Inequality across State Lines

In the United States, one in four women will be victims of domestic violence every year. Despite the passage of federal legislation on violence against women beginning in 1994, differences in how domestic violence is addressed persist across states. *Inequality across State Lines* illuminates the epidemic of domestic violence in the United States through the lens of politics, policy adoption, and policy implementation. Combining narrative case studies, surveys, and data analysis, the book discusses the specific factors that explain why US domestic violence politics and policies have failed to keep women safe at all income levels and across racial and ethnic lines. The book argues that the issue of domestic violence and how government responds to it raises fundamental questions of justice, gender and racial equality, and the limited efficacy of a state-by-state and even town-by-town response. This book goes beyond revealing the vast differences in how states respond to domestic violence by offering pathways to reform.

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Inequality across State Lines

How Policymakers Have Failed Domestic Violence Victims in the United States

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This book is dedicated to all those who have been victims of domestic violence.
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It is estimated that over 10 million people will be victims of domestic violence every year in the United States. The majority of these victims will be women, one-quarter of whom will experience physical violence at the hands of an intimate partner. Domestic violence has not quite made the leap from a “private matter” to a “public health emergency” despite the fact that thousands of women are injured or killed across the country as a direct or indirect result of domestic violence. The fields of public health, criminology, and feminist theory study the topic of intimate partner violence and its collateral effects more deeply than the traditional “political” disciplines. We believe there is a fundamental gap in our understanding of the politics of violence against women. Human security is the foundation of a civil society, and violence among domestic households negatively disrupts that security. By failing to successfully address and mitigate domestic violence through coherent and cohesive national policy enforced and implemented consistently across states, women remain disproportionately at risk. In this book, we demonstrate how failed policy creates four levels of inequality for women: relative to men, across state lines, within states, and across racial and ethnic lines.

We argue throughout this book that women who are not assured safety in their own home and private lives will never achieve the equality they deserve. There is a single national policy on violence against women embodied in the Violence Against Women Act, originally enacted in 1994. Accompanying legislation, known as the Lautenberg Amendment, enacted in 1996, put restrictions on firearm possession and ownership among domestic violence misdemeanants. In 2022, Congress passed the Bipartisan Safer Communities Act (BSCA) which extended protections
against domestic firearm violence among dating partners. Despite the existence of these federal policies, states have both different definitions and scopes of domestic violence law and different laws on gun ownership and possession. This variation across state lines creates a patchwork fabric of protections for women who are subject to lethal domestic violence with a gun. Using a collaborative approach, we worked with research assistants at our own institutions to compile a comprehensive data set of these state laws, and we were aware that other researchers were doing the same thing. We are grateful to April Zeoli, Associate Professor in the School of Criminal Justice at Michigan State University and her colleagues for sharing their data on state laws in this arena. Lastly, the nonprofit organization Everytown for Gun Safety has created a working database with a range of gun laws that states have adopted since 1990, and we appreciate having access to that database as well. We use those data in Chapter 4 to demonstrate which factors encourage or discourage state adoption of laws at this intersection of policy.

Studying and researching domestic violence is challenging because so many victims do not want to come forward to report crimes against them for fear of disrupting their family lives, losing streams of income in cases where the abuser is the primary earner, and fear of future retribution by the abuser among other factors. Government agencies do not coordinate well in tracking and sharing data on the intersection of criminal activity and public health; it is only recently, for example, that the Centers for Disease Control (CDC) has persuaded the majority of states to coordinate information sharing between their state and local law enforcement agencies and their public health system. Information about how domestic violence cases are adjudicated is also difficult to find, absent in-depth studies of localized court systems, which can make it hard to generalize to systems outside that jurisdiction. Our solution was to create and administer an original survey of district attorneys and public defenders about their overall caseload, the percentage of cases that were related to domestic violence (40 percent on average) and the outcomes of those cases. We report these findings in Chapter 5.

This project has been a bit of an odyssey for us driven by our determination to put domestic violence more squarely on the map in the disciplines of political science and public policy. We came to this project together, originally as a PhD student and a faculty member and now as equal research partners. Kaitlin Sidorsky started her career at Brown University in 2010 as a PhD student who wanted to study gender and politics. She crafted her original dissertation topic on the influence of
women at the state level in nonelective office with Wendy Schiller, Susan Moffitt, and James Morone as her advisers. She published that work as the book *All Roads Lead to Power: The Appointed and Elected Paths to Public Office for US Women* (University Press of Kansas, 2019). She is now a tenured Associate Professor of Political Science at Coastal Carolina University. Wendy Schiller spent most of her research career writing about institutional politics in the US Senate, both current and historical. Her pivot came after the publication of her second research book, *Election the Senate: Indirect Democracy and the Seventeenth Amendment* (Princeton University Press, 2015) and her promotion to Professor of Political Science at Brown University. At that point, Kaitlin was finishing her dissertation and Wendy suggested they work together to consider the impact of state laws and policies on women’s equality, which was a natural extension of Kaitlin’s work on the impact of women in public office at the state level. If a state was conducive to women serving in nonelected public offices that had roles in implementing and overseeing policy, was that state a place that worked to ensure that women could thrive in general?

The first place to start to answer that question was the area of women’s human security. Our first conference paper looked at what happens to rankings of women-friendly states when incidences of sexual violence are included in the women-friendly index; we found that the rankings changed considerably, which was our first indication that a state’s climate of violence against women was not being fully included in assessments of women’s equality across states. In our subsequent research on the Women’s Rape Movement in the 1970s, we recognized that the issue of sexual, physical, and emotional violence against women committed by domestic partners was only relatively recently brought from the private to the public sphere and was inconsistently done at the state level. We set out to assess how inconsistency across states, and as compared with federal policy, creates inequality for women depending upon where they live. The collaboration has been invigorating and inspiring for both authors, who believe that this book is the beginning, not the end, of a long-term commitment to studying the impact of policy on women and families.

We are grateful to the reviewers of two articles that we published as part of this project. One article, on which Chapter 5 is based, was published in the *Journal of Women, Politics & Policy* (2020); we thank coeditors Heidi Hartmann, Becki Scola, and Melody Valdini for their support. The other article, on which Chapter 4 is based, was published in *State Politics & Policy Quarterly* (2022); we thank coeditors Connor
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Dowling, Tracy Osborne, and Jonathan Winburn for their support. For their permission to reprint portions of our articles in this book, we also thank both Taylor Francis and Cambridge University Press, the publishers of the Journal of Women, Politics & Policy and State Politics & Policy Quarterly, respectively.

We have presented sections of the book manuscript in conference form, and we are grateful to panel participants at the Midwest Political Science Meetings and the American Political Science Meetings for their comments and advice. We also appreciate the input of our colleagues at these conferences, including Scott Ainsworth, Sarah Binder, Sanford Gordon, Jennifer Lawless, Frances Lee, Suzanne Mettler, and Masako Okura. We would like to thank the seminar participants at Brown University, the University of Virginia, and the University of Illinois as well as Kelly Branham Smith for their comments on Chapter 4 of this book’s manuscript. We would also like to thank the Women’s and Gender Studies writing group at Coastal Carolina University, specifically Ina Seethaler for her endless support as well as Jennifer Mokos and Jaime McCauley for their comments on Chapter 5. Each of our institutions provided financial support for our research, and in particular, Wendy would like to thank the Humanities Research Fund and the Dean of the Faculty’s office at Brown University for continuous support.

We would like to thank the many research assistants whose work was crucial to the completion of this project. At Brown University, we thank research assistants Caleb Apple, Abigail Carbajal, Isabel Culver, Lauren Griffiths, Gianna Jasinski, Cayla Kaplan, Rakhi Kundra, and Gabriela Tenorio. At Coastal Carolina University, we thank research assistants Kai Legette-Gideon, Taylor Repp, and Caitlin Rhodes.

We were fortunate to have received several rounds of reviews of our book that clarified our argument and improved it substantially. We thank the anonymous reviewers for their extensive feedback and support of this project. Likewise, we thank our editor Rachel Blaifeder who understood and recognized the importance of this topic and believed in its success as much as we did. We thank editorial assistant Jadyn Fauconier-Herry for helping us prepare our manuscript for publication. We would also like to thank our content managers Hannah Weber and Becky Jackaman, senior project manager Shaheer Husanne, and our copyeditor JaNoel Lowe, for their work on the book.

Kaitlin would like to thank her department chair at Coastal Carolina University, Adam Chamberlain for his support of this manuscript. She would also like to thank her husband, Ryan for his feedback,
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couragement, and unwavering support of her professional goals. Kaitlin thanks her mother and her grandmother, both of whom are survivors of domestic violence. They were at the forefront of her mind as she completed this project. While writing this book, Kaitlin gave birth to her son Luca. She hopes he grows up in a world where there are far fewer victims of domestic violence – one where it fades to a distant memory as it has for his Mimi and Great-Grandmother.

Wendy would like to thank her colleagues, friends, and family for their support from the beginning of this project including Mary-Jane April, Iris Bahar, Shari Bennett, Ilene Berman, Janet Blume, Martha Few, Rachel Friedberg, Patricia Gardner, Helen Guler, Kei Hirano, Matt Levine, Hillary Maharam, Susan Moffitt, Lisa Montgomery, Eric Patashnik, Paul Testa, Emily Rauscher, Jordana Schwartz, Tiffany Trigg, Margaret Weir, Darrell West, and Miriam Wugmeister. She wants to especially thank her husband, Robert Kalunian, for his patience and endless support.

We hope our book shines a light on the policy failures present at the local, state, and federal levels of government to reveal the pathway to reform that can protect women from domestic violence. We dedicate this work and future expansion of our research to the victims of domestic violence who are too often underserved in the halls of government and in our judicial system.
### Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>AB</td>
<td>Assembly Bill</td>
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<tr>
<td>ACA</td>
<td>Affordable Care Act</td>
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<td>ACP</td>
<td>Address Confidentiality Program</td>
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<tr>
<td>ATF</td>
<td>Bureau of Alcohol, Tobacco, Firearms and Explosives</td>
</tr>
<tr>
<td>BSCA</td>
<td>Bipartisan Safer Communities Act</td>
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<tr>
<td>CCADV</td>
<td>Connecticut Coalition Against Domestic Violence</td>
</tr>
<tr>
<td>CDC</td>
<td>Centers for Disease Control and Prevention</td>
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<tr>
<td>COVID-19</td>
<td>coronavirus pandemic</td>
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<td>DA</td>
<td>district attorney</td>
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<td>DV</td>
<td>domestic violence</td>
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<td>DVFL</td>
<td>domestic violence firearm law</td>
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<td>DVRO</td>
<td>domestic violence restraining order</td>
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<td>EHA</td>
<td>event history analysis</td>
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<tr>
<td>EZASHR</td>
<td>Easy Access to the FBI’s Supplementary Homicide Reports</td>
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<tr>
<td>FBI</td>
<td>Federal Bureau of Investigation</td>
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<tr>
<td>FVPSA</td>
<td>Family Violence Protection Services Act</td>
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<tr>
<td>FY</td>
<td>fiscal year</td>
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<tr>
<td>GOP</td>
<td>Republican Party</td>
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<tr>
<td>HB</td>
<td>House Bill</td>
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<tr>
<td>IP</td>
<td>intimate partner</td>
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<tr>
<td>IPDV</td>
<td>intimate partner domestic violence</td>
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<td>IPV</td>
<td>intimate partner violence</td>
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<tr>
<td>LGBTQ</td>
<td>lesbian, gay, bisexual, transgender, and queer</td>
</tr>
<tr>
<td>MCEDV</td>
<td>Maine Coalition to End Domestic Violence</td>
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<tr>
<td>MNADV</td>
<td>Maryland Network Against Domestic Violence</td>
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</table>
List of Abbreviations

MSPCC Massachusetts Society for the Prevention of Cruelty to Children
NCADV National Coalition Against Domestic Violence
NCSL National Council of State Legislatures
NICS National Instant Criminal Background Check System
NNEDV National Network to End Domestic Violence
NRA National Rifle Association
OVW Office of Violence Against Women
PCADV Pennsylvania Coalition Against Domestic Violence
PD Public Defender
PFA protection from abuse
PTSD post-traumatic stress disorder
SB Senate Bill
SDVCJ special domestic violence criminal jurisdictions
SF Senate File
STOP Services, Training, Officers, and Prosecutors Formula Grant Program
UCR Uniform Crime Reporting
VAWA Violence Against Women Act