, is doing for police. You're going to have within probably 5 to 10 years every squad car in this Nation armed with a computer at the squad car that can make the immediate inquiry, get back the record immediately, take the fingerprint and put it in the squad car at the scene, make the match or identify this person as not a match immediately, put the DNA sample in at the scene, get back a test.

I mean, it is really, really exciting. But it is important -- and this is just a side note -- it is important that we work together because the technology changes so fast. You don't want to make an investment in obsolete technology. You don't want to make an investment in technology that is not interoperable, so that we can have a full information network.

We at the Justice Department are committed to doing everything we can to work with State and local officials to develop a comprehensive system of technology, of information technology, and an information network that can truly serve this Nation without costly duplication.

Other States such as Oklahoma are inputting information concerning protection orders directly into the CICC. Now we need to ensure that the requirements for the registration of protection orders do not delay enforcement.

Some communities are using their Act funds to provide training in full faith and credit. The Idaho Coalition recently sponsored five training sessions throughout the State on full faith and credit implementation. The Florida Governor's Commission on Domestic Violence held a one-day summit. These are some of the steps that are being taken in States across the you to inform all concerned.

We have come far in our efforts to hold people accountable for domestic violence. A couple laws by themselves, however, will not put an end to it. We must empower communities to work together to respond to the problem in an integrated and truly effective manner.

I see two areas that are particularly crucial: first, building broad-based community response systems; and secondly, developing innovative prevention and early intervention strategies.

I used to see it. The first case, the police were called. By the time they got there, he'd passed out. She said she wasn't hurt. The police left, when in fact there had been two other incidents for which she never called the police. The next time they'd come, she's hurt. She

goes to the hospital, but then she was in my office trying to beg me not to prosecute, and we had to sit there and work out with her just how we would do it and what we were intending to do, that we were not intending to exact vengeance, we were intending to interrupt the cycle of violence.

We can make a difference, but we have got to figure out how we intervene early, how that emergency room doctor can persuade that woman when he first sees her, when she hasn't reported it, to go to a program that can provide assistance and support.

Schools are key players in a wider community response to violence against women. Teachers, nurses, and school counselors often learn about domestic violence through the children who witness it or at times through their mother, who reveals the problem at a private meeting at the school. Schools can help battered women connect with community resources and seek protection. But too often the teacher, with all the burdens they face, have their problems. Somebody else has their problems, and they don't know what is in the community, what resources are available.

I urge you, as you pass legislation, as you consider appropriations, see what you can do to get communities to develop comprehensive plans that identify the abuse as early as possible and provide effective means for getting that person into a program that can provide the protection and interrupt the cycle of violence.

Employers must also become partners in community-based efforts to fight domestic violence. Whether she cleans offices, harvests vegetables, or carries a briefcase to work, the woman who is being abused will suffer absenteeism, decreased productivity, and lower workforce participation. I have been to a number of employee assistance programs with employee assistance professionals, and this is a major issue in the workplace. We've got to develop public-private partnerships to deal with this.

Employers must work together with advocates, law enforcement, and other service providers to ensure that women can work without fear and that we know where to send them when we see the occasion occur. Employers can take a number of steps to protect and support their employees. A number of employers are developing model programs.

What incentives can we give them to provide for these model programs? They educate management employees, they provide information on where to seek help, they train security guards in handling the safety needs of battered women who are being stalked at work.

I challenge you to do all you can to increase the safety of the workplace. I think it is basically a private responsibility, but, again, working together, knowing that we're all in this together, I think we can make a difference.

There is so much that each of you can do in your work to become part of the response, though I suspect that most of the people in this room have already for a long time been part of the response.

It is remarkable to me how often a battered woman presents clear evidence that she's been abused, and yet we turn our face, we won't respond. A friend, we know; we know, but we just don't follow through. And even now, with all that's being done, I still think we're just afraid to confront the issue.

I think, though, that we have made progress. Each one of us can in the various roles we have make a difference.

One of the areas that I think has greatest potential is the area of community policing. We formed a neighborhood intervention group in Miami composed of a community-friendly police officer, a youth counselor, and a public health nurse in a housing project that had had a great incidence of crime. The graffiti faded away, the crime faded away. People began to come out from behind their doors and found the community center in the housing project. And when I went back after I'd been gone for a year, I came in and there was the police officer who I had such confidence in and he said: I'll be with you in just a little bit; why don't you walk around. He said: I've got a domestic situation. And he said: This is the biggest problem I have.

We've got to train community police officers in how to respond to domestic violence, how to counsel, how to refer, what community resources are in place. Through our experience, we have learned that community policing can be so effective if the police officers are trained in what needs to be done.

There is so much that we can do, but I would ask you -- I'm short on time now, but I usually ask the question: If you were the Attorney General of the United States, what would you do to improve our efforts in really building a partnership based on principles of Federalism and a partnership between the Federal and State governments on law enforcement issues, violence against women, and the like?

My address is Tenth and Constitution, the Department of Justice, 20530. And since I can't -- I don't have the time this morning to hear the answers. I am very serious that I'd like to hear them if you ever want to write to me, and I'll be back in touch with you.

I appreciate this opportunity very much, and thank you for all that you do.

(Applause and, at 10:10 a.m., end of remarks.)