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Women and Justice

Highlights

- Civil order protection filings jumped 3,304 percent, from 189 in 1990 to 6,435 in 2005.
- Domestic violence is a gender-based crime with 80.6 percent of the victims being female and 80.6 percent of the perpetrators being male.
- Between 1991 and 2005, Iowa law enforcement agencies saw a 165.5 percent increase in the number of reported sex offenses, from 890 to 2,381. The majority of those victims were female.
- In 1987, Iowa's female prison population was fewer than 125. By 2006, that number was 658.
- African-American women represent a disproportionate number of women who are incarcerated at the Iowa Correctional Institution for Women. While representing approximately 4.3 percent of the female population, they comprised 20.8 percent of the female prison population in Iowa in June 2006.

—Chapter 5— Women and Justice

5.1 Introduction

Violence against women hinders them from achieving their full potential. In Iowa, the reported number of women who are victims of violent crimes, particularly domestic abuse and sexual assault, has risen overall in the past thirteen years. Iowa women are also committing more crimes than they were five years ago. The Iowa Correctional Institution for Women is housing more women now than ever before for drug-related crimes.

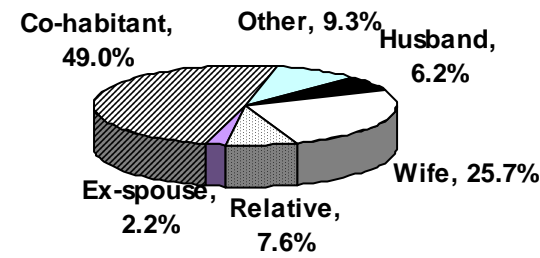
5.2 Domestic Violence

Domestic violence is a gender-based crime. Although both women and men can be victims of domestic abuse, the vast majority are women. In Iowa, 80.6 percent of victims were female and 80.6 percent of perpetrators were male, making domestic violence a gender-based crime in 2005.¹

Domestic violence crosses ethnic, racial, age, national origin, sexual orientation, and socioeconomic lines—with children often becoming the indirect victims. It is a pattern of abusive behavior used to control one's partner that includes physical violence or assault, isolation, intimidation, threats, economics, and forced sex.

Nationwide, in 2005, 778,200 violent crimes were committed against persons by their intimate partners.² Domestic abuse not only includes violent behavior among people who live together, but also includes assault between separated or divorced spouses, couples who had lived together in the past year, relatives, two people with a child in common, and those in a dating relationship. (SEE FIGURE 5.1)

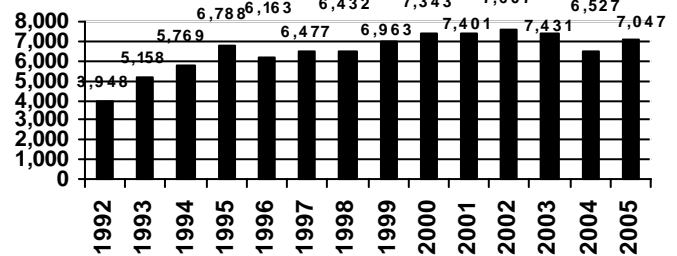
**Figure 5.1
RELATIONSHIP OF VICTIM TO OFFENDER
IN REPORTED DOMESTIC ABUSE CASES
IOWA, 2005**



SOURCE: Iowa Department of Public Safety

Domestic abuse reports to law enforcement officials increased 78.5 percent from 1992 to 2005. (SEE FIGURE 5.2)

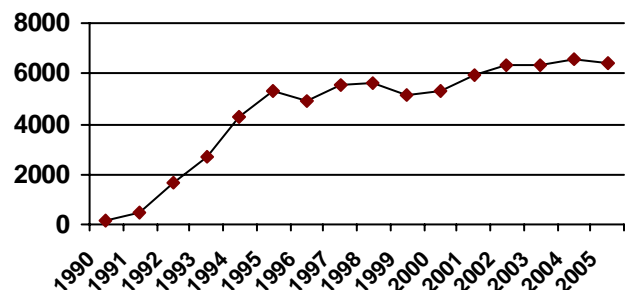
**Figure 5.2
REPORTED DOMESTIC ABUSE
ASSAULT CASES, IOWA, 1992-2005**



SOURCE: Iowa Department of Public Safety

Civil protection order filings jumped dramatically between 1990 and 2005, with a 3,304 percent increase. In 2005, 6,435 were filed. (SEE FIGURE 5.3) The increases can be attributed in part to the fact that domestic violence nationally and in Iowa has acquired a great deal of media and legal attention over the past decade, encouraging more victims to report domestic abuse.

**Figure 5.3
CIVIL ORDER PROTECTION
FILINGS IN IOWA, 1990-2005**



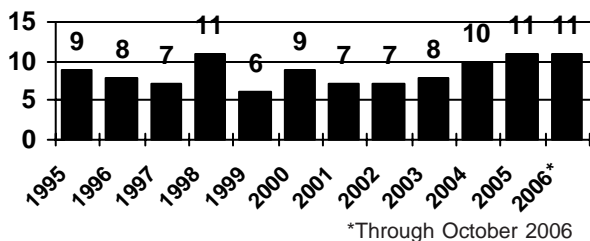
SOURCE: Iowa Judicial Department

Nonetheless, reported cases of domestic abuse represent only a small portion of those who seek help from Iowa’s domestic violence crisis lines and shelters. From July 1, 2004 to June 30, 2005, 21,738 victims of domestic violence were served by programs receiving state dollars. Of those, 18,067 were adults and 3,671 were children.³

In 73 percent of cases reported to law enforcement in 2005, the victim suffered some sort of injury. A weapon was indicated in 91 percent of those cases;⁴ sometimes the result was death.

Many Iowa women have died as a result of domestic violence. Since 1995, 154 Iowans have been killed in domestic violence murders. 104 women were killed by their partners—husbands, men with whom they lived, and men they had dated. (SEE FIGURE 5.4) Fifty-two of the perpetrators committed suicide after the murder.⁵ Conversely, 16 men were murdered in Iowa by their female partners during that same time period. In all domestic abuse murders in that time, 34 bystanders were killed; 20 were children also killed at the crime scenes. Many more children witnessed the crimes.⁶

Figure 5.4
FEMALES KILLED IN DOMESTIC ABUSE CASES, IOWA, 1995-2006



*Through October 2006
SOURCE: Iowa Attorney General's Office, Crime Victim Assistance Division

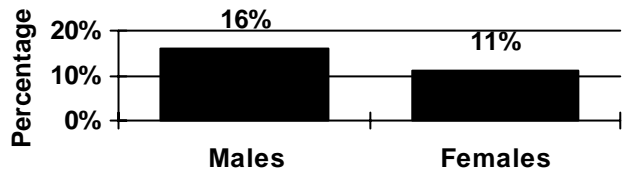
Children are at risk of death and of physical and sexual abuse in families where domestic violence occurs. In 32 percent of the cases reported to law enforcement in 2005, children were present.⁷ Research shows that 50-70 percent of husbands who batter their wives also batter their children.⁸

The 2002 Iowa Youth Survey, prepared by the Iowa Division of Criminal and Juvenile Justice Planning, Iowa Department of Human Rights, reported that a range of 11 to 16 percent of students in grades 6-12 experienced physical abuse at home. (SEE FIGURE 5.5)

The 2005 report also shows that of those high school students who had a boyfriend/girlfriend, 8.3 percent experienced physical abuse by their partner. Overall, 8.6

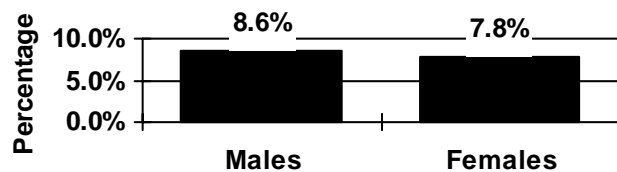
percent of boys and 7.8 percent of girls have been victims of dating violence. (SEE FIGURE 5.6) In 2005, 27 domestic violence projects existed in Iowa to assist victims of domestic abuse of all ages.

Figure 5.5
PHYSICAL ABUSE AT HOME, GRADES 6-12, IOWA, 2002*



*96,849 students statewide were surveyed
SOURCE: Division of Criminal and Juvenile Justice Planning, Iowa Department of Human Rights.

Figure 5.6
DATING VIOLENCE, GRADES 9-12, IOWA, 2005*



*96,849 students statewide were surveyed
SOURCE: Division of Criminal and Juvenile Justice Planning, Iowa Department of Human Rights.

5.3 Sexual Assault

In Iowa, the number of reported sexual assaults continues to rise yearly. A violent crime, primarily an aggressive rather than sexual act, sexual assault occurs whenever a person is forced to submit to another person against her or his will. It involves physical force, psychological pressure, and/or exploitation. The majority of reported sexual assault victims are women.

In 2005, law enforcement officials saw a 167.5 percent increase from 1991 in the number of reported sex offenses. (SEE FIGURE 5.7) That included 86.6 reports of forcible rape, 1080 reports of forcible fondling, 79 reports of sexual assault with an object, 124 reports of forcible sodomy, 50 reports of incest, and 182 reports of statutory rape.¹⁰ The actual number of offenses is presumed to be much higher, as many cases of sexual assault are not reported to law enforcement officials.

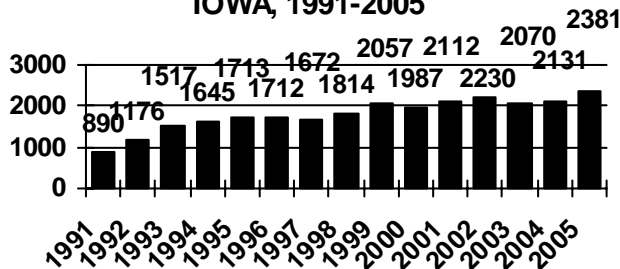
The majority of the rape victims knew their attacker in 2005. Victims identified a family member as their attacker 13.0 percent of the time, and 70.7 percent of

the victims knew the perpetrator. (SEE FIGURE 5.8) Most rapes occurred within a residence. (SEE FIGURE 5.9)

From July 1, 2004 to June 30, 2005, 4,141 adult, teenage, and child survivors of sexual assault sought services from Iowa's 33 sexual assault crisis centers. This includes 2,009 adults and 822 children. This was up from approximately 3,000 in 1990.¹¹

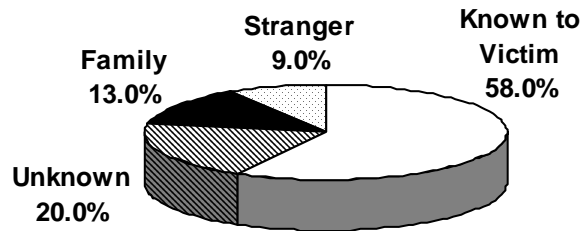
Ninety-six percent of forcible rape victims were female.¹²

Figure 5.7
REPORTED SEXUAL ASSAULTS
IOWA, 1991-2005



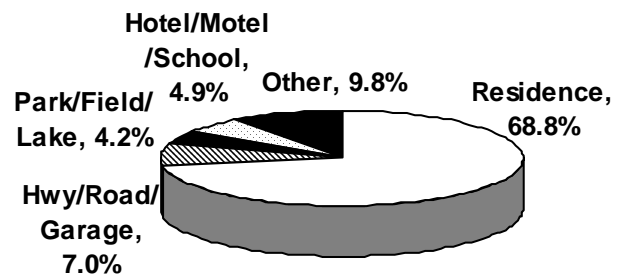
SOURCE: Iowa Department of Public Safety

Figure 5.8
REPORTED RAPE RELATIONSHIPS
IOWA, 2005



SOURCE: Iowa Department of Public Safety

Figure 5.9
REPORTED RAPE LOCATIONS
IOWA, 2005



SOURCE: Iowa Department of Public Safety

5.4 Offenders

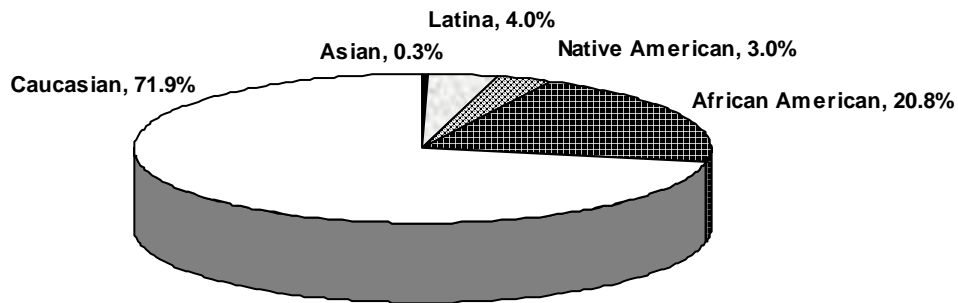
The proportion of female offenders to the total population remained fairly stable during the late 1980s and early 1990s. Over the past five years, the female population increased by 17.4 percent.¹³ (SEE FIGURE 5.10) There are grave differences in the rate of African-American women and white women who are in prison. In June of 2006, approximately 20.8 percent of the women incarcerated in Iowa prisons were African-American and 71.9 percent white.¹⁴ These figures are staggering considering that African-American women made up just 4.3 percent of Iowa's female population in 2005.¹⁵ (SEE FIGURE 5.11)

Figure 5.10
IOWA INMATE POPULATIONS AT MIDYEAR, IOWA, 1987-2005

YEAR	TOTAL	# WOMEN	% WOMEN	YEAR	TOTAL	# WOMEN	% WOMEN
1987	2,789	123	4.7%	1996	6,176	447	7.2%
1988	2,890	134	4.6%	1997	6,636	521	7.9%
1989	3,322	181	5.4%	1998	7,431	616	8.3%
1990	3,842	204	5.3%	1999	7,331	540	7.4%
1991	4,077	221	5.4%	2000	7,646	604	7.9%
1992	4,485	217	4.8%	2001	8,101	642	7.9%
1993	4,695	262	5.6%	2002	8,172	670	8.2%
1994	5,090	307	6.0%	2003	8,395	704	8.4%
1995	5,692	395	6.9%	2004	8,602	723	8.4%
1996	6,176	447	7.2%	2005	8,577	754	8.8%

SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

**Figure 5.11
RACIAL/ETHNIC MAKE-UP FOR WOMEN INCARCERATED
IN IOWA PRISONS, JUNE 30, 2006**



SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

Female-offender populations since the 1990s appear to be driven by trends in the following offenses: drug offenses, theft, murder/manslaughter and forgery.¹⁶ The number of female offenders serving time for these crimes has grown more rapidly than for other types of offenses. (SEE FIGURE 5.12)

**Figure 5.12
LEAD OFFENSES FOR WOMEN INCARCERATED
IN IOWA PRISONS, JUNE 30, 1996 AND JUNE 30, 2006**

<u>Lead Offense</u>	<u>June 30, 1996</u>		<u>June 30, 2006</u>		<u>% Change, 1996-2006</u>
	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	
Drug Offense	84	19.4%	203	32.0%	141.7%
Forgery/Fraud	74	17.1%	72	10.5%	-2.7%
Murder/Manslaughter	48	11.1%	68	9.3%	41.7%
Theft	61	14.1%	56	10.5%	-8.2%
All Other Offenses	166	38.3%	319	37.8%	92.2
Total Inmates	433	100.0%	718	100.0%	65.8%

SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

5.5 Juvenile Offenders

Juvenile arrests (those under 18 years of age) in 2006 totaled 5,276 in Iowa—20.6 percent female and 79.4 percent male. The highest percentage of Iowa’s female juveniles were arrested for larceny and violating liquor laws.¹⁷

From FY97 to FY01, the number of females served in Iowa’s juvenile detention facilities increased dramatically. FY02, FY03, and FY05 saw a decrease (SEE FIGURE 5.13) The largest numbers have been in property offenses (all degrees of theft, burglary, criminal mischief, trespassing, forgery, etc.), person offenses (all degrees of assault, robbery, arson, murder, and kidnapping), justice (contempt of court, escape from custody, failure to appear, etc.) and drug and alcohol offenses.¹⁸ (SEE FIGURE 5.14)

**Figure 5.13
JUVENILES HELD IN DETENTION
FACILITIES BY GENDER, IOWA, 1997-2006**

	<u>FY00</u>	<u>FY01</u>	<u>FY02</u>	<u>FY03</u>	<u>FY04</u>	<u>FY05</u>	<u>FY06</u>
Female	1,019	1113	1,055	1,088	1,040	1,081	1,089
Male	4,275	4129	3,735	4,013	4,139	3,903	4,187
Total	5,294	5,242	4,790	5,101	5,179	4,987	5,276

SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

**Figure 5.14
FEMALE JUVENILE OFFENDERS BY OFFENSE, IOWA, 2000-2006**

	<u>FY00</u>	<u>FY01</u>	<u>FY02</u>	<u>FY03</u>	<u>FY04</u>	<u>FY05*</u>	<u>FY06</u>
Other	0	0	7	0	0	0	1
Person	345	385	415	402	382	378	408
Sex	0	3	5	3	5	6	6
Drug and Alcohol	115	114	114	129	115	121	154
Public Health	25	41	37	35	6	4	3
Justice	109	118	57	75	123	136	130
Morality	3	4	6	1	5	3	2
Traffic	30	27	13	23	24	21	23
Property	381	415	398	404	370	404	355
Weapons	11	6	3	16	10	8	7
Total	1019	1113	1055	1088	1040	1081	1089

* Classification system changed in 2004

SOURCE: Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights

5.6 Forward-looking Strategies

- In response to the dramatic increase in drug-related crimes in the state of Iowa, there is a serious need for more drug abuse treatment programs.
- Funding and support for improved educational and vocational training for women is needed throughout Iowa's correctional system. Training for women and men needs to include parenting education with follow-up after release by community correctional programming and referral/support agencies. Furthermore, a task force needs to be established to examine treatment and equality of opportunity in education and training programs for women throughout the correctional system.
- Domestic abuse programs are understaffed. Programs require skilled staff and volunteers to be available on crisis lines and to work in person, 24 hours every day. Many programs respond to domestic abuse victims at hospitals, clinics, and police stations.
- During the past two years, domestic violence and sexual assault outreach offices have closed, especially in rural communities, due to decreased state money. These projects need full and continued funding.
- Training should be mandated for criminal justice personnel in victim-related issues.

- To meet the increasing needs of females involved with or at risk for involvement with the juvenile justice system, advocacy is needed for gender-specific programming on multiple levels as identified in the Iowa Commission on the Status of Women's *Providing Gender-Specific Services for Adolescent Female Offenders: Guidelines and Resources*.
- The Equality in the Courts Task Force, which investigated racial/ethnic and gender bias in Iowa's court system, reported in 1993 one consistent finding: gender and race bias poses a problem for women and minorities. Members of minority groups received harsher treatment in the court system. Educational programs should continue to incorporate materials on gender and racial/ethnic bias in courts. Training is needed for judges, attorneys, court personnel, and corrections/community-based supervision personnel.¹⁹
- Sentences to community-based programs as an alternative to prison, particularly for mothers who have been convicted of nonviolent crimes, should be increased.
- State funding should be made available for a full-time position to coordinate, develop, and manage legal assistance to meet the needs of low-income women.

¹Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 2005. (preliminary data)

²Bureau of Justice Statistics, *Criminal Victimization 2005*, September 2006.

³Crime Victim Assistance Division, Iowa Department of Justice.

⁴Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 2005. (preliminary data)

⁵Crime Victim Assistance Division, Iowa Department of Justice.

⁶*Ibid.*

⁷Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 2005. (preliminary data)

⁸Pagelow, "Effects of Domestic Violence on Children and Their Consequences for Custody and Visitation Arrangements," *Mediation Quarterly*, 1990, p. 347 quoted by *Final Report of the Supreme Court Task Force on Courts and Communities' Response to Domestic Abuse, State of Iowa*, August 1994, p. 93.

⁹Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights, *2002 Iowa Youth Survey*.

¹⁰Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 2005. (preliminary data)

¹¹Crime Victim Assistance Division, Iowa Department of Justice.

¹²Iowa Department of Public Safety, *Iowa Uniform Crime Reports*, 2005. (preliminary data)

¹³Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights.

¹⁴Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights.

¹⁵State Data Center, Division of Library Services, Department of Education.

¹⁶Iowa Division of Criminal and Juvenile Justice Planning, Department of Human Rights.

¹⁷*Ibid.*

¹⁸*Ibid.*

¹⁹*Final Report of the Equality in the Courts Task Force Executive Summary*, February 1993.