



Spanish version:

www.justicewomen.com/progressorpropaganda_sp.html

Protection and Justice for Women: Progress or Propaganda?



Media headlines, as well as law enforcement rhetoric, frequently tout claims of the great strides being made in reducing and responding to rape, domestic violence, and other violence against women. But recent research and analysis of governments' own figures suggest that, in reality, there has been little to no significant progress at all—not in the U.S., nor in other developed countries. And in developing countries the violence against women only seems to be getting worse.

Reliable violence against women figures are notoriously difficult to compile for a number of reasons. Police statistics are generally a poor indicator because there's little uniformity from one agency to the next in the way these statistics are collected and recorded. And even within police agencies fluctuating statistics are as likely to reflect swings in a department's practices and policies as much as any real changes in the rates of these crimes. Police statistics also don't account for victims' low and also fluctuating rates of reporting on violence against women.

Crime surveys are also riddled with pitfalls in attempting to quantify violence against women. Survey results can vary dramatically with even slight variations in survey design and interview styles. This is due mainly to women's understandable very fragile and tentative willingness to open up to strangers about these sensitive offenses.

Nonetheless, there are some key indicators we can use, and more recently, there are some more sophisticated social science studies, both in the U.S. and elsewhere, that give us a general picture of where we're at. All of these, unfortunately, indicate we've made very little progress anywhere over the last three decades in reducing violence against women, or in improving justice system response to these crimes.

Rape in the U.S.

The 'Justice Gap' for Sexual Assault Cases

A 2009 analysis of U.S. Dept. of Justice rape crime statistics by two of the country's leading sexual assault experts finds that, contrary to media reports, the rate of rapes and the conviction rates for rape in the U.S. haven't improved

since the 1970's. According to the study, even today, in only roughly 2% of rapes reported to police in the U.S, will a rapist go to jail. This is particularly staggering, because, of course, the majority of rapes are never reported to police in the first place.

Lonsway, K.A. & Archambault, J. (2009). *The 'Justice Gap' for Sexual Assault Cases: Future Directions for Research and Reform*. Manuscript in press, *Journal of Violence Against Women*. For more information on this paper, please contact author Kim Lonsway at Kim@evawintl.org.

A September, 2010 U.S. Senate Judiciary Committee Hearing

On September 14, 2010, hearing titled, "Rape in the U.S.: The Chronic Failure to Report and Investigate Rape Cases". Testimony highlighted three key issues:

1. Law enforcement's failure over the last 15 years to improve their record on rape cases.
2. Law enforcement's continued wholesale downgrading, shelving, disregarding, and dismissing of rape cases.
3. The FBI's gross undercounting and constricted definition of rape in the U.S..

US Senate Judiciary Hearing, Sept. 14, 2010, *Rape in the U.S.: The Chronic Failure to Report and Investigate Rape Cases*. C-SPAN Videos and transcripts of the hearing can be accessed at www.c-spanvideo.org/program/295455-1. See also: <http://judiciary.senate.gov/hearings/hearing.cfm?id=4772>.

"Police Investigation of Rape—Roadblocks and Solutions" National Institute of Justice Visiting Fellowship—Author: Martin D. Schwartz

Study Abstract by National Criminal Justice Reference Service (NCJRS), Jan. 1, 2011:

"This study involved interviews with detectives who have specialized in the investigation of sexual assaults as well as frontline patrol officers in order to determine their attitudes toward such cases.

One conclusion from the findings is that most police officers, whether detectives or first responders, are aware of the basic, well-known "rape myths," and the "politically correct"

answers that challenge those myths; for example, they know that women who dress revealingly can be raped, that women can be raped by men with whom they have previously had consensual sex, and that it is wrong to assume that women share some blame for being raped. Still, the findings from administering the rape scale to the officers indicate that despite many years of training, a large number of police officers still hold attitudes and opinions that undermine their ability to treat rape victims well. The officers were almost unanimously opposed to changing to a system of investigation and case processing that gives priority to protecting victims. Although this study had the objective of identifying “best practices” in police investigations of rape, the study concludes that there are no “best practices” worthy of replication or widespread use.

Among the police officers in this study, there was virtually no interest in and some strong resistance to examining innovative and improved ways of investigating and managing rape cases. The dominant theme in current investigative techniques is the

presumption that victims are lying and the initial job of the investigators is to expose it. The study recommends that police training in rape investigations be based in solid research and be related to the types of cases most often encountered, i.e. acquaintance rapes rather than stranger rapes. Interviews were conducted with 49 detectives who specialized in sexual assault. Samples of campus and municipal police officers were included in interviews with first responders. Tables, figures, 65 references, and appended interview instrument.”

Police Investigation of Rape—Roadblocks and Solutions. Link to NCJRS abstract with link to full document PDF: www.ncjrs.gov/App/Publications/abstract.aspx?ID=254756.

Rape in Europe

Different Systems, Similar Outcomes? Tracking Attrition in Reported Rape Cases Across Europe (2009)

A study of sexual violence attrition* statistics in the justice systems of 11 European countries, *Different Systems, Similar Outcomes, Tracking Attrition in Reported Rape Cases Across Europe*, (2009), reaches this conclusion quoted below:

“The majority of women reporting rape across Europe do not see justice done, and rising attrition rates make this more likely in 2009. This is the outcome of the continued influence of stereotypes of rape, rape victims and rapists at all stages of the legal process, and a failure to modernise investigation and prosecution practices. Sexual violence needs to be the subject of the same intense debate and policy development as has been the case with domestic violence if this depressing pattern is to be reversed.”

* ‘Attrition’ studies are the study of the elimination rate of rape cases at each stage of the criminal justice process, from reporting to conviction.

Lovett, J. and Kelly, L. (2009). *Different Systems, Similar Outcomes? Tracking Attrition in Reported Rape Cases Across Europe*. See, Child and Woman Abuse Studies Unit, [www.cwasu.org/filedown.asp?file=different_systems_03_web\(2\).pdf](http://www.cwasu.org/filedown.asp?file=different_systems_03_web(2).pdf).

Domestic Violence Homicide in the US

Probably the most accurate indicator we have of overall

domestic violence rates is the number of homicides of women

perpetrated by partners or ex-partners. This is because, unlike

non-lethal incidents of domestic violence, the number and circumstances of homicides are generally more carefully recorded than any other crime.

In March 2008, then Senator Jo Biden, author of the original Violence Against Women Act, claimed that between 1994, when the federal law was first passed, and 2008, the domestic violence homicides of women in the U.S. had gone down by 22%. On first glance this reduction seems substantial, though not

earthshaking. But what Biden didn't mention was that in the same time period homicides overall in the U.S. had gone down by 44%.

Given that the domestic violence murders of women didn't decrease by anywhere near the reduction of the homicide rate overall, clearly one can't conclude that the federal VAWA money, nor all the associated work, had any particular role in reducing domestic violence homicides.

Two things can, however, be said from this figure. One, the current strategies and money being aimed at reducing domestic violence homicide are utterly failing to even hold domestic violence homicide rates in trend with other homicides. And two, even with the billions of dollars being spent, domestic violence homicide appears to be stubbornly resistant to even the social changes that so dramatically reduced other forms of homicide.

Prosecution and Conviction Rates for Intimate Partner Violence

This 2009 meta-analysis* by a Univ. of Michigan team finds that only 1 out of 6 domestic violence cases reported to U.S. police results in conviction. When you consider that a failure of police and prosecutors to hold a perpetrator responsible puts a woman in greater danger, this 1 out of 6 conviction rate is a disaster. And it's an outrage, given the large amounts of public money being granted to police and prosecutors specifically to improve their handling of these crimes.

* A meta-analysis is a synthesis and summary analysis of existing studies.

Garner, J. (2009). *Prosecution and Conviction Rates for Intimate Partner Violence*. *Criminal Justice Review*, Vol. 34, No. 1, 44-79. Abstract available at <http://cjr.sagepub.com/content/34/1/44.abstract>.

Femicide in Latin America

In September 2010, women's organizations from 12 Latin American countries presented the Inter-American Commission on Human Rights with their report titled, *Latin America: Unstoppable the feminicides and violence against women*. (Latin American women increasingly use the word feminicide, as opposed to femicide, to signal their understanding of state complicity in the gender based homicides of women)

The women reported that the statistics of murders of women in Latin America are increasing, especially in Guatemala, El Salvador, Mexico and Colombia, where the numbers of partner violence or violence within the family are unstoppable, and the laws on violence against women are not functioning. The women's declarations also claimed that in a number other

Latin American countries, governments are failing to even record the murders of women.

Latinoamérica: Imparables el feminicidio y la violencia contra las mujeres,

www.redsemlac.net/web/index.php?option=com_content&view=article&id=671:latinoamerica-imparables-el-feminicidio-y-la-violencia-contra-las-mujeres&catid=53:violencia-de-genero&Itemid=72.

Case in Point: Femicide in Guatemala

In the first decade of the millennium, there have been over 4,000 femicides in Guatemala, a country with a total population of only 13 million people. The number of femicides in Guatemala has been increasing dramatically with each succeeding year.

Even more staggering, in only 2% of these femicides has a perpetrator been brought to justice.

See www.stopfemicide.com
and

Crime Without Punishment: Violence Against Women in Guatemala,
http://cgrs.uchastings.edu/pdfs/MUSALO%20Final%204_19.pdf.

Child Marriage, Genital Mutilation, Sex Trafficking, Denial of Safe Abortion, Stoning, Gender based Incarceration, Gender based Infanticide, Intentional Starvation, Denial of Maternity Care, etc.

In addition to rape and domestic violence, so many other forms of violence against women and girls have barely begun to be counted. Any attempt to measure the justice and safety afforded these crimes is an absurdity at this point, in light of the prevailing impunity, official disregard, and widespread failures to even recognize these acts as crimes.



JUSTICIA

Feel free to photocopy and distribute this information
as long as you keep the credit and text intact.

Copyright © Marie De Santis, Women's Justice Center
www.justicewomen.com | rdjustice@monitor.net

Source URL:

www.justicewomen.com/progressorpropaganda_eng.html

Design and translation into Spanish by Laura E. Asturias
www.transwiz.org