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Domestic Violence, Homelessness, and the Culture of Victim Blaming

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Domestic violence is the leading cause of homelessness among women and children. According to a 1997 survey of ten cities in the United States, 57% of homeless families left their homes due to domestic abuse (ACLU, 2008). One of the reasons that victims of domestic violence constitute a significant portion of the homeless population is the “zero tolerance” or “one-strike” policies of landlords. These policies authorize landlords to evict tenants once violence transpires in their residences, regardless of whether the tenant is responsible for or is the victim of domestic abuse. What is more, the adoption and enforcement of these policies often forces victims of domestic violence to choose between remaining with their abusive partners or homelessness. Some choose the former, but a far greater number choose the latter. Although the United States Congress challenged the culture of victim blaming among landlords with the passage of the 2005 Violence Against Women Act (VAWA), this law exclusively regulates the eviction practices of subsidized housing. The purpose of this paper is to explore the legislative origins of victim blaming among landlords, examine the various housing problems that domestic violence victims face, and outline the resources that battered women need in order to avoid homelessness.

The major legislation that gave rise to “one-strike” or “zero-tolerance” policies” was the National Housing Act (NHA). This law, which was passed in 1988, empowered public housing authorities (PHAs) and landlords of subsidized housing projects to evict tenants for engaging in or allowing other individuals to engage in illicit activities in their apartments (Whitehorn, 2007). Less than a decade after the passage of the NHA, President Clinton, in an effort to rid public housing of crime, gave Congress the green

light to amend the NHA in order to give landlords more leverage over their tenants (Whitehorn, 2007). These provisions to the NHA, which the Supreme Court ruled constitutional in 2002, established various incentives to encourage PHAs and landlords not to tolerate crime on their properties, thus giving rise to a proliferation of “zero-tolerance” for crime policies among landlords (Whitehorn, 2007). Owing to the provisions of the NHA, landlords and PHAs began to evict domestic violence victims on the grounds that such violence posed a threat to the general welfare and psychological well being of neighboring tenants (Whitehorn, 2007). It is worth noting, however, that neither President Clinton nor Congress foresaw the amendments to the NHA being used to evict domestic violence victims for the illicit activities of their abusers.

In 2005, after reviewing over a hundred cases in which victims of domestic violence were evicted for the criminal behavior of their abusers, Congress decided to pass the Violence Against Women and the Department of Justice Reauthorization Act (VAWA) (Fais, 2008). Under the VAWA, landlords could no longer evict domestic violence victims for the criminal acts of their abusers unless there was *substantial proof* that the victim of domestic violence somehow posed a severe threat to other tenants (Fais, 2008). Interestingly, Congress’ intent in passing the law was to “prevent homelessness by...protecting the safety of victims of domestic violence...and ensuring that such victims have meaningful access to the criminal justice system without jeopardizing [their federally funded] housing” (Fais, 2008, p. 1206).

Notwithstanding the protections that the law provides to domestic violence victims, the VAWA has its share of shortcomings. First, the VAWA applies exclusively to

Section 8 housing and public housing projects (Whitehorn, 2007), allowing private landlords to continue their enforcement of “one-strike” policies. Second, the VAWA forces PHAs to overlook cases of domestic violence and acquiesce to an increased police presence (Fais, 2008). Such a passive response on the part of PHAs to domestic violence is almost certain to have fatal consequences. The one redeeming feature of “zero-tolerance” policies is that their enforcement serves as a constant reminder that domestic violence is both deleterious and unacceptable. Tolerance, however, does not quite communicate the same sentiment. Third, the VAWA discourages many property-owners from building low-income housing and accepting Section 8 vouchers (Fais, 2008), which further diminishes the overall supply of affordable housing and has the potential to cause a rise in homelessness.

Besides “one-strike” policies and weak legislative solutions, battered women also face difficulties in maintaining housing. Although women of all socioeconomic backgrounds suffer from intimate partner violence, poor women are at a greater risk of experiencing domestic abuse than woman from high-income households. According to the Women Rights Project of the American Civil Liberties Union, women with “household incomes of less than \$7,500 are seven times as likely as women with household incomes over \$75,000 to experience domestic violence” (ACLU, 2008, para. 9). Moreover, the Women Rights Project of the ACLU also found that “women living in rental housing experience intimate partner violence at three times the rate of women who own their homes” (ACLU, 2008, para. 10). Poor women who have abusive partners commonly experience psychological trauma, including PTSD, anxiety, and depression

(Baker et al., 2010). This, combined with a dearth of friends, familial relationships, and a sufficient income, can cause victims of domestic violence to purposely eat less to afford rent, fall behind on their bills, and encounter credit problems (Baker et al., 2010). In other words, battered women face social, economic, and psychological burdens that make it difficult for them to keep their housing.

In addition, there are limited housing options available to battered women who escape from their abusers. According to experts, a considerable number of battered women look to shelters upon separating from their abusive partners (Baker et al., 2003). Shelters attract a sizable number of domestic violence victims due to their provision of legal services, support groups, and childcare services, which collectively help battered women begin new lives without their abusers (Baker et al., 2003). At the same time, owing to various funding restrictions, shelters are frequently constrained to withhold services from battered women who suffer from drug addiction (Baker et al., 2003). To make matters worse, battered women's shelters are invariably filled to the brim, leaving scores of domestic violence victims on the streets. Furthermore, the domestic violence survivors who are able to secure housing fail to receive protection against their abusers from the criminal justice system, which forces battered women into a state of perpetual fear that their abusers might cause harm to them or to their children (Baker et al., 2003).

Collectively, "zero-tolerance" policies, a lack of income, and a dearth of formal resources can cause a battered woman (and her children) to experience homelessness. In order to help victims of intimate partner violence avoid a life on the streets, it is of

vital importance to fully eliminate the culture of victim blaming among landlords. To achieve such a goal, Congress must make another set of changes to the Violence Against Women Act (VAWA) to ensure that the law protects women in *private*, as well as public, housing. In addition, Congress should also enact a law that increases funding to domestic violence shelters. If unable to pass such legislation, Congress should pass a law to establish transitional housing for domestic violence victims in various cities.

According to a woman who participated in a study about domestic violence, the first thing that a battered woman needs upon leaving her abuser is a safe home for herself and for her children:

They should have housing grants for women in emergency situations. You shouldn't be on it forever, just for emergency situations. Even for 6 months, they'll put you up, and then you can leave and make room for the next one.

Women need transitional housing. That's what keeps women in the situation—they want a roof over their head for themselves and their children (Baker et al., 2003, p. 774).

Such transitional housing should also have a childcare component, which will give low-income battered women the time to either enroll in training programs or look for employment. Furthermore, because battered women experience severe psychological trauma while with and after separating from their abusers, an effort must be made to give victims of domestic violence greater access to mental health services to smoothen their transition to independent living.

Although most sociological literature suggests that there is a direct link between domestic violence and homelessness, it is worth noting that intimate partner violence *does not* itself cause homelessness. Instead, the various obstacles that battered women face such as “one-strike” policies (in private housing), a lack of mental health services, a dearth of affordable (or transitional) housing, and an unresponsive criminal justice system can condemn these women to a life on the streets. To help domestic violence victims overcome these obstacles, Congress should pass legislation that increases funding to shelters, establishes transitional housing, and provides battered women with greater access to mental health services. Even though some will claim otherwise, the best way to end domestic violence is not to blame the victim, but to *help* the victim.

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